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THE

STATUTES

OF

THE UNITED KINGDOM

OF

GREAT BRITAIN AND IRELAND.

WITH NOTES AND REFERENCES

By N. SIMONS, of Lincoln's Inn, Esq.
BARRISTER AT LAW.

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TABLE

Containing the TITLES of all

THE STATUTES

Passed in the SIXTH Session of the FOURTEENTH Parliament

OF

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9° & 10° VICTORIÆ.

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lvii. An Act to amend and enlarge the Powers of the Acts relating to the *Edinburgh, Leith, and Granton* Railway. *Ibid.*

lviii. An Act for enabling the *Newcastle and Darlington Junction* Railway Company to make a Railway from or near *Thirsk* to *Malton*, with a Branch to *Hemsley*. *Ibid.*

lix. An Act for enabling the *York and North Midland* Railway Company to extend the Line of the *Whitby and Pickering* Railway to or near *Castleton*. *Ibid.*

lx. An Act to enable the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company to alter their Line near *Kilmarnock*, and to make Branches to *Linwood, Swinlees*, and the *Kilmarnock and Troon* Railway. *Ibid.*

lxi. An Act to amend the Acts relating to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway; and to authorize the Formation of Branches from *Busby* to *Irvine*, and from *Irvine* to the Harbour thereof, with a subsidiary Branch to *Perceton* Coalworks. *Ibid.*

lxii. An Act to enable the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company to make a Branch from their Railway near *Blair* to *Strathaven*; and to amend the Acts relating to such Railway. *Ibid.*

lxiii. An Act for making Railways from the *Brighton, Lewes, and Hastings* Railway to *Eastbourne*, to *Hailsham*, and to *Seaford* and *Newhaven*, and certain Deviations from the Line of the said Railway, all in the County of *Sussex*. *Ibid.*

lxiv. An Act to authorize the *South-eastern* Railway Company to make a Railway from *Tunbridge Wells* to join the *Rye and Ashford* Extension of the *Brighton, Lewes, and Hastings* Railway near *Hastings*. *Page* 415

lxv. An Act for enabling the *York and North Midland* Railway Company to make certain Branch Railways in the East Riding of the County of *York*; and for other Purposes. *Ibid.*

lxvi. An Act for enabling the *York and North Midland* Railway Company to make certain Branch Railways in the East Riding of the County of *York*; and for other Purposes. *Ibid.*

lxvii. An Act to empower the *London and Birmingham* Railway Company to make a Branch Railway from *Rugby* to the *Syston and Peterborough* Railway near *Stamford*. *Ibid.*

lxviii. An Act for making a Branch Railway from the *Brighton and Chichester* Railway to the Town of *Littlehampton* in the County of *Sussex*. 416

lxix. An Act for making a Branch Railway from the *Brighton and Chichester* Railway to the Town of *Steyning* in the County of *Sussex*. *Ibid.*

lxx. An Act to enable the *Edinburgh and Glasgow* Railway Company to alter the Line of the *Glasgow Junction* Railway, and to form a Branch to *South Queensferry*. *Ibid.*

lxxi. An Act for making a Railway from *London* to *York*, with Branches therefrom providing for the Counties of *Hertford, Bedford, Huntingdon, Northampton, Rutland, Nottingham*, and the Three Divisions of the County of *Lincoln* a Railway Communication with *London* and *York*, to be called "The *Great Northern* Railway." *Ibid.*

lxxii. An Act to enable the *Edinburgh and Northern* Railway Company to purchase the Ferry across the River *Tay* between *Ferry-Port-on-Craig* and *Broughty*. *Ibid.*

lxxiii. An Act to empower the *North British* Railway Company to construct certain Branch Railways in connexion with the *Hawick* Branch of the *North British* Railway. *Ibid.*

lxxiv. An Act to authorize the Construction of several Branch Railways and other Works in connexion with the *North British* Railway. *Ibid.*

lxxv. An Act to enable the *Scottish Midland Junction* Railway Company to make certain Branch Railways; and to amend the Act relating to such Railway. *Ibid.*

lxxvi. An Act for making a Railway from the *Eastern Counties* Railway at *Marks Tey* near *Colchester* to the Town of *Sudbury* in the County of *Suffolk*, and the Town of *Halstead* in the County of *Essex*, with a Branch Railway from the *Eastern Union* Railway to the *Hythe* at *Colchester*. *Ibid.*

lxxvii. An Act for making a Railway from the *Scarborough* Branch of the *York and North Midland* Railway at *Norton* near *Malton* to the *Bridlington* Branch of the *Hull and Selby* Railway at *Great Driffield* with a Branch therefrom. *Ibid.*

lxxviii. An Act to enable the *Arbroath and Forfar* Railway Company to raise an additional Sum of Money; and to amend the Acts relating to the said Company. *Ibid.*

lxxix. An Act to enable the *Edinburgh and Northern* Railway Company to alter their Line of Railway near to *Dysart*, to make a Branch Railway from *Kinghorn* to the Harbour of *Pettycur*, and for other Purposes relating to the said Company. *Ibid.*

lxxx. An Act to empower the *Manchester and Birmingham* Railway Company to make a Branch Railway to *Bollington*. *Ibid.*

lxxxi. An Act for making a Railway from *Glasgow* to *Dumbarton* and *Lochlomond*, and with Branches to *Helensburgh* and other Places, to be called "The *Caledonian and Dumbartonshire Junction* Railway." *Page* 416

lxxxii. An Act for making a Railway from *Oxford* to the *London and Birmingham* Railway at *Bletchley* in the County of *Buckingham*. *Ibid.*

lxxxiii. An Act for making a Railway from the *Croydon and Epsom* Railway at *Epsom* to the Town of *Portsmouth*, to be called "The *Direct London and Portsmouth* Railway." *Ibid.*

lxxxiv. An Act for making a Railway from *Harecastle* to join the *Manchester and Birmingham* Railway at or near the *Sandbach* Station thereon. 417

lxxxv. An Act for making a Railway from the *Manchester and Birmingham* Railway at *Macclesfield* to the *Trent Valley* Railway at *Colwich*, with Branches. *Ibid.*

lxxxvi. An Act for making a Railway from the *Manchester and Birmingham* Railway at *Macclesfield* to join the *Birmingham and Derby* Line of the *Midland* Railways, with a Branch to *Stoke-upon-Trent*. *Ibid.*

lxxxvii. An Act for making a Railway from *Belfast* to *Downpatrick*, with Branches to the Towns of *Holywood*, *Newtownards*, *Bangor*, and *Donaghadee*, all in the County of *Down*. *Ibid.*

lxxxviii. An Act for making a Railway from *Great Grimsby* by *Louth* and *Alford* to *Boston* all in the County of *Lincoln*, to be called "The *East Lincolnshire* Railway." *Ibid.*

lxxxix. An Act for enabling the *York and North Midland* Railway Company to make a more direct Line of Railway between *York* and *Leeds*. *Ibid.*

xc. An Act for making a Railway, to be called "The *Liverpool, Manchester, and Newcastle-upon-Tyne Junction* Railway," with a Branch to the Town of *Hawes*. *Ibid.*

xci. An Act for making a Railway from the *Chester and Birkenhead* Railway to the *Manchester and Birmingham* Railway, with Branches therefrom, to be called "The *Birkenhead, Lancashire, and Cheshire Junction* Railway." *Ibid.*

xcii. An Act for making a Railway from the *Leeds and Bradford Extension* Railway to the *Lancaster and Carlisle* Railway, with a diverging Line therefrom to *Lancaster*, to be called "The *North-western* Railway." *Ibid.*

xciii. An Act for making a Railway from the Line of the *Syston and Peterborough* Railway in the Parish of *Helpstone*, near to the Town of *Stamford*, to the Line of the *Wisbech* Branch of the *Lynn and Ely* Railway at or near to the Town of *Wisbech*, to be called "The *Boston, Stamford, and Birmingham* Railway." *Ibid.*

xciv. An Act for improving and maintaining the Harbour of *Port Ellen* in the County of *Argyll*. *Ibid.*

xcv. An Act for enabling the *Newcastle and Darlington Junction* Railway Company to make a Railway from the Line of the *Great North of England* Railway to or near to *Boroughbridge*. *Ibid.*

xcvi. An Act for enabling the *Newcastle and Darlington Junction* Railway Company to make a Railway from the Line of the *Great North of England* Railway to *Bedale*. *Ibid.*

xcvii. An Act to empower the *Eastern Union* Railway Company to complete the *Eastern Union* Railway from the Junction thereof with the Line of the *Eastern Counties* Railway at *Ardleigh* to *Colchester*. *Ibid.*

xcviii. An Act for making certain new Lines and Deviations in the Line of the *Great Grimsby and Sheffield Junction* Railway, and for constructing a Branch therefrom to the Town of *Caistor*, all in the Parts of *Lindsey* in the County of *Lincoln*. *Page* 417

xcix. An Act for enabling the *Great Grimsby and Sheffield Junction* Railway Company to make an Extension from the *Market Rasen* Branch from the *Great Grimsby and Sheffield Junction* Railway to communicate with the City of *Lincoln*, and also a Branch to the Town of *Barton-upon-Humber*, and other Works connected therewith. 418

c. An Act to authorize the *Great Grimsby and Sheffield Junction* Railway Company to make an Extension from their Line of Railway in the Parish of *Bole* in the County of *Nottingham*, to the Town of *Newark-upon-Trent* in the same County. *Ibid.*

ci. An Act for establishing a Steam Communication across the River *Humber* in connexion with "The *Great Grimsby and Sheffield Junction* Railway." *Ibid.*

cii. An Act to empower the *Midland* Railway Company to make a Railway from *Pye Bridge* to the *Clay Cross* Station of the *Midland* Railway, and a Branch in the Parish of *Crich*. *Ibid.*

ciii. An Act for making a Railway from *Aberdeen* to *Inverness*, with Branches to *Banff*, *Portsoy*, *Garmouth*, and *Burghead*, to be called "The *Great North of Scotland* Railway."

civ. An Act to enable the *Ballochney* Railway Company to improve the Gauge of their Rails. *Ibid.*

cv. An Act for making a Railway Communication between the City of *Bristol* and the proposed *South Wales* Railway in the County of *Monmouth*, with a Branch Railway therefrom. *Ibid.*

cvi. An Act for amending an Act passed in the Thirtieth Year of the Reign of His late Majesty King *George* the Third, for making and maintaining a navigable Communication between *Stowmarket* and *Ipswich* in the County of *Suffolk*, so as to enable the Trustees of such Act to lease the said Navigation; and for other Purposes connected therewith. *Ibid.*

cvii. An Act to enable the *Slamannan* Railway Company to make a Railway to *Borrowstouness*, with Branches to the *Edinburgh and Glasgow* Railway. *Ibid.*

cviii. An Act for making a Pier from the *Common Hard* at the Eastern or *Portsmouth* Side of the Harbour of *Portsmouth* in the Parish of *Portsea* in the County of *Southampton*. *Ibid.*

cix. An Act for enabling the Trustees of the *Liverpool* Docks to construct additional Wet Docks and other Works, and to raise a further Sum of Money; and for extending and amending the Acts relating to the Docks and Harbour of *Liverpool*. *Ibid.*

cx. An Act for constructing Docks and other Works at *Coble Dean* in the County of *Northumberland*, and in the Borough and County of *Newcastle-upon-Tyne*, to be called "The *Northumberland* Docks." *Ibid.*

cxi. An Act for better supplying with Water the Inhabitants of the City of *Lincoln*, and certain Parishes and Places adjacent thereto in the County of *Lincoln*. *Ibid.*

cxii. An Act for the better supplying with Water the Town and Borough of *Warrington*, or Parts thereof, in the Counties of *Lancaster* and *Chester*, and the Townships of *Latchford* and *Appleton* in the last-mentioned County. 419

cxiii. An Act for supplying with Water the Hamlets or Places of *High* and *Low Harrogate*, in the several Townships of *Knaresborough, Pannal, Bilton-with-Harrogate*, and *Scriven-with-Tentergate*, in the Parishes of *Knaresborough* and *Pannal* in the West Riding of the County of *York*. *Page* 419

cxiv. An Act for better supplying with Gas the Town and Borough of *Stafford*, and the several Parishes and Townships of *Saint Mary* and *Saint Chad* in *Stafford, Castle Church, Hopton*, and *Coton*, and *Tillington*, all in the County of *Stafford*. *Ibid.*

cxv. An Act for lighting with Gas and supplying with Water the Town of *Hartlepool* and the Neighbourhood thereof in the County of *Durham*. *Ibid.*

cxvi. An Act for better supplying with Gas and Water the Town and Parish of *Kendal* in the County of *Westmoreland*. *Ibid.*

cxvii. An Act for lighting with Gas the Parish and Borough of *Great Grimsby* in the County of *Lincoln*. *Ibid.*

cxviii. An Act for supplying and lighting the Town of *Hamilton* and Places adjacent thereto with Gas. *Ibid.*

cxix. An Act for better paving, lighting, cleansing, regulating, and improving the Town of *Burnley* in the County Palatine of *Lancaster*, and for better supplying the Inhabitants thereof with Water. *Ibid.*

cxx. An Act to alter, amend, and enlarge the Powers and Provisions of an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of* Liverpool *to open and widen certain Streets and Places, and otherwise to improve the same; and to enable the said Mayor, Aldermen, and Burgesses to appropriate certain Lands, Tenements, and Hereditaments for public Purposes, and also to erect public Buildings*. *Ibid.*

cxxi. An Act for lighting with Gas the Borough of *Newcastle-upon-Tyne*, and for varying and extending the Powers of the several Acts for regulating and improving the said Borough. *Ibid.*

cxxii. An Act for paving the Footways in the Town of *Sittingbourne* in the Parish of *Sittingbourne* in the County of *Kent*, and for lighting the Streets, and for the Removal and Prevention of Nuisances and Annoyances within the said Parish. *Ibid.*

cxxiii. An Act for widening, altering, and improving certain Streets within the City of *York*; and for other Purposes. *Ibid.*

cxxiv. An Act for paving, cleansing, draining, and improving the Town of *Bromsgrove*, for opening a new Street therein and in the Parish of *Stoke Prior*, both in the County of *Worcester*, and for the better assessing and collecting the Poor, Church, and Highway Rates within the Parish of *Bromsgrove*. *Ibid.*

cxxv. An Act for regulating the Repair and Maintenance of the Roads and Streets within the Town of *Leith*, and the Assessments payable in respect thereof. *Ibid.*

cxxvi. An Act for more effectually regulating the *Salford* Hundred Court, for extending the Jurisdiction and Powers of the said Court, and for establishing and constituting it as a Court of Record. 420

cxxvii. An Act for the Improvement of the Sewerage and Drainage of the Borough of *Liverpool*, and for making further Provisions for the sanatory Regulation of the said Borough. *Ibid.*

cxxviii. An Act for improving the Drainage of the Vallies of the *Rye* and *Derwent*, in the North and East Ridings of the County of *York*. *Ibid.*

cxxix. An Act for making a Railway from *Exeter* to *Exmouth*, to be called "The *Exeter and Exmouth* Railway." *Page* 420

cxxx. An Act for making a Railway from the *Polloc and Govan* Railway to the River *Clyde* and Harbour of *Glasgow*, with Branches, to be called "The *General Terminus and Glasgow Harbour* Railway." *Ibid.*

cxxxi. An Act for amending the Acts relating to the *London and South-western* Railway Company; and to authorize the said Company to enter into Contracts and to complete Arrangements with certain other Railway Companies. *Ibid.*

cxxxii. An Act for enabling the *Norfolk* Railway Company to purchase or lease the *Lowestoft* Railway, Harbour, and Navigation. *Ibid.*

cxxxiii. An Act to enable the *Dundee and Arbroath* Railway Company to make a Railway from their Line at *Broughty* to *Broughty Ferry Castle*, and another Railway from their Line at *Geordies Burn* to the *Arbroath and Forfar* Railway at *Almeriecloss*. *Ibid.*

cxxxiv. An Act for making a Railway from *Kintore* to *Alford*, to be called "The *Alford Valley* Railway." *Ibid.*

cxxxv. An Act for making a Railway from *Dyce* to *Fraserburgh*, with a Branch to *Peterhead*, to be called "The *Great North of Scotland* (*Eastern Extension*) Railway." *Ibid.*

cxxxvi. An Act to enable the *Edinburgh and Northern* Railway Company to extend their Line of Railway from *Cupar* to *Newport*. *Ibid.*

cxxxvii. An Act for making a Railway from the Town of *Oban* to *Crianlarich*, in the County of *Perth*, with a Branch to *Lochlomond*, to be called "The *Scottish Grand Junction* Railway." *Ibid.*

cxxxviii. An Act to enable the *Edinburgh and Northern* Railway Company to make a Railway from their Line at *Thornton* to *Dunfermline*. *Ibid.*

cxxxix. An Act to enable the *Edinburgh and Northern* Railway Company to make a Railway from *Newburgh* to the *Scottish Central* Railway at *Hilton*. *Ibid.*

cxl. An Act to enable the *Great Leinster and Munster* Railway Company to extend their Railway to *Clonmel*. *Ibid.*

cxli. An Act for making a Railway from and out of the *Glasgow, Barrhead, and Neilston Direct* Railway near to *Pollokshaws* to the Town of *Strathaven*. 421

cxlii. An Act to enable the *Glasgow, Barrhead, and Neilston Direct* Railway Company to make Branch Railways to *Thornliebank* and *Househill*; and to amend the Act relating to such Railway. *Ibid.*

cxliii. An Act to enable the *Glasgow, Paisley, and Greenock* Railway Company to make a Branch Railway to the River and Frith of *Clyde* at or near *Greenock*, and a Pier or Wharf in connexion therewith. *Ibid.*

cxliv. An Act for extending the Time for taking Lands, and for completing the Undertaking called "The *Thames Haven* Dock and Railway," authorized to be made by Two Acts passed in the Seventh Year of the Reign of His late Majesty and the Sixth Year of the Reign of Her present Majesty. *Ibid.*

cxlv. An Act to enable the *Bridgewater and Taunton* Canal Company to make a Railway from *Bridgewater* to the *Bristol Channel* at or near *Stolford* in the County of *Somerset*, with Branches therefrom, and to make a Harbour at or near *Stolford*. *Ibid.*

cxlvi. An Act for constructing Docks, Walls, Warehouses, and other Works at *Toxteth Park* in the County of *Lancaster*, to be called "The *Herculaneum* Docks." *Ibid.*

cxlvii. An Act to authorize the Sale of the *Monkland* Navigation to the Company of Proprietors of the *Forth and Clyde* Navigation. *Page* 421
cxlviii. An Act for making a Railway from the Borough of *Cork* through *Blackrock* to the Town of *Passage West*. *Ibid.*
cxlix. An Act to enable the *Leeds and Thirsk* Railway Company to make a Railway from *Northallerton* to the *Stockton and Hartlepool* Railway. *Ibid.*
cl. An Act to enable the *Scottish Central* Railway Company to make a Branch Railway by *Alloa Ferry* to *Tillicoultry*. *Ibid.*
cli. An Act to enable the *Slamannan* Railway Company to make Branch Railways to *Bathgate* and *Jawcraig*. *Ibid.*
clii. An Act to empower the *London and Birmingham* Railway Company to enlarge their Stations in *London*; and for other Purposes. *Ibid.*
cliii. An Act for enabling the *Leeds and Thirsk* Railway Company to make certain Deviations in the Line of the *Saint Helens* Branch of the said Railway. *Ibid.*
cliv. An Act to enable the *Leeds and Thirsk* Railway Company to alter and extend the Line of Part of their Railway; and for other Purposes. *Ibid.*
clv. An Act for making a Railway from or near the *Amberyate* Station of the *Midland* Railway, through *Nottingham*, to *Spalding* and *Boston*, with Branches therefrom, and for enabling the Company to purchase the *Nottingham* and *Grantham* Canals. 422
clvi. An Act to empower the *Midland* Railway Company to make several Branches from the *Erewash Valley* Railway. *Ibid.*
clvii. An Act to empower the *Midland* Railway Company to make a Railway from the *Midland* Railway at *Clay Cross* to join the *Nottingham and Lincoln* Railway, with Branches. *Ibid.*
clviii. An Act for making a Railway from *Ferryhill* near *Aberdeen* to *Aboyne*, to be called "The *Deeside* Railway." *Ibid.*
clix. An Act for making a Railway from the *Glasgow, Barrhead, and Neilston Direct* Railway to the Town of *Kilmarnock*, with certain Branches therefrom, to be called "The *Glasgow, Kilmarnock, and Ardrossan* Railway," and to purchase the *Ardrossan* Railway and Harbour. *Ibid.*
clx. An Act to enable the *Wilsontown, Morningside, and Coltness* Railway Company to make a Branch to the *Caledonian* Railway. *Ibid.*
clxi. An Act to enable the *Wilsontown, Morningside, and Coltness* Railway Company to improve their Line, and to make Branch Railways to *Shotts* and *Climpy*. *Ibid.*
clxii. An Act to enable the *Wilsontown, Morningside, and Coltness* Railway Company to make a Branch Railway to the Town of *Bathgate*. *Ibid.*
clxiii. An Act to empower the *Midland* Railway Company to make a Railway from *Nottingham* to *Mansfield*. *Ibid.*
clxiv. An Act for making a Railway from *Knaresborough* to or near to the City of *York*, to be called "The *East and West Yorkshire Junction* Railway." *Ibid.*
clxv. An Act for making a Railway from the *Edinburgh and Glasgow* Railway to the *Scottish Central* Railway, to be called "The *Stirlingshire Midland Junction* Railway." *Ibid.*
clxvi. An Act for making a Railway from the *Great Western* Railway at *West Drayton* to *Uxbridge* in *Middlesex*. *Ibid.*
clxvii. An Act for making a Railway from *Wexford* to *Carlow*. *Page* 422
clxviii. An Act for extending and altering some of the Provisions of the Acts relating to the *Great Leinster and Munster* Railway. *Ibid.*
clxix. An Act to empower the *Norfolk* Railway Company to make a Railway Communication between the *Dereham* Branch of the *Norfolk* Railway and the Towns of *Wells* and *Blakeney* in the County of *Norfolk*. *Ibid.*
clxx. An Act for making a Railway from *Royston* to *Hitchin*. *Ibid.*
clxxi. An Act for making a Railway from *Reading* to *Guildford* and *Reigate*. *Ibid.*
clxxii. An Act for making a Railway from *Chesterford* to *Newmarket*, with a Branch to *Cambridge*. 423
clxxiii. An Act to enable the *London and South-western* Railway Company to make a Branch Railway to *Farnham* in the County of *Surrey* and *Alton* in the County of *Southampton*. *Ibid.*
clxxiv. An Act to enable the *London and South-western* Railway Company to make a Branch Railway to *Chertsey* and *Egham* in the County of *Surrey*. *Ibid.*
clxxv. An Act to enable the *London and South-western* Railway Company to make a Branch Railway to *Hampton Court Bridge* in the County of *Surrey*. *Ibid.*
clxxvi. An Act for making a Railway from the *Scottish Central* Railway at *Dunblane* by *Doune* to *Callander*, to be called "The *Dunblane, Doune, and Callander* Railway."
clxxvii. An Act for making a Railway from *Skipton* to *York*, to be called "The *Wharfdale* Railway."
clxxviii. An Act for making a Railway from *Stotfield* and *Lossiemouth* Harbour to *Elgin, Rothes*, and *Craigellachie*, to be called "The *Morayshire* Railway."
clxxix. An Act to enable the *Monkland and Kirkintilloch* Railway Company to make Branch Railways to *Chapel Hall* and the *Glasgow, Garnkirk, and Coatbridge* Railway. *Ibid.*
clxxx. An Act to enable the *Scottish Central* Railway Company to make a Branch Railway to *Denny* in the County of *Stirling*. *Ibid.*
clxxxi. An Act for making a Railway from the *Yeovil* Branch of the *Bristol and Exeter* Railway to or towards the Town of *Crewkerne* in the County of *Somerset*; and for amending the Acts relating to the *Bristol and Exeter* Railway. *Ibid.*
clxxxii. An Act for vesting the *Aylesbury* Railway in the *London and Birmingham* Railway Company. *Ibid.*
clxxxiii. An Act to enable the *Saint Helens* Canal and Railway Company to make a Railway from the Township of *Eccleston* to the Township of *Garston*, with Branches therefrom, and Docks at *Garston* aforesaid, all in the County of *Lancaster*. *Ibid.*
clxxxiv. An Act for making a Harbour and Docks at *Heysham* on *Morecambe Bay* in the County of *Lancaster*, and a Railway in connexion therewith.
clxxxv. An Act to empower the *Wakefield, Pontefract, and Goole* Railway Company to make Three several Branch Railways. *Ibid.*
clxxxvi. An Act for erecting the Town or Village of *Ardrossan* and Places adjacent in the County of *Ayr* into a Burgh of Barony; for paving, lighting, and cleansing the same; for establishing a Police therein; and for other Purposes relating thereto. *Ibid.*
clxxxvii. An Act for enabling the *Sheffield, Ashton under Lyne, and Manchester* Railway Company to provide additional Station Room at *Sheffield*, and also to make

a Branch Railway to *Dukinfield*, and to purchase and maintain a Branch already made from their Main Line to *Glossop*; and for other Purposes. *Page* 423

clxxxviii. An Act to enable the *Glasgow, Paisley, and Greenock* Railway Company to make a Branch Railway to the *Polloc and Govan* Railway; and to amend the Acts relating to the said Railway. 424

clxxxix. An Act to enable the *Scottish Central* Railway Company to make certain Terminal Branches and other Works at the City of *Perth*. *Ibid.*

cxc. An Act for making a Railway from the *Edinburgh and Northern* Railway at *Markinch* to *Anstruther Easter*, with a Branch to the *Kirkland* Works, to be called "The *East of Fife* Railway." *Ibid.*

cxci. An Act to enable the *Scottish Central* Railway Company to make a Branch Railway to *Crieff* in the County of *Perth*. *Ibid.*

cxcii. An Act for making a Railway from the *Manchester and Birmingham* Railway at *Cheadle* in the County of *Chester* to or near to the *Ambergate* Station of the *Midlands* Railway in the County of *Derby*, to be called "The *Manchester, Buxton, Matlock, and Midlands Junction* Railway." *Ibid.*

cxciii. An Act for enabling the *Grand Junction* Railway Company to make a Branch Line of Railway from *Huyton* to *Warrington*; and for amending the former Acts relating to the said Company. *Ibid.*

cxciv. An Act for making a Railway from the Town of *Mallow* to the Town of *Fermoy*. *Ibid.*

cxcv. An Act for making a Railway from the City or Borough of *Limerick* to the Borough of *Ennis*, with Branches to the Towns of *Clare* and *Killaloe*, and to join the *Great Southern and Western* Railway. *Ibid.*

cxcvi. An Act to enable the *Great Southern and Western* Railway Company to extend their Railway from their present Terminus in the City of *Cork* to the River *Lee* in the same City. *Ibid.*

cxcvii. An Act for making a Railway from the *Great Southern and Western* Railway at the Townland of *Carne* or *Curraghane* to the Town of *Mountmellick*. *Ibid.*

cxcviii. An Act for completing a Railway Communication between the Town of *Clonmel* and the *Great Southern and Western* Railway at or near the Town of *Thurles*. *Ibid.*

cxcix. An Act for making a Railway from *Dublin* to *Dundrum* and *Rathfarnham*, to be called "The *Dublin, Dundrum, and Rathfarnham* Railway." *Ibid.*

cc. An Act for making a Railway from the Town of *Mallow* to the Town of *Killarney*, to be called "The *Killarney Junction* Railway." *Ibid.*

cci. An Act for making a Railway from the *Glasgow, Barrhead, and Neilston Direct* Railway to the *Caledonian* Railway. *Ibid.*

ccii. An Act for making a Railway from *Stirling* to *Dunfermline*, with Branches to *Tillicoultry* and to *Alloa* Harbour, to be called "The *Stirling and Dunfermline* Railway." *Ibid.*

cciii. An Act to enable the *Midland* Railway Company to make a Railway from *Burton-upon-Trent* to *Nuneaton*, with Branches, and to purchase the *Ashby-de-la-Zouch* Canal. *Ibid.*

cciv. An Act to consolidate the *London and Birmingham, Grand Junction*, and *Manchester and Birmingham* Railway Companies. 425

ccv. An Act to enable the *Eastern Counties* Railway Company to make a Railway from *Epping* to a Point of Junction with the *Colchester* Line of the *Eastern Counties* Railway at or near the *Ilford* Station thereon. *Page* 425

ccvi. An Act to enable the *Wishaw and Coltness* Railway Company to make a Branch Railway from the *Wishaw and Coltness* Railway to *Murdieston*, with a Branch to *Goodockhill*. *Ibid.*

ccvii. An Act for enabling the *Newcastle and Berwick* Railway Company to make a certain Branch Railway in the County of *Northumberland*. *Ibid.*

ccviii. An Act for making a Railway and Branch Railway, to be called "The *Waterford, Wexford, Wicklow, and Dublin* Railway." *Ibid.*

ccix. An Act for making and maintaining a Railway from *Templemore* to *Nenagh*. *Ibid.*

ccx. An Act to enable the *Midland Great Western* Railway of *Ireland* Company to make a Deviation in the authorized Line of the said Railway, and also a Branch Railway to the River *Liffy*. *Ibid.*

ccxi. An Act to enable the *Kilmarnock and Troon* Railway Company to let on Lease their Railway to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company; and to authorize the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company to alter Parts of the said *Kilmarnock and Troon* Railway, and to construct certain Branch Railways in connexion therewith. *Ibid.*

ccxii. An Act for empowering the *Wakefield, Pontefract, and Goole* Railway Company to construct a Jetty and other Works, and to provide a Station, Coal Staiths, and other Conveniences, at the Port of *Goole*; and for other Purposes relating to the said Port. *Ibid.*

ccxiii. An Act for extending the Line of the *Dublin and Kingstown* Railway to the *Bridge of Bray* in the County of *Dublin*. *Ibid.*

ccxiv. An Act to provide for the Repair of the Parish Church of *South Leith* in the County of *Edinburgh*, and for the Administration of the Property and Revenues thereof; to alter the existing Mode of electing a Minister to the Second Charge of the said Church and Parish; to confirm the Proceedings of the Heritors of the said Parish relating to the Purchase of a suitable House as a Manse; and to effect other Objects in connexion with the said Church and Parish. *Ibid.*

ccxv. An Act to enable the *Chard* Canal Company to convert into a Railway the Portion of the *Chard* Canal from *Creech Saint Michael* to *Ilminster*, all in the County of *Somerset*. *Ibid.*

ccxvi. An Act for lighting with Gas the Town and Borough of *Stockton* and other Places in the Counties of *Durham* and *York*. *Ibid.*

ccxvii. An Act for better supplying with Gas the City of *Worcester* and the Suburbs thereof. *Ibid.*

ccxviii. An Act for regulating the Markets and Fairs in the Borough and Town of *Yeovil* in the County of *Somerset*. *Ibid.*

ccxix. An Act for providing Market Places and for regulating the Markets and Fairs in the Borough of *Manchester* in the County Palatine of *Lancaster*. 426

ccxx. An Act for more effectually supplying with Water the City of *Bath*, and several Parishes and Places adjacent thereto. *Ibid.*

ccxxi. An Act for better supplying with Water the Town and Borough of *Newport* in the County of *Monmouth*. *Ibid.*

ccxxii. An Act for supplying with Water the City of *Bristol* and certain Parishes adjacent thereto in the Counties of *Gloucester* and *Somerset*. *Ibid.*

ccxxiii. An Act to amend the Acts relating to the *Witham* Navigation, and to reduce the Tolls on the said Navigation. *Page* 426

ccxxiv. An Act to enable the *Midland Great Western* Railway of *Ireland* Company to make a Railway from *Mullingar* to *Athlone*. *Ibid.*

ccxxv. An Act for better assessing and collecting the Poor Rates, Highway Rates, Borough Rates, County Rates, Lighting, Watching, and Cleansing Rates, and all other Parochial Rates, on small Tenements, in the Parish of *Aston juxta Birmingham* in the County of *Warwick*. *Ibid.*

ccxxvi. An Act for better raising and more securely constituting the Fund for the Relief of Widows and Children of Burgh and Parochial Schoolmasters in *Scotland*. *Ibid.*

ccxxvii. An Act for more effectually maintaining and repairing certain Roads in the Counties of *Banff*, *Aberdeen*, and *Elgin*. *Ibid.*

ccxxviii. An Act to enable the *Dundee and Perth* Railway Company to alter their Line at *Inchyra* and *Lairwell*, and to extend the same towards the Penitentiary at *Perth*. *Ibid.*

ccxxix. An Act to enable the *Caledonian* Railway Company to make Branch Railways from the *Castlecary* Branch of the *Caledonian* Railway to the *Glasgow, Garnkirk, and Coatbridge* Railway. *Ibid.*

ccxxx. An Act for enabling the *Sheffield, Ashton-under-Lyne, and Manchester* Railway Company to make Branch Railways from or in connexion with their Main Line of Railway to *Whaley Bridge* and *Hayfield*, to be called "The *Whaley Bridge and Hayfield* Branches." *Ibid.*

ccxxxi. An Act for vesting in the *Grand Junction* Railway Company and the *Manchester and Leeds* Railway Company the *North Union* Railway, and all the Works, Property, and Effects appertaining thereto. *Ibid.*

ccxxxii. An Act for making a Railway from *Birmingham* to *Lichfield*, to be called "The *Birmingham, Lichfield, and Manchester* Railway." *Ibid.*

ccxxxiii. An Act for making a Railway from the *Oxford and Bletchley Junction* Railway to *Buckingham* and *Brackley*. *Ibid.*

ccxxxiv. An Act to enable the *London and Croydon* Railway Company to construct a Branch to *Deptford*; and for amending the Acts relating to such Railway. *Ibid.*

ccxxxv. An Act for enabling the *Newcastle and Darlington Junction* Railway Company to purchase the *Durham and Sunderland* Railway and the *Wearmouth* Dock. 427

ccxxxvi. An Act for making a Railway from the *Great Western* Railway at *Maidenhead* in *Berkshire* to the Town of *High Wycombe* in the County of *Buckingham*. *Ibid.*

ccxxxvii. An Act for making a Railway from *Johnstone* to the *Bridge of Weir*, with a Branch to *Kilbarchan*, to be called "The *Ayrshire and Bridge of Weir* Railway." *Ibid.*

ccxxxviii. An Act for making a Railway from *Ashburton* in the County of *Devon* to join the *South Devon* Railway. *Ibid.*

ccxxxix. An Act for extending the Line of the *South Wales* Railway, and for making certain Alterations of the said Railway, and certain Branch Railways in connexion therewith. *Ibid.*

ccxl. An Act for making a Railway from *Gloucester* to the *Monmouth and Hereford* Railway, and to the *South Wales* Railway at *Awre*, to be called "The *Gloucester and Dean Forest* Railway." *Page* 427

ccxli. An Act for enabling the *Hull and Selby* Railway Company to lease and also to sell their Railway to the *York and North Midland* and *Manchester and Leeds* Railway Companies, or one of them; and to authorize the raising of additional Money by both or either of the last-mentioned Companies for those and other Purposes. *Ibid.*

ccxlii. An Act for enabling the *Great North of England* Railway Company to lease and also to sell their Railway to the *Newcastle and Darlington Junction* Railway Company; and to authorize the raising of additional Money by the said last-mentioned Company for those and other Purposes. *Ibid.*

ccxliii. An Act for vesting the *Leicester and Swannington* Railway in the *Midland* Railway Company. *Ibid.*

ccxliv. An Act for carrying into effect certain Arrangements between the *London and Birmingham* Railway Company and the Company of Proprietors of the *Birmingham* Canal Navigations, and for granting certain Powers to the said respective Companies. *Ibid.*

ccxlv. An Act for making a Railway from *Newry* in the Counties of *Armagh* and *Down* to *Rostrevor* in the County of *Down*, with a Branch to *Warrenpoint* in the same County. *Ibid.*

ccxlvi. An Act for making a Railway from *Preston* in the County Palatine of *Lancaster* to *Clitheroe* in the same County Palatine. *Ibid.*

ccxlvii. An Act to authorize the widening and Enlargement of Part of the Line of the *York and North Midland* Railway, or the Construction and Maintenance of a Railway adjoining thereto. *Ibid.*

ccxlviii. An Act to empower the *London and Birmingham* Railway Company to extend their Line at *Leamington*, and to enlarge their Stations at *Coventry* and *Rugby*; and for other Purposes. *Ibid.*

ccxlix. An Act to enable the *Caledonian* Railway Company to deviate the Line of the said Railway in the Vicinity of *Carlisle*. *Ibid.*

ccl. An Act to authorize the *North Wales Mineral* Railway Company to make certain Branches, and also to make a Deviation in their present Line of Railway. *Ibid.*

ccli. An Act for the Consolidation of the *Shewsbury, Oswestry, and Chester Junction* and the *North Wales Mineral* Railway Companies. 428

cclii. An Act for authorizing the Sale of the *Guildford Junction* Railway, and for enabling the Purchasers to maintain the same, and to make and maintain a Railway therefrom to *Godalming*, and from the *London and South-western* Railway at *Fareham* to *Portsmouth*. *Ibid.*

ccliii. An Act for making a Railway from the *Trent Valley* Railway near *Nuneaton* to the *Midland* Railway in the Parish of *Wigston Magna* in the County of *Leicester*, to be called "The *Coventry, Nuneaton, Birmingham, and Leicester* Railway." *Ibid.*

ccliv. An Act to empower the *Midland* Railway Company to extend their Line at *Birmingham*; and for other Purposes. *Ibid.*

cclv. An Act to authorize the Purchase of the *Oakham* Canal by the *Midland* Railway Company. *Ibid.*

cclvi. An Act for making a Railway to connect the *Saundersfoot* Railway with the *South Wales* Railway, with the Harbour of *Saundersfoot*, and with the Town of *Tenby*, to be called "The *Tenby, Saundersfoot, and South Wales* Railway;" and for other Purposes. *Ibid.*

cclvii. An Act to enable the *Lancaster and Carlisle* Railway Company to extend and enlarge their Station and extend their Railway at *Carlisle;* and for other Purposes. *Page* 428

cclviii. An Act to enable the *Eastern Counties* Railway Company to enlarge their Stations in *London* and at *Stratford;* and for other Purposes. *Ibid.*

cclix. An Act for enabling the *Huddersfield and Manchester* Railway and Canal Company to divert their Main Line of Railway in *Huddersfield*, and to make a Branch therefrom near *Cooper Bridge* in the Township of *Huddersfield.* *Ibid.*

cclx. An Act for making a Railway from the *Great North of England* Railway at *Thirsk* in the North Riding of *Yorkshire* to the *Lancaster and Carlisle* Railway at *Clifton* in *Westmorland*, and a Railway from *Bishop Auckland* in the County of *Durham* to the *Lancaster and Carlisle* Railway at *Tebay* in *Westmorland*, to be called "The *Northern Counties Union* Railway." *Ibid.*

cclxi. An Act for enabling the *Grand Junction* Railway Company to make certain Branch Lines of Railway, to be called "The *Huyton and Aston* Branch," "The *Huyton, Prescot, and Saint Helens* Branch," "The *Warrington and Kenyon* Branch," "The *Warrington and Parkside* Branch," and "The *Edgehill and Huyton* Branch;" and for amending the former Acts relating to the said Company. *Ibid.*

cclxii. An Act for altering, amending, and enlarging the Powers of the *Leeds, Dewsbury, and Manchester* Railway Act, 1845, and for authorizing certain Deviations from the Line and Levels of the said Railway, and for making and maintaining certain Branches and Extensions therefrom. *Ibid.*

cclxiii. An Act for making a Railway from *Glasgow* to *Airdrie*, with Branches to the *Clydesdale Junction* Railway and to *Mile End*, to be called "The *Glasgow, Airdrie, and Monklands Junction* Railway."

cclxiv. An Act for enabling the *Newcastle and Darlington Junction* Railway Company to make certain Branch Railways in the County of *Durham;* and for other Purposes. *Ibid.*

cclxv. An Act for making a Railway, with Branches therefrom, in the County of *Lancaster* and West Riding of the County of *York*, to be called "The *Blackburn, Clitheroe, and North-western Junction* Railway." *Ibid.*

cclxvi. An Act for making certain Branches from the Line of the *Blackburn and Preston* Railway in the County of *Lancaster;* and for amending the Acts relating thereto. 429

cclxvii. An Act for vesting in the *Sheffield, Ashton under Lyne, and Manchester* Railway Company, the *Peak Forest* Canal and the *Macclesfield* Canal. *Ibid.*

cclxviii. An Act to amalgamate the *Sheffield, Ashton under Lyne, and Manchester* Railway Company, the *Sheffield and Lincolnshire Junction*, the *Sheffield and Lincolnshire Extension*, and the *Great Grimsby and Sheffield* Railway Companies, and the *Grimsby* Dock Company. *Ibid.*

cclxix. An Act for consolidating the *Dudley* Canal Navigation with the *Birmingham* Canal Navigations; and for other Purposes. *Ibid.*

cclxx. An Act to amend the *Ely and Huntingdon* Railway Act. *Ibid.*

cclxxi. An Act to enable the Company of Proprietors of the *Manchester, Bolton, and Bury* Canal Navigation and Railway to raise an additional Sum of Money; and to amend the Acts relating to that Company. *Ibid.*

cclxxii. An Act for enabling the *Leeds and Bradford* Railway Company to alter the Levels of a Portion of the Line of their Railway in the Parish of *Bingley* in the West Riding of the County of *York.* *Page* 429

cclxxiii. An Act for widening the Line of "The *London and Blackwall* Railway;" and for amending the Acts relating to the said Railway. *Ibid.*

cclxxiv. An Act to authorize the *Shrewsbury, Oswestry, and Chester Junction* Railway Company to make Railways to *Crickheath* and *Wem*, and to raise additional Capital for those Purposes. *Ibid.*

cclxxv. An Act to authorize the *Shrewsbury, Oswestry, and Chester Junction* Railway Company to make an Extension into *Shrewsbury*, and certain Alterations and Deviations in their Line of Railway. *Ibid.*

cclxxvi. An Act to enable the *East Lancashire* Railway Company to alter the Line and Levels of such Railway, and to make Branches therefrom; and for other Purposes relating thereto. *Ibid.*

cclxxvii. An Act to incorporate the *Huddersfield and Sheffield Junction* Railway Company with the *Manchester and Leeds* Railway Company. *Ibid.*

cclxxviii. An Act to authorize certain Alterations in the Line of the *Oxford, Worcester, and Wolverhampton* Railway; and to amend the Act relating thereto. *Ibid.*

cclxxix. An Act to enable the *Furness* Railway Company to extend their Line to *Broughton* and to *Ulverstone*, and to make certain Branches therefrom; and to amend the Act relating thereto. *Ibid.*

cclxxx. An Act to amend "The *Ipswich and Bury Saint Edmunds* Railway Act, 1845;" and for making a Railway from the said *Ipswich and Bury Saint Edmunds* Railway to *Norwich*, with a Branch therefrom. *Ibid.*

cclxxxi. An Act for making a Branch Railway from the *London and Brighton* Railway in the Parish of *Croydon* to join the *South-western* Railway in the Parish of *Wandsworth* in the County of *Surrey.* *Ibid.*

cclxxxii. An Act to incorporate the *Liverpool and Bury* Railway Company with the *Manchester and Leeds* Railway Company. 430

cclxxxiii. An Act to consolidate and unite the *London and Brighton* and the *London and Croydon* Railway Companies, and the Undertakings belonging to them. *Ibid.*

cclxxxiv. An Act for incorporating the Proprietors of the *Sheffield* General Cemetery in the Township of *Ecclesall Bierlow* in the Parish of *Sheffield* in the West Riding of the County of *York*, and for enlarging and improving the said Cemetery; and for other Purposes connected therewith. *Ibid.*

cclxxxv. An Act for supplying with Water the Town of *Kilmarnock*, Suburbs thereof, and Places adjacent. *Ibid.*

cclxxxvi. An Act for the better supplying with Water the Town or Village of *Heywood* and Places adjacent thereto in the County Palatine of *Lancaster.* *Ibid.*

cclxxxvii. An Act for better supplying with Water the Town and Parish of *Chorley* in the County Palatine of *Lancaster.* *Ibid.*

cclxxxviii. An Act for supplying with Water the Towns of *Airdrie* and *Coatbridge*, and Places adjacent, in the County of *Lanark.* *Ibid.*

cclxxxix. An Act to extend the Municipal Boundaries of the City of *Glasgow;* to amend the Acts relating to the Police and Statute Labour of the said City and adjoining Districts; and for other Purposes in relation to the Municipality and Police of the said City. *Ibid.*

ccxc. An Act authorizing the Sale of the *Cromford* Canal and other Property of the *Cromford* Canal Company. *Page* 430

ccxci. An Act to alter and extend the Provisions of the Acts for improving the Navigation of the River *Severn*. *Ibid.*

ccxcii. An Act for improving, preserving, maintaining, and better regulating the Port and Harbour of *Waterford*; and for other Purposes relating thereto. *Ibid.*

ccxciii. An Act for better lighting, paving, cleansing, draining, regulating, and improving the Borough of *Bury* in the County Palatine of *Lancaster*, and for otherwise promoting the Health and Convenience of the Inhabitants. *Ibid.*

ccxciv. An Act for better lighting and improving the Borough of *Belfast*. *Ibid.*

ccxcv. An Act for paving, lighting, cleansing, and otherwise improving the Town of *Wath-upon-Dearne* in the County of *York*, and for removing and preventing Nuisances and Annoyances therein. *Ibid.*

ccxcvi. An Act for repealing an Act of the Parliament of *Scotland* passed in the Sixth Session of the First Parliament of King *William* (1696), intituled *An Act in favours of the Heritors adjacent to the* Pow of Inchaffray; and for more effectually draining and improving Lands adjacent to the River or Stream called the *Pow of Inchaffray*, in the County of *Perth*. 431

ccxcvii. An Act for better draining and improving certain Low, Marsh, and Fen Lands lying between *Boston Haven* and *Bourn* in the County of *Lincoln*, and for further improving the Navigation through such Lands. *Ibid.*

ccxcviii. An Act for amending Two several Acts passed respectively in the Second and Seventh Years of the Reign of Her present Majesty, for draining and embanking certain Lands in *Lough Swilly* and *Lough Foyle* in the Counties of *Donegal* and *Londonderry*. *Ibid.*

ccxcix. An Act for regulating the Municipal Government and Police of the Royal Burgh of *Rothesay*. *Ibid.*

ccc. An Act for making a Railway, to be called "The *South Staffordshire Junction* Railway," with Branches. *Ibid.*

ccci. An Act for enabling the *Leeds and Bradford* Railway Company to make a Junction Line at *Bradford* in the West Riding of the County of *York*. *Ibid.*

cccii. An Act to unite and consolidate the *Blackburn and Preston* Railway Company with the *East Lancashire* Railway Company. *Ibid.*

ccciii. An Act for making a Railway from *Newport* to *Abergavenny* and *Hereford*, with Branches therefrom. *Ibid.*

ccciv. An Act for making a Railway from *Sheffield* to *Gainsborough*, with Branches. *Ibid*

cccv. An Act to enable the *South-eastern* Railway Company to make a Railway from the *London and Greenwich* Railway to *Woolwich* and *Gravesend*. *Ibid.*

cccvi. An Act to enable the *Manchester and Leeds* Railway Company to make several Branch Railways, and to authorize the Amalgamation of the *Preston and Wyre* Railway, Harbour, and Dock Company with the *Manchester and Leeds* Railway Company. *Ibid.*

cccvii. An Act for making a Railway from *Shrewsbury* to *Wolverhampton*, with a Branch, to be called "The *Shrewsbury and Birmingham* Railway." *Ibid.*

cccviii. An Act for making a Railway from *Shrewsbury* to *Wolverhampton*, to be called "The *Shrewsbury, Wolverhampton, and South Staffordshire Junction* Railway." *Ibid.*

cccix. An Act to empower the *London and Birmingham* Railway Company to make a Branch from the said Railway to the *Blisworth* and *Peterborough* Branch thereof. *Page* 431

cccx. An Act to enable the *Blackburn, Darwen, and Bolton* Railway Company to alter the Line of Part of their Railway. *Ibid.*

cccxi. An Act for enabling the *Midland* Railway Company to alter a Portion of the *Leicester and Swannington* Railway, and to make certain Branches. 432

cccxii. An Act for amending the Act relating to the *Liverpool and Bury* Railway, and for making Branches therefrom. *Ibid.*

cccxiii. An Act to authorize certain Alterations and Extensions of the Line of the *Wilts, Somerset, and Weymouth* Railway. *Ibid.*

cccxiv. An Act to enable the *Caledonian* Railway Company to form certain Branch and Terminal Railways in the Vicinity of *Glasgow*. *Ibid.*

cccxv. An Act for making Railways from *Birmingham* to *Wolverhampton* and *Dudley*, to be called "The *Birmingham, Wolverhampton, and Dudley* Railway." *Ibid.*

cccxvi. An Act for making a Railway from *Walsall* in the County of *Stafford* to the *Midland* Railways at *Wichnor Forge* in *Tatenhill*, to be called "The *Trent Valley, Midlands, and Grand Junction* Railway." *Ibid.*

cccxvii. An Act for making a Railway from the Line of the *Perth and Inverness* Railway to *Aberfeldy*, to be called "The *Strathtay and Breadalbane* Railway." *Ibid.*

cccxviii. An Act to enable the *Londonderry and Enniskillen* Railway Company to alter and extend the Line of such Railway, to make a Branch therefrom to the Town of *Omagh*, and to amend the Act relating thereto. *Ibid.*

cccxix. An Act for making a Railway from the proposed *Sheffield and Lincolnshire Junction* Railway to the City of *Lincoln*. *Ibid.*

cccxx. An Act to enable the *Whitehaven and Furness Junction* Railway Company to make a Railway in deviation from their Line of Railway, and to construct an Extension thereof to a Point of Junction with the *Whitehaven Junction* Railway. *Ibid.*

cccxxi. An Act for making a Railway from *Armagh* to *Portrush*, with Branches to *Randalstown* and *Ballymoney*. *Ibid.*

cccxxii. An Act for making a Railway from the *Chester* and *Crewe* Branch of the *Grand Junction* Railway at *Calveley* to *Wolverhampton*; and for other Purposes connected therewith. *Ibid.*

cccxxiii. An Act for making a Railway from *Shrewsbury* to *Stafford*, with a Branch to *Stone*; and for other Purposes. *Ibid.*

cccxxiv. An Act for making a Railway from *Newtown* in the County of *Montgomery* to *Crewe* in the County of *Chester*, with Branches; and for other Purposes connected therewith. *Ibid.*

cccxxv. An Act for making a Railway from *Shrewsbury* to *Hereford*, to be called "The *Shrewsbury and Hereford* Railway." *Ibid.*

cccxxvi. An Act to consolidate the *Bristol and Gloucester* and *Birmingham and Gloucester* Railway Companies with the *Midland* Railway Company. *Ibid.*

cccxxvii. An Act to alter and amend the *North Wales* Railway Act, One thousand eight hundred and forty-five. *Ibid.*

cccxxviii. An Act for making a Railway from *Birmingham* to *Wolverhampton*, and to the *Grand Junction*

Railway in the Parish of *Bushbury*, with a Branch to *Dudley*. *Page* 432

cccxxix. An Act to effectuate the Sale of the *Glasgow, Garnkirk, and Coatbridge* Railway Company of the said Railway to the *Caledonian* Railway Company; and other Purposes therewith connected. 433

cccxxx. An Act for authorizing the Sale of the *Pontop and South Shields* Railway to the *Newcastle and Darlington Junction* Railway Company. *Ibid.*

cccxxxi. An Act to empower the *London and Birmingham* Railway Company to make a Branch Railway from the *London and Birmingham* Railway near *Coventry* to the *Trent Valley* Railway in the Parish of *Nuneaton*. *Ibid.*

cccxxxii. An Act for making a Railway from the *Edinburgh and Glasgow* Railway to *Bathgate*, with Branches, to be called "The *Edinburgh and Bathgate* Railway." *Ibid.*

cccxxxiii. An Act to enable the *Surrey* Iron Railway Company to sell the Lands, Houses, and other Property of the Company, together with the navigable Communication from the Dock of the Company to the River *Thames* at *Wandsworth* in the County of *Surrey*, and to dissolve the said Company. *Ibid.*

cccxxxiv. An Act to enable the *Glasgow, Garnkirk, and Coatbridge* Railway Company to extend the Terminus of their Railway in *Glasgow*. *Ibid.*

cccxxxv. An Act for making a Railway and other Works from *Plymouth* to *Falmouth* and other Places in the County of *Cornwall*, to be called "The *Cornwall* Railway." *Ibid.*

cccxxxvi. An Act for making a Railway from the Parish of *Kenwyn* in the County of *Cornwall* to *Penzance* in the same County, with Branches, to be called "The *West Cornwall* Railway." *Ibid.*

cccxxxvii. An Act for making a Railway from *Birmingham*, to join the Lines of the proposed *Oxford and Rugby* and *Oxford, Worcester, and Wolverhampton* Railways, and to be called "The *Birmingham and Oxford Junction* Railway." *Ibid.*

cccxxxviii. An Act for making a Railway into *Birmingham* in extension of the proposed *Birmingham and Oxford Junction* Railway. *Ibid.*

cccxxxix. An Act to authorize the Purchase of the *Gravesend and Rochester* Railway and Canal by the *South-eastern* Railway Company. *Ibid.*

cccxl. An Act for making a Railway from the *Birmingham and Gloucester* Railway at *King's Norton* in the County of *Worcester* to *Hales Owen* in the same County. *Ibid.*

cccxli. An Act for making a Railway from the *South Wales* Railway at or near to the Town of *Neath* to *Merthyr Tidvil*, with Branches, to be called "The *Vale of Neath* Railway." *Ibid.*

cccxlii. An Act for making a Railway from the Borough of *Cockermouth* to the Town of *Keswick*, all in the County of *Cumberland*, to be called "The *Cockermouth and Workington Extension* Railway." *Ibid.*

cccxliii. An Act for making a Railway from *Lough Allen* to *Lough Gill*, both in the County of *Leitrim*, to be called "The *Sligo and Shannon* Railway." *Ibid.*

cccxliv. An Act for constructing a Pier at *Portbury* in the County of *Somerset*, and for making a Railway from the same to the City of *Bristol*, with a Branch Railway connected therewith. 434

cccxlv. An Act to amend the *Cambridge* Improvement Acts, and to exempt the *Eastern Counties* Railway Company from certain Tolls thereby imposed. *Ibid.*

cccxlvi. An Act to repeal, alter, and amend the several Acts relating to *Billingsgate Market* in the City of *London*. *Page* 434

cccxlvii. An Act for further and better supplying with Water the Barony or Regality of *Gorbals* and Places adjacent. *Ibid.*

cccxlviii. An Act for making certain new Streets or Thoroughfares, and widening and improving certain other Streets or Thoroughfares, within the Town and Borough of *Sheffield* in the County of *York*. *Ibid.*

cccxlix. An Act for paving, lighting, watching, cleansing, regulating, and otherwise improving the Town of *Tunbridge Wells* in the Counties of *Kent* and *Sussex*. *Ibid.*

cccl. An Act to repeal an Act of the Fifty-second Year of the Reign of King *George* the Third, for lighting and watching the Road leading from *Newington Butts* to the *Nag's Head* on the *Wandsworth Road*, and other Places communicating therewith, in *Lambeth, Clapham*, and *Battersea* in *Surrey*; and for making other Provisions for lighting and improving the said Road, and other Places adjacent or near thereto. *Ibid.*

cccli. An Act to amend an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, for granting certain Powers and Authorities to the *Australian* Agricultural Company. *Ibid.*

ccclii. An Act for making a Railway from the intended *Great Northern* Railway in the Parish of *Ufford* in the County of *Northampton*, to unite with the Loop Line of the same Railway in the Parish of *Crowland* in *Lincolnshire*. *Ibid.*

cccliii. An Act for making a Railway from *Llangynwyd* to *Margam*, by a Company to be called "The *Llynvi Valley* Railway Company." *Ibid.*

cccliv. An Act for making certain Lines of Railway in the West Riding of the County of *York*, to be called "The *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway." *Ibid.*

ccclv. An Act for amending the Acts relating to the *Taw Vale* Railway and Dock, and for making an Extension therefrom to the *Exeter and Crediton* Railway in the County of *Devon*. *Ibid.*

ccclvi. An Act for making Railways from *Wisbech* to *Saint Ives* and to *Fenny-Drayton*, to be called "The *Wisbech, Saint Ives, and Cambridge Junction* Railway." *Ibid.*

ccclvii. An Act for making a Railway from the *Northern and Eastern Counties* Railway at *Edmonton* to the Town of *Enfield* in the County of *Middlesex*. *Ibid.*

ccclviii. An Act for making a Railway from the *Midland* Railway at *Staveley* to the Town of *Worksop*, and for consolidating into one Undertaking the said proposed Railway and the Canal Navigation from *Chesterfield* to the River of *Trent*. 435

ccclix. An Act for making a Railway from the *London and Birmingham* Railway to or near to *Navigation Street* within the Borough of *Birmingham*. *Ibid.*

ccclx. An Act for making a Railway from *Kilkenny* to join the *Great Southern and Western* Railway at or near *Cuddagh*, to be called "The *Kilkenny and Great Southern and Western* Railway." *Ibid.*

ccclxi. An Act for the Maintenance of the Cemeteries at *Golden Bridge* and *Prospect* in the County of *Dublin*, and to create a perpetual Succession in the governing Body or Committee for managing the same. *Ibid.*

ccclxii. An Act for making a Canal from the Harbour of *East Tarbert* to *West Loch Tarbert*, and other Works in connexion therewith. *Ibid.*

ccclxiii. An Act for making a Ship Canal from *Sligo* Harbour to *Lough Gill*, both in the County of *Sligo*, to be called "The *Sligo* Ship Canal." *Page* 435

ccclxiv. An Act for enlarging, improving, and maintaining the Harbour, Quays, and Wharfs of *Campbeltown*; for supplying with Water, paving, cleansing, lighting, and watching the said Burgh and Suburbs thereof; and for the better and more effectual assessing, levying, and collecting the Ladle and other Dues and Customs of the said Burgh. *Ibid.*

ccclxv. An Act for further regulating the Repair and Maintenance of the Roads, Streets, and Bridges within the Middle District of the County of *Edinburgh*, and the Assessments payable in respect thereof; and for other Purposes relating thereto. *Ibid.*

ccclxvi. An Act to enable the Special Commissioners of the Town of *Yeovil* to sell certain Estates in the Parish of *Yeovil* in the County of *Somerset*. *Ibid.*

ccclxvii. An Act to enable the *Eastern Counties* Railway Company to make Two Branch Railways from the Line of the *Eastern Counties and Thames Junction* Railway, one thereof terminating at the Pepper Warehouses belonging to the *East India* Dock Company, and the other terminating by a Junction with the *Eastern Counties* Railway. *Ibid.*

ccclxviii. An Act for making a Railway from the *London and Birmingham* Railway in the Parish of *Rugby* in the County of *Warwick* to *Leamington* in the County of *Warwick*. *Ibid.*

ccclxix. An Act to authorize an Improvement of the Line of the *West London* Railway, and the Extension thereof to the River *Thames*. *Ibid.*

ccclxx. An Act to enable the *London and South-western* Railway Company to make a Railway by *Whitchurch* and *Andover* to *Salisbury*. *Ibid.*

ccclxxi. An Act for making certain Branch Railways to be connected with the *Newport and Pontypool* Railway, and for incorporating a new Company, for carrying on the *Monmouthshire* Canal Navigation. 436

ccclxxii. An Act for making a Railway from the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway near *Cumnock* to the *Caledonian* Railway near the crossing of the River *Sark*, to be called "The *Glasgow, Dumfries, and Carlisle* Railway," with Branches. *Ibid.*

ccclxxiii. An Act for authorizing the Sale of the *Andevor* Canal and other Property of the Company of Proprietors of the *Andevor* Canal Navigation. *Ibid.*

ccclxxiv. An Act for embanking and reclaiming from the Sea certain Lands now under Water or subject to be overflowed by the Tide in the Estuary or Back Strand of *Tramore* in the County of *Waterford*. *Ibid.*

ccclxxv. An Act to incorporate the *British* Guarantee Association. *Ibid.*

ccclxxvi. An Act for uniting the Rectory of *North Lynn* with the Perpetual Curacy of *Saint Margaret with Saint Nicholas* in the Borough of *King's Lynn*, all in the County of *Norfolk*. *Ibid.*

ccclxxvii. An Act for making a Railway from *Airdrie* to *Bathgate*, with a Branch to *Whitburn* and *Blackburn*, to be called "The *Airdrie and Bathgate Junction* Railway." *Ibid.*

ccclxxviii. An Act to incorporate the Company of Proprietors of the *Manchester, Bolton, and Bury* Canal Navigation and Railway with the *Manchester and Leeds* Railway Company. *Ibid.*

ccclxxix. An Act to amalgamate the *Polloc and Govan* and *Clydesdale Junction* Railways with the *Caledonian* Railway. *Page* 436

ccclxxx. An Act for enabling the *Huddersfield and Manchester* Railway and Canal Company to make a Branch Railway from their Main Line of Railway to *Oldham*. *Ibid.*

ccclxxxi. An Act for making a Railway from the *Liverpool and Bury* Railway to the *North Union* and *Blackburn and Preston* Railways, with Branches therefrom, to be called "The *Liverpool, Ormskirk, and Preston* Railway." *Ibid.*

ccclxxxii. An Act to grant certain Powers to the *New Zealand* Company. *Ibid.*

ccclxxxiii. An Act for constructing Docks at *Millbay* (*Plymouth*), to be called the *Plymouth Great Western* Docks. *Ibid.*

ccclxxxiv. An Act to enable the Company of Proprietors of the *Forth and Clyde* Navigation to extend and enlarge the Basin at *Bowling Bay*, and to make and maintain certain other Works in connexion therewith; and to alter and amend the Acts relating to the said Navigation. *Ibid.*

ccclxxxv. An Act for sewering, draining, and lighting of the Hamlet of *Brighouse* in the Township of *Hipperholme-cum-Brighouse* in the Parish of *Halifax* in the West Riding of the County of *York*. *Ibid.*

ccclxxxvi. An Act for reclaiming from the Sea, embanking, and improving, the *Salthouse Sands* in the Manor of *Plain Furness* in the County Palatine of *Lancaster*. 437

ccclxxxvii. An Act for improving and altering a Portion of the Harbour of *Wexford* in the County of *Wexford* in *Ireland*, and the Entrance thereof; for improving the Navigation of the River *Slaney*, and also the Bridge over the same River at or near to the Town of *Wexford*; and for embanking and reclaiming divers Waste Lands, Mud Banks or Slobs, in and adjacent to the said Harbour and River; and for other Purposes. *Ibid.*

ccclxxxviii. An Act for inclosing and reclaiming from the Sea certain Tracts of Land forming Part of the Great Estuary called "The *Wash*," between the Counties of *Norfolk* and *Lincoln*. *Ibid.*

ccclxxxix. An Act for enabling the Warden and College of the Souls of All Faithful People deceased of *Oxford* to grant Building and Improving Leases of their Estates in the County of *Middlesex*. *Ibid.*

cccxc. An Act for making certain Lines of Railway in the West Riding of the County of *York*, to be called "The *West Riding Union* Railways." *Ibid.*

cccxci. An Act to enable the *London and South-western* Railway Company to extend their Railway to the *Thames* near *London Bridge* in the County of *Surrey*. *Ibid.*

cccxcii. An Act for making a Railway from the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway near the Manse of *Newton* to the Town of *Girvan*, with a Branch to the Town of *Maybole*, to be called "The *Glasgow and Belfast Union* Railway." *Ibid.*

cccxciii. An Act to empower the *Taff Vale* Railway Company to construct certain Branch Railways and Extensions, and to make Arrangements for the Use of certain Wharfs adjoining the *Bute* Ship Canal. *Ibid.*

cccxciv. An Act to authorize the *Newcastle-upon-Tyne and Carlisle* Railway Company to extend their Railway in *Newcastle-upon-Tyne*, to make a Branch Railway, and for other Purposes connected with their Undertaking. *Ibid.*

cccxcv. An Act to enable the *Caledonian* Railway Company to deviate certain Portions of the *Clydesdale Junction* Railway. *Page* 437
cccxcvi. An Act for making a Railway from the *East and West India* Docks to join the *London and Birmingham* Railway at the *Camden Town* Station, to be called "The *East and West India Docks and Birmingham Junction* Railway." *Ibid.*
cccxcvii. An Act for making a Railway from *Cork* to *Waterford*, with Branches therefrom. *Ibid.*
cccxcviii. An Act to incorporate a Company by the Name of "The Metropolitan Sewage Manure Company." *Ibid.*
cccxcix. An Act for the Regulation of the Legal Quays within the Port of *London*. *Page* 438
cccc. An Act to extend the Powers of the Commissioners of Wide Streets, *Dublin*, to widen and improve certain Streets and Passages in the City and County of *Dublin*. 440
ccccl. An Act to authorize the Construction of a Railway from *Maln-y-Manach* to *Rhydydefydd* in the County of *Glamorgan*, to be called "*Cameron's Coalbrook Steam Coal and Swansea and Loughor* Railway." *Ibid.*
ccccii. An Act for authorizing certain Alterations in and Extensions of the Line of the *South Devon* Railway, and the Formation of Branches therefrom to *Torquay* and other Places. *Ibid.*

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act for vesting the Real Estates of the Right Honourable *Charles John* late Earl of *Blesinton* deceased, in the County and County of the City of *Dublin*, the City of *Kilkenny*, and the County of *Tyrone*, in Trustees for Sale, for the Payment of his Debts; and for other Purposes. *Page* 441
2. An Act for selling such Parts of the entailed Lands and Estates of *Hempriggs* lying in the County of *Caithness*, belonging to Sir *George Dunbar* Baronet, as may be necessary for the Payment of the Debts and Obligations affecting or that may be made to affect the said Lands and Estates. *Ibid.*
3. An Act to enlarge the Powers of leasing the Estates comprised in an Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to authorize the Sale of Settled Estates of the Most Honourable the Marquess of* Donegall *in* Ireland, *in order to pay off Mortgage and other Incumbrances;* and for other Purposes. *Ibid.*
4. An Act for vesting certain undivided Shares in Estates devised by the Will of *Joseph Solly* Esquire, deceased, in Trustees for Sale; and for other Purposes. *Ibid.*
5. An Act for inclosing, dividing, and allotting certain Lands within the Manor or Lordship of *Gollon*, situate in the several Parishes of *Llanbadarn-Vynydd*, *Llanano*, *Llanbister*, *Llandewy-Ystradenny*, *Abbey Cwmhir*, and *Saint Harmon*, in the County of *Radnor*. *Ibid.*
6. An Act for empowering the Tenants for Life under the Wills of Miss *Mary Cary* and *Adam Askew* Esquire, deceased, and Trustees during Minorities, to grant Building Leases; and for other Purposes. *Ibid.*
7. An Act for the Division of the Rectory of *Upwell cum Welney* in the County of *Norfolk* and in the *Isle of Ely* in the County of *Cambridge*. *Ibid.*
8. An Act for dividing, allotting, laying in Severalty, inclosing, and draining the Open and Common Fields, Common Meadows, and other Commonable Lands and Waste Grounds in the Hamlet or Township of *Frilford* in the Parish of *Marcham* in the County of *Berks*. *Ibid.*
9. An Act for vesting in Trustees certain Hereditaments in the County of *Kent* devised by the Will of *Henry Dudderidge* Gentleman, to enable them to carry into execution an Agreement between his Devisees in Trust and *Alexander James Beresford Hope* Esquire, for the Sale thereof, and for subjecting the Bank Annuities, the Produce of the Purchase Money, to the same Trusts. *Page* 441
10. An Act for vesting in Trustees certain Hereditaments in the County of *Kent* the Estate of *Emma Bedford Videan*, a Lunatic, to enable them to carry into execution a Treaty between her Husband, Mr. *Joseph Videan*, and *Alexander James Beresford Hope* Esquire, for the Sale thereof; also for laying out the Purchase Money in the Purchase of Bank Annuities, to be held as Real Estate in trust for the said *Emma Bedford Videan* and her Heirs. 442
11. An Act for effecting an Exchange of Lands between the Archbishop of *York*, the Earl of *Carlisle*, and Viscount *Morpeth*. *Ibid.*
12. An Act to enable *Andrew Wauchope* Esquire, of *Niddrie Marischall*, to uplift certain Sums of Money lying in Bank, and to be consigned therein, and to borrow upon the Security of his entailed Estates such further Sums as may be necessary for Repayment to him of a Portion of the Monies laid out and to be laid out in the Improvement of the said Estates. *Ibid.*
13. An Act to vest in Trustees in Fee Simple the entailed Lands of *Haltree* and others, for the Purpose of selling the same, and applying the Price in Payment of Debts which affect or may be made to affect the same; and for other Purposes connected therewith. *Ibid.*
14. An Act to enable the Trustees of the settled Estate of *William Cullen* to sell to *Alexander James Beresford Hope* Esquire, before the appointed Time under the Settlement, a Portion of that Estate for which an Offer has been made them by him. *Ibid.*
15. An Act for authorizing Leases to be granted for Mining and other Purposes of Estates in the County of *Glamorgan* belonging to *Walter De Winton* Esquire (an Infant), Tenant in Tail under the Will of *Walter Wilkins* Esquire, deceased; and for other Purposes. *Ibid.*
16. An Act to enable the Trustees or Guardians appointed by *Joseph Thomson* of *Nortonhall* of *Eildon*, deceased, to sell the said Lands of *Nortonhall* of *Eildon*, and also the Half of a Storey of a House in *Saint Mary's Wynd*,

Edinburgh, and relative Policy of Insurance vested in them in trust, and apply the Price to be obtained, and certain Trust Monies in their Hands, in the Purchase of other Lands, for the Purposes of the said Trust. *Page* 442

17. An Act to alter and amend an Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act to enable the Trustees of the Marriage Articles of* Thomas Bacon *Esquire to grant a new Lease to* Richard Hill *and* Anthony Hill *Esquires of an Iron Furnace, and Works and Mines, and Privileges and Hereditaments held therewith, called* Plymouth Works, *in the Parish of* Merthyr Tydvill *in the County of* Glamorgan; and for better carrying the same Act into effect. *Ibid.*

18. An Act for carrying into effect an Agreement respecting the Estates of the Corporation of the Borough of *Ludlow*, and other Estates vested in the said Corporation, in trust, either partly or in whole, for certain charitable Uses; and for appropriating certain Estates to the Charity herein-after mentioned, and declaring the Trusts thereof; and for making Provision for Payment of the Debts of the said Corporation; and other Purposes. *Ibid.*

19. An Act to authorize the Sale of Part of the Charity Estates vested in the Master, Wardens, and Brethren and Sisters of the Guild or Fraternity of the Blessed *Mary* the Virgin of the Mystery of Drapers of the City of *London*, upon the Trusts of the Will of *Thomas Howell* deceased. *Ibid.*

20. An Act to enable *William Ramsay Ramsay* of *Barnton*, Heir of Entail in possession of *Barnton* and other Estates in the County of *Edinburgh*, to borrow Money upon the Security of the said Estates, for the Repayment of Monies laid out in the Improvement of the said Estate, and to enable him and his Successors to grant Feus of certain Parts thereof; and for other Purposes therein expressed. *Ibid.*

21. An Act for vesting Estates in the Parish of *West Bromwich* in the County of *Stafford*, devised by the Will of *Joseph Barrs* deceased, and the Mines and Minerals under the same, in Trustees for Sale, with Powers to grant Leases of such Estates, and to grant, demise, or sell the Coal, Ironstone, and other Minerals in or under the same. 443

22. An Act for burdening or selling a Portion of the entailed Estate of *Cumbernauld* in the County of *Dumbarton*, for Payment of Debt. *Ibid.*

23. An Act to enable the Trustees of the Will of *Edmund Yates* Esquire, deceased, to sell the Estates in the County of *Kent* devised by the same Will, and to invest the Monies to arise from such Sale in the Public Funds. *Ibid.*

24. An Act to incorporate the Governors and Managers appointed under the Trust Disposition and Settlement of *Robert Philp* of *Edenshead*, deceased, and to explain and extend the Powers and Provisions contained in the said Deed. *Ibid.*

25. An Act to enable *John Eden Spalding*, with the Consent of a Trustee, to lease the Mines and Minerals within the Lands of *Holm* and other Lands and Estates in the Stewartry of *Kircudbright* in *Scotland*. *Ibid.*

26. An Act to enable the Trustees acting under the Will of the late Sir *John Webb* Baronet, deceased, to concur with other Parties, under the Sanction of the High Court of Chancery, in the Sale and Conveyance of certain Estates in the County of *Dorset* and in the Town and County of Town of *Poole* devised by the said Testator, and of Estates subsequently acquired by the Trustees of his said Will, and subject to the Trusts of the said Will. *Page* 443

27. An Act to vest in Trustees in Fee Simple the entailed Estate of *Overshiels* in the County of *Edinburgh*, for the Purpose of selling the same, and purchasing other Lands to be entailed in lieu thereof. *Ibid.*

28. An Act to enable the Trustees of certain Charity and Trust Estates at and near the Town of *Lowestoft* in the County of *Suffolk* to carry into effect a Contract for the Sale of Parts thereof to the *Lowestoft* Railway and Harbour Company; and to enable the said Trustees, and the Trustees of other Charity and Trust Estates at and near the said Town of *Lowestoft*, to grant Leases for long Terms of Years for Building Purposes of the said Estates or Parts thereof; and for other Purposes. *Ibid.*

29. An Act to extend the Powers of Sale and Exchange and the Power to grant Building Leases respectively contained in the Will of Sir *George William Tapps Gervis* deceased; and to empower the Trustees of the said Will to raise Money by Mortgage for the Improvement of Part of the Estates devised by the said Will; and to confirm a Contract for an Exchange entered into by the said Trustees with the Right Honourable *James Howard Harris* Earl of *Malmesbury*. *Ibid.*

30. An Act to give further Powers to the Trustees of the Will of the late Duke of *Cleveland* for the Management of the Trust Estates in the County of *Durham* by the said Will devised. *Ibid.*

31. An Act to vest the Estates in *Ireland* settled by the Will of *Bindon Scott* deceased in Trustees for the Purposes therein set forth. *Ibid.*

32. An Act to unite and to incorporate the Trustees of certain Charities established by *Humphrey Booth* the elder, Esquire, and by *Humphrey Booth* Esquire, his Grandson, respectively; and to amend an Act of Parliament made and passed in the Sixteenth Year of His late Majesty King *George* the Third, intituled *An Act to enable the Trustees of certain Charity Lands belonging to the Poor of* Salford *in the County Palatine of* Lancaster *to grant Building Leases thereof*; and to make further Provision for the beneficial Management and Administration of the several Charity Estates and Charities of the said *Humphrey Booth* the elder and *Humphrey Booth*, his Grandson, respectively. *Ibid.*

33. An Act to enable the Trustees appointed by Mrs. *Jane Ferguson* deceased to sell the Lands of *Laverocklaw*, and also certain Subjects situate in the Village of *Ormiston*, vested in them in trust, and to apply the Price to be obtained, and certain Trust Monies in their Hands in the Purchase of other Lands, for the Purposes of the said Trust. 444

34. An Act for enabling the President and Fellows of *Sion College* within the City of *London* to raise Money by way of Annuity on Part of their Estates. *Ibid.*

35. An Act for facilitating the raising of the annual Sum of One hundred Pounds settled upon the Vicar for the Time being of the Parish of *All Hallowes* in the Town of *Northampton*, in lieu of Tithes, by an Act passed in the Twenty-ninth Year of the Reign of King *Charles* the Second. *Ibid.*

36. An Act to enable the Trustees of the Will of the Most Noble *William Harry* late Duke of *Cleveland* to grant Leases and make Sale of the *Bothwick* and *Wrington* Estates in the County of *Somerset*. *Ibid.*

37. An Act to enable the Most Noble *Henry Charles* Duke of *Norfolk* and other the Owner for the Time being of *Arundel Castle* and the Estates settled therewith, to grant Leases of Parts thereof; and for other the Purposes therein mentioned. *Page* 444

38. An Act for authorizing the Sale of Part of the Estates settled by the Will of *William Congreve* Esquire, deceased, and for laying out the Surplus of the Monies produced by such Sale, after Payment of his Debts, in the Purchase of other Estates. *Ibid.*

39. An Act for the better Support and better Regulation of "The Hospital of the Holy *Jesus*, founded in the *Manors* in the Town and County of *Newcastle-upon-Tyne* at the Costs and Charges of the Mayor and Burgesses of the Town of *Newcastle-upon-Tyne* in the County of the Town of *Newcastle-upon-Tyne* aforesaid," and for confirming Sales and other Dispositions made of Estates formerly Part of the Possessions of the said Hospital; and for other Purposes. *Ibid.*

40. An Act to vest certain Lands and Hereditaments, the Estates of *Alexander Perry Bond* Esquire, situate in the County of *Westmeath* in *Ireland*, in Trustees, to raise Money for the Payment of Incumbrances affecting said Lands and Hereditaments, and, subject thereto, to limit the said Lands and Hereditaments for the Uses and Purposes declared by the Will of *William Bond* Esquire, deceased. *Page* 444

41. An Act to enable Sir *Richard Bulkeley Philipps Philipps* Baronet and others to grant Mining, Building, and other Leases of certain Estates in the County of *Pembroke*, subject to the Uses of the Will of *Richard* Baron *Milford* deceased. *Ibid.*

42. An Act for enabling the Master and Brethren of the Hospital of *Saint Mary* the Virgin within the Borough of *Newcastle-upon-Tyne* to grant Building, Repairing, Mining, and other Leases of their Estates, and for extending the Objects of the Charity, and regulating the Appropriation of the Income thereof. *Ibid.*

43. An Act to enable the College of *Glasgow* to effect an Exchange of the present Lands and Buildings belonging to and occupied by the said College for other sufficient and adequate Lands and Buildings more advantageously situated; and for other Purposes relating thereto. *Ibid.*

PRIVATE ACTS,

NOT PRINTED.

44. An Act to repeal so much of an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for naturalizing* Henry Robert Ferguson, as enacts that the said *Henry Robert Ferguson* should not thereby be enabled to be of the Privy Council, or a Member of either House of Parliament, or to take any Office or Place of Trust, either civil or military, or to have any Grant of Lands, Tenements, or Hereditaments from the Crown, to himself, or any other Person or Persons in trust for him.

45. An Act to dissolve the Marriage of *Jasper Byng Creagh* Esquire with *Emma Susan Weldale Creagh* his present Wife, and to enable him to marry again; and for other Purposes therein mentioned.

46. An Act to dissolve the Marriage of *George Savage Curtis* Esquire with *Emma Curtis* his now Wife; and for other Purposes.

47. An Act to dissolve the Marriage of *Edward Clark* with his now Wife, and to enable him to marry again; and for other Purposes.

48. An Act to dissolve the Marriage of *Edward Matthyssens* with *Joanna Frances* his now Wife, and to enable him to marry again; and for other Purposes.

49. An Act for naturalizing the Reverend *Samuel Gobat* Clerk, Bishop of the United Church of *England* and *Ireland* in *Jerusalem*.

50. An Act to dissolve the Marriage of *Robert Nesham Farquharson* Esquire with *Mary Ann* his now Wife, and to enable him to marry again; and for other Purposes.

51. An Act to dissolve the Marriage of the Reverend *Salusbury Humphreys* Clerk with *Harriet Ruthan Humphreys* his now Wife, and to enable him to marry again; and for other Purposes.

A

TABLE

Containing the TITLES of all

THE STATUTES

Passed in the SEVENTH Session of the FOURTEENTH Parliament

OF

The United Kingdom of *Great Britain* and *Ireland;*

10° & 11° VICTORIÆ.

PUBLIC GENERAL ACTS.

1. AN Act to suspend, until the First Day of *September* One thousand eight hundred and forty-seven, the Duties on the Importation of Corn. *Page* 451
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15. An Act for consolidating in One Act certain Provisions usually contained in Acts authorizing the making of Gasworks for supplying Towns with Gas. *Page* 527
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17. An Act for consolidating in One Act certain Provisions usually contained in Acts authorizing the making of Waterworks for supplying Towns with Water. 549
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28. An Act to amend the Acts relating to County Buildings. 600
29. An Act to limit the Hours of Labour of young Persons and Females in Factories. *Ibid.*
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31. An Act to make further Provision for the Relief of the destitute Poor in *Ireland.* 602
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57. An Act to amend an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, for granting certain Powers and Authorities to the *Van Diemen's Land* Company. *Ibid.*
58. An Act to remove Doubts as to Quakers and Jews Marriages solemnized before certain Periods. 705
59. An Act for amending an Act, intituled *An Act for amending, explaining, and reducing into One Act of Parliament the Laws relating to the Government of His Majesty's Ships, Vessels, and Forces by Sea.* *Ibid.*
60. An Act to abolish One of the Offices of Master in Ordinary of the High Court of Chancery. 706
61. An Act to amend the Act for the Establishment of public Baths and Wash-houses. 707
62. An Act for the Establishment of Naval Prisons, and for the Prevention of Desertion from Her Majesty's Navy. 708
63. An Act for limiting the Time of Service in the Royal Marine Forces. 711
64. An Act to suspend until the First Day of *March* One thousand eight hundred and forty-eight the Duties on the Importation of Corn, Maize, Rice, Grain, Meal, Flour, Biscuit, and certain other similar Articles. 713
65. An Act for consolidating in One Act certain Provisions usually contained in Acts authorizing the making of Cemeteries. 714
66. An Act for extending the Provisions of the Law respecting Threatening Letters and accusing Parties with a view to extort Money. 720
67. An Act to amend the Law as to the Custody of Offenders. 721
68. An Act to suspend until the First Day of *October* One thousand eight hundred and forty-eight the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom. 732

69. An Act for the more effectual Taxation of Costs on Private Bills in the House of Commons. *Page* 722
70. An Act to amend the Law as to the School Attendance of Children employed in Print Works. 724
71. An Act to authorize Her Majesty to assent to a certain Bill of the Legislative Council and Assembly of the Province of *Canada*, for granting a Civil List to Her Majesty; and to repeal certain Parts of an Act for re-uniting the Provinces of *Upper* and *Lower Canada*, and for the Government of *Canada*. 726
72. An Act for the further Amendment of the Laws relating to Turnpike Roads in *South Wales*. 729
73. An Act to authorize the Advance of Money out of the Consolidated Fund for Loans towards defraying the Expence of making certain Railways in *Ireland*. 731
74. An Act to provide for the Repayment of Sums due by the County of the City of *Limerick* for Advances of public Money for the Improvement of the Navigation of the River *Shannon*. 733
75. An Act for the further Improvement of the Fishery Piers and Harbours of *Ireland*. 735
76. An Act to empower the Commissioners of Her Majesty's Woods to purchase Lands for the Purpose of a Harbour of Refuge at or near *Holyhead* in the County of *Anglesea*. 736
77. An Act to continue until the First Day of *October* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, the Exemption of Inhabitants of Parishes, Townships, and Villages from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor. 745
78. An Act to amend an Act for the Registration, Incorporation, and Regulation of Joint Stock Companies. *Ibid.*
79. An Act to continue for a limited Time the Provisions for summary Proceedings contained in an Act of the last Session to amend the Acts for promoting the Drainage of Lands, and for other Purposes; and to amend the said Act. 747
80. An Act to amend an Act of the last Session, for facilitating the Employment of the labouring Poor in the distressed Districts in *Ireland*, so far as relates to Compensation for Damages. 748
81. An Act to limit the Time for taking the Poll at Elections of Members to serve in Parliament for Counties of Cities, Counties of Towns, and Boroughs in *Ireland*. 751
82. An Act for the more speedy Trial and Punishment of Juvenile Offenders. 753
83. An Act for the Naturalization of Aliens. 756
84. An Act to make Provision for the Punishment of Vagrants and Persons offending against the Laws in force for the Relief of the destitute Poor in *Ireland*. 757
85. An Act for giving further Facilities for the Transmission of Letters by Post, and for the regulating the Duties of Postage thereon, and for other Purposes relating to the Post Office. 758
86. An Act to allow until the First Day of *March* One thousand eight hundred and forty-eight the Importation of Corn, Maize, Rice, Grain, Potatoes, Meal, Flour, Biscuit, and certain other similar Articles, from any Country, in any Ships. 760
87. An Act to facilitate the Recovery of Public Monies advanced for the Relief of Distress in *Ireland* by the Employment of the labouring Poor. 761
88. An Act to defray until the First Day of *August* One thousand eight hundred and forty-eight the Charge of the Pay, Clothing, and contingent and other Expences of the Disembodied Militia in *Great Britain* and *Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers. *Page* 764
89. An Act for consolidating in One Act certain Provisions usually contained in Acts for regulating the Police of Towns. *Ibid.*
90. An Act to provide for the Execution of the Laws for Relief of the Poor in *Ireland*. 774
91. An Act to increase the Number of Trustees for the Herring Fishery, and to direct the Application of the Funds granted for the Promotion of Manufactures and Improvements, in *Scotland*. 777
92. An Act for the Protection of Mussel Fisheries in *Scotland*. 778
93. An Act to continue until the First Day of *October* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, an Act for authorizing the Application of Highway Rates to Turnpike Roads. 779
94. An Act to amend an Act to enable Canal Companies to become Carriers upon their Canals. *Ibid.*
95. An Act to amend the Law relating to the Protection in the Colonies of Works entitled to Copyright in the United Kingdom. 780
96. An Act for better securing Trust Funds, and for the Relief of Trustees. 781
97. An Act for the Discontinuance of the Attendance of the Masters in Ordinary of the High Court of Chancery in the Public Office, and for transferring the Business of such Public Office to the Affidavit Office in Chancery. *Ibid.*
98. An Act to amend the Law as to Ecclesiastical Jurisdiction in *England*. 783
99. An Act to authorize a further Advance of Money for the Relief of destitute Persons in *Ireland*. 784
100. An Act to regulate the Superannuation Allowances of the Constabulary Force in *Ireland* and the *Dublin* Metropolitan Police. *Ibid.*
101. An Act to continue the Copyhold Commission until the First Day of *October* One thousand eight hundred and fifty, and to the End of the then next Session of Parliament. 787
102. An Act to abolish the Court of Review in Bankruptcy, and to make Alterations in the Jurisdiction of the Courts of Bankruptcy and Court for Relief of Insolvent Debtors. *Ibid.*
103. An Act to amend the Passengers Act, and to make further Provision for the Carriage of Passengers by Sea. 790
104. An Act to explain the Acts for the Commutation of Tithes in *England* and *Wales*, and to continue the Officers appointed under the said Acts until the First Day of *October* One thousand eight hundred and fifty, and to the End of the then next Session of Parliament. 792
105. An Act to continue until the First Day of *October* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, certain Turnpike Acts. 793
106. An Act to provide additional Funds for Loans for Drainage, and other Works of public Utility in *Ireland*, and to repeal an Act of the last Session, for authorizing a further Issue of Money in aid of Public Works of acknowledged Utility. *Ibid.*

107. An Act to apply a Sum out of the Consolidated Fund, and certain other Sums, to the Service of the Year One thousand eight hundred and forty-seven; and to appropriate the Supplies granted in this Session of Parliament. *Page* 794
108. An Act for establishing the Bishoprick of *Manchester*, and amending certain Acts relating to the Ecclesiastical Commissioners for *England*. 798
109. An Act for the Administration of the Laws for Relief of the Poor in *England*. 799
110. An Act to amend the Laws relating to the Removal of the Poor, until the First Day of *October* One thousand eight hundred and forty-eight. 802
111. An Act to extend the Provisions of the Act for the Inclosure and Improvement of Commons. *Page* 803
112. An Act to promote Colonization in *New Zealand*, and to authorize a Loan to the *New Zealand* Company. 804
113. An Act to facilitate the Drainage of Lands in *Scotland*. 809
114. An Act for improving the Harbour and Docks of *Leith*. 812
115. An Act to vary the Priorities of the Charges made on "The *London Bridge* Approaches Fund." 814

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED.

i. AN Act to change the Name of the Protestant Dissenters and General Life and Fire Insurance Company to the General Life and Fire Assurance Company, and to extend to the Company, by its new Name, the Powers of the Act enabling the Company to sue and be sued in the Name of the Chairman, Deputy Chairman, or any One of the Directors or of the Secretary of the Company. *Page* 825
ii. An Act for regulating Proceedings by or against "The *Llynvi* Iron Company," and for granting certain Powers thereto. *Ibid.*
iii. An Act for the continued Repair and Maintenance of the Road from or near *Whiteburn* in the County of *Berwick* to the Town of *Kelso* in the County of *Roxburgh*; and to authorize the Transfer of a Portion of the said Road to the Trustees of the Road from *Lauder*, to and through *Kelso*, to the *Marchburn*. *Ibid.*
iv. An Act for incorporating the District Fire Insurance Company of *Birmingham*, by the Name of "The District Fire Insurance Company;" for enabling the said Company to sue and be sued; and for other Purposes relating to the said Company. *Ibid.*
v. An Act for lighting with Gas the Township of *Shipley*, the Village of *Windhill*, and the Neighbourhood thereof, in the West Riding of the County of *York*. *Ibid.*
vi. An Act for extending and enlarging a certain Pier in *Pile* Harbour in the Parish of *Dalton-in-Furness* in the County Palatine of *Lancaster*, and to alter the Act relating thereto. *Ibid.*
vii. An Act to alter, amend, and enlarge the Powers and Provisions of an Act passed in the Second Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for lighting with Gas the Town and Borough of* Ipswich *in the County of* Suffolk. *Ibid.*
viii. An Act for authorizing the *Cheltenham* Waterworks Company to raise a further Sum of Money. *Ibid.*
ix. An Act for more effectually maintaining the Harbour of *Newhaven* and the Navigation of the River *Ouse* between *Newhaven* and *Lewes*, and for draining the Low Lands lying in *Lewes* and *Laughton* Levels, all in the County of *Sussex*. 826
x. An Act for making a Railway from *Smithstown* to *Dalmellington* in the County of *Ayr*. *Ibid.*
xi. An Act to enable the *Colchester, Stour Valley, Sudbury and Halstead* Railway Company to make an Extension of their Railway from *Sudbury* to *Melford, Lavenham*, and *Clare*, in the County of *Suffolk*. *Page* 826
xii. An Act to enable the *Newmarket and Chesterford* Railway Company to extend their Line of Railway to *Bury Saint Edmunds*, with a Branch to the City of *Ely*. *Ibid.*
xiii. An Act for repealing certain Provisions of the *Newmarket and Chesterford* Railway Act, 1846. *Ibid.*
xiv. An Act to amend some of the Provisions of the *Manchester* Markets Act, 1846. *Ibid.*
xv. An Act to enlarge the Powers of "The *Wolverhampton* Gaslight Company," and to authorize the Union of such Company with "The *Wolverhampton* New Gas Company." *Ibid.*
xvi. An Act to enable the *Hartlepool* West Harbour and Dock Company to construct additional Docks; and for repealing an Act passed in the Seventh Year of the Reign of Her present Majesty, relating to the said *Hartlepool* West Harbour and Dock Company, and for granting new Powers and Provisions in lieu thereof. *Ibid.*
xvii. An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Bolton* in the County of *Lancaster* to improve such Borough, and to take a Lease of and to purchase the Works of the *Bolton* Waterworks Company. *Ibid.*
xviii. An Act to enable the *Colchester, Stour Valley, Sudbury, and Halstead* Railway Company to make an Extension Railway from *Lavenham* to *Bury Saint Edmunds* in the County of *Suffolk*. *Ibid.*
xix. An Act for authorizing the Sale of the *Eastern Union and Hadleigh Junction* Railway to the *Eastern Union* Railway Company. *Ibid.*
xx. An Act to enable the *Newmarket and Chesterford* Railway Company to extend their Line of Railway to *Thetford* in the County of *Norfolk*. *Ibid.*
xxi. An Act to enable the *Colchester, Stour Valley, Sudbury, and Halstead* Railway Company to grant a Lease of their Undertaking to the *Ipswich and Bury Saint Edmunds* Railway Company. *Ibid.*

xxii. An Act to enable the *Caledonian* Railway Company to make an Extension of the *Motherwell* Branch of the *Clydesdale Junction* Railway to *Auchinheath* Mineral Field, with Branches therefrom. *Page* 826

xxiii. An Act to enable the *Caledonian* Railway Company to make Branch Railways to *Wilsontown*, to *Fauldhouse*, and to *Biggar* and *Broughton*. *Ibid.*

xxiv. An Act to enable the *Caledonian* Railway Company to make Branches from the *Clydesdale Junction* Railway to the *Douglas* and *Lesmahagow* Mineral Fields, and to *Strathavon*. 827

xxv. An Act to abolish, reduce, equalize, and consolidate the Rates and Duties leviable at the Harbour and Docks of *Leith*. *Ibid.*

xxvi. An Act for better supplying with Water the Inhabitants of the Town and Borough of *Rochdale*, and of several Townships and Places, all in the Parish of *Rochdale* in the County of *Lancaster*. *Ibid.*

xxvii. An Act for granting further Powers to the *Bristol and Clifton* Oil Gas Company. *Ibid.*

xxviii. An Act for better supplying with Gas and Water the Royal Burgh of *Inverness*, Suburbs, and Places adjacent. *Ibid.*

xxix. An Act for amending the *Ryde* Improvement Act. *Ibid.*

xxx. An Act for better assessing the Poor Rates, Highway Rates, County and Police Rates, and other Parochial and Local Rates, on small Tenements in the several Townships of *Wolverhampton*, *Bilston*, *Willenhall*, and *Wednesfield*, in the County of *Stafford*. *Ibid.*

xxxi. An Act to enable the Shipowners Towing Company to sue and be sued. *Ibid.*

xxxii. An Act to alter and amend an Act, intituled *An Act for providing in or near the Burgh of* Cupar *more extensive Accommodation for holding the Courts and Meetings of the Sheriff, Justices of the Peace, and Commissioners of Supply of the County of* Fife; *and for the Custody of the Records of the said County;* and to authorize the Commissioners acting under the Authority of that Act to provide a Court House at *Dunfermline* for the Accommodation of the Courts of the Sheriff and Justices of the Peace in the Western District of the said County. *Ibid.*

xxxiii. An Act for better assessing and collecting the Poor, Church, and Highway Rates within the Parish of *Kingston-upon-Thames* in the County of *Surrey*. *Ibid.*

xxxiv. An Act to enable the *Scottish Union* Insurance Company to purchase Annuities and invest Money on Securities in *England* and *Ireland;* and for other Purposes relating thereto. *Ibid.*

xxxv. An Act for incorporating the *Scottish Equitable* Life Assurance Society, for confirming the Rules and Regulations thereof, for enabling the said Society to sue and be sued, to take and to hold Property; and for other Purposes relating thereto. *Ibid.*

xxxvi. An Act for regulating legal Proceedings by or against "*Claridge*'s Patent Asphalte Company," and for granting certain Powers thereto. *Ibid.*

xxxvii. An Act to enable the Mayor and Commonalty and Citizens of the City of *London* to raise a Sum of Money for paying off the Monies now charged on the Bridge House Estates by Authority of Parliament, and to raise further Monies upon the Credit of the said Estates, and of their own Estates and Revenues, for effecting Public Works and Improvements in and near the said City. *Ibid.*

xxxviii. An Act for enabling the Metropolitan Sewage Manure Company to alter the Line of their Works; and for other Purposes. *Page* 827

xxxix. An Act to authorize the Purchase by the *Aberdeen* Railway Company of a Piece of Ground at the upper Part of the Inches and upper Part of the Harbour of *Aberdeen* now vested in the *Aberdeen* Harbour Commissioners, and to enable such Commissioners to make certain Alterations and new Works connected with such Harbour. *Ibid.*

xl. An Act for better lighting with Gas the Town of *Runcorn* otherwise called *Higher Runcorn* and *Lower Runcorn*, and also certain Townships and Hamlets in the Vicinity. 828

xli. An Act for lighting with Gas the Town and Neighbourhood of *Bingley* in the West Riding of the County of *York*. *Ibid.*

xlii. An Act for rendering more efficient the *Dublin* Consumers Gas Company. *Ibid.*

xliii. An Act for extending the Powers of the Imperial Continental Gas Association. *Ibid.*

xliv. An Act to amend and extend the Provisions of an Act passed in the Third Year of the Reign of King *George* the Fourth, intituled *An Act for incorporating the* Warrington *Gaslight Company*. *Ibid.*

xlv. An Act for removing the Market between *King Street* and *Castle Street* in the Town of *Sheffield*, and for providing a new Market Place in lieu thereof, and for regulating and maintaining the Markets and Fairs of the said Town. *Ibid.*

xlvi. An Act for better and more effectually ascertaining, assessing, collecting, and levying the Poor Rate and all other Rates and Assessments in the Parish of *Ewell* in the County of *Surrey;* and for the better Management of the Business and Affairs of the said Parish; and for other Purposes relating thereto. *Ibid.*

xlvii. An Act for repealing the Acts relating to the Roads leading from the Lower Market House in *Tavistock* to *Old Town* Gate in the Borough of *Plymouth*, and from *Manadon* Gate to the *Old Pound* near *Devonport* in the County of *Devon*, and making other Provisions in lieu thereof. *Ibid.*

xlviii. An Act to enlarge and improve the Meal, Corn, and Grain Markets of the City of *Edinburgh*; and for other Purposes in relation thereto. *Ibid.*

xlix. An Act for establishing a Market and Market Place in the Town and Borough of *Wakefield*. *Ibid.*

l. An Act to repeal the *Waterford* Road Act. *Ibid.*

li. An Act for the better Maintenance, Improvement, and Repair of the *Glasgow and Shotts* Turnpike Roads. *Ibid.*

lii. An Act for the Amendment of the Port and Harbour Acts of *Belfast*, for making further Improvements and new Works there, and for the Amendment of the *Belfast and Cavehill* Railway, and *Belfast* Town Improvement Acts. *Ibid.*

liii. An Act for incorporating the Commercial Gaslight and Coke Company. *Ibid.*

liv. An Act for better supplying with Water the Town and Neighbourhood of *Over Darwen* in the County of *Lancaster*, and for affording a more regular and constant Supply of Water to the Mill Owners and others on the River *Darwen*. *Ibid.*

lv. An Act to incorporate a Company by the Name of "The *London* Sewage Chemical Manure Company." 829

lvi. An Act for amending an Act passed in the Fourth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for granting certain Powers to*

the British American *Land Company*, and for granting further Powers to the said Company. *Page* 829
lvii. An Act for making a Railway from *Staines* to join the *London and South-western* Railway near *Farnborough*, with a Branch to *Chertsey*. *Ibid.*
lviii. An Act for making a Railway from *Richmond* to *Windsor*, with a Loop Line through *Brentford* and *Hounslow*. *Ibid.*
lix. An Act to authorize an Extension of the *Cork, Blackrock, and Passage* Railway to *Monkstown*, and to amend the Act relating thereto. *Ibid.*
lx. An Act to authorize certain Alterations of the Line of the *Wilts, Somerset, and Weymouth* Railway. *Ibid.*
lxi. An Act to authorize certain Alterations of the Line of the *Waterford, Wexford, and Wicklow* Railway, and to amend the Act relating thereto. *Ibid.*
lxii. An Act to enable the *Liskeard and Caradon* Railway Company to raise a further Sum of Money. *Ibid.*
lxiii. An Act for making a Railway from the Town of *Killarney* in the County of *Kerry* to the Harbour of *Valencia* in the same County. *Ibid.*
lxiv. An Act to empower the *Norfolk* Railway Company to make a Railway from the *Lowestoft* Railway near *Reedham* to join the *Norwich* Extension of the *Ipswich and Bury Saint Edmunds* Railway near *Diss*, with a Branch therefrom to *Halesworth*. *Ibid.*
lxv. An Act to alter and amend several of the Powers and Provisions of the Act relating to the *Dundalk and Enniskillen* Railway. *Ibid.*
lxvi. An Act for rating to the Relief of the Poor and other Parochial and Local Rates the Owners of certain Property within the Parishes of *King's Norton, Northfield*, and *Beoley* in the County of *Worcester*, *Edgbaston* in the County of *Warwick*, and *Harborne* in the County of *Stafford*, in lieu of the Occupiers thereof. *Ibid.*
lxvii. An Act to repeal Two several Acts relating to the *Liverpool* Gaslight Company, and to substitute other Provisions in lieu thereof, and to enable the said Company to raise a further Sum of Money. *Ibid.*
lxviii. An Act for reducing the Dues of the Harbour of the Borough and Town of *Weymouth* and *Melcombe Regis* in the County of *Dorset*, and consolidating the Trusts created by the Acts relating to such Harbour and the Bridge of the said Borough; and for other Purposes. *Ibid.*
lxix. An Act to amend certain Acts for making and maintaining Roads and converting the Statute Labour in the Counties of *Ross* and *Cromarty*, and Part of *Nairn* locally situate in the County of *Ross*. *Ibid.*
lxx. An Act to explain and amend the Laws of Sewers relating to the City and Liberty of *Westminster*, and Part of *Middlesex*. 830
lxxi. An Act for the more easy Recovery of Small Debts and Demands within the City of *London* and the Liberties thereof. *Ibid.*
lxxii. An Act to authorize an Alteration in the Line of the *Cornwall* Railway, and to amend the Act relating thereto; and for other Purposes. *Ibid.*
lxxiii. An Act to authorize the Right Honourable *Francis Egerton* Earl of *Ellesmere* to sell, and the *London and North-western* Railway Company to purchase, the Estate and Interest of the said Earl in the *Manchester South Junction and Altrincham* Railway. *Ibid.*
lxxiv. An Act for enabling the *Vale of Neath* Railway Company to construct certain new Lines of Railway in connexion with the *Vale of Neath* Railway; and for other Purposes. *Ibid.*
lxxv. An Act to enable the *General Terminus and Glasgow Harbour* Railway Company to make Branch Railways to the *Caledonian* and other adjoining Railways, and to amend the Act relating to such Railway. *Page* 830
lxxvi. An Act to authorize the *Gloucester and Dean Forest* Railway Company to construct a Dock or Basin at *Gloucester* in connexion with the said Railway. *Ibid.*
lxxvii. An Act for the better supplying the Town of *Dunfermline* and Places adjacent thereto with Water. *Ibid.*
lxxviii. An Act to enable the *Ambergate, Nottingham, and Boston and Eastern Junction* Railway Company to alter the Line of their Railway, and to construct a Branch Railway therefrom into the Town of *Nottingham*. *Ibid.*
lxxix. An Act to enable the *Llynvi Valley* Railway Company to make an Extension of their Railway to *Newcastle* in the County of *Glamorgan*, and to amend the Act relating to their said Railway, to be called "The *Llynvi Valley* Railway Extension." *Ibid.*
lxxx. An Act to enable the *Shrewsbury and Birmingham* Railway Company to make Branch Railways to *Madeley* and *Ironbridge*; and for other Purposes. *Ibid.*
lxxxi. An Act to enable the *Bristol and South Wales Junction* Railway Company to improve and maintain the *Aust* or *Old Passage Ferry* across the River *Severn*. *Ibid.*
lxxxii. An Act to enable the *Caledonian* Railway Company to make a Branch Railway from the *Glasgow, Garnkirk, and Coatbridge* Railway to *Glasgow*, and to enlarge the Station in that City. *Ibid.*
lxxxiii. An Act to enable the *Caledonian and Dumbartonshire Junction* Railway Company to make certain Deviations and Branches. *Ibid.*
lxxxiv. An Act to repeal an Act of the Second Year of His late Majesty King *William* the Fourth, intituled *An Act to enable the* British *Commercial Insurance Company to sue and be sued in the Name of One of the Directors or of the Secretary for the Time being of the Company*, and to enable the said Company to sue and be sued in the Name of One of their Directors or of their Secretary for the Time being. 831
lxxxv. An Act to alter and amend the *Newry and Enniskillen* Railway Act, 1845. *Ibid.*
lxxxvi. An Act for amending the *Newport, Abergavenny, and Hereford* Railway Act, 1846, and to authorize Deviations from the Line of the said Railway, and for making Branches and Extensions therefrom. *Ibid.*
lxxxvii. An Act for making a Railway from *Herne Bay* to a Junction with the *Canterbury and Whitstable* Railway, to be called "The *Herne Bay and Canterbury Junction* Railway." *Ibid.*
lxxxviii. An Act to enable the *London and South-western* Railway Company to widen and improve the *London and South-western* Railway from the Junction thereof with the *Richmond* Railway to the Terminus at *Nine Elms*, and to enable them to enlarge their intended Station at the *York Road, Lambeth*. *Ibid.*
lxxxix. An Act to enable the *Dundee and Perth* Railway Company to alter and extend their Line near to *Perth*, and to make Branches therefrom to *Inchture, Polgavie*, and *Inchmichael*. *Ibid.*
xc. An Act to enable the *Glasgow, Barrhead, and Neilston Direct* Railway Company to alter a Portion of their Line; and for other Purposes relating thereto. *Ibid.*
xci. An Act for making Branch Railways from the *Great Western* Railway and from *Hammersmith* to join the *West London* Railway, for widening a Portion of the *West London* Railway, and for extending the same so as to

join the *London and South-western* Railway in the Parish of *Saint Mary Lambeth* in the County of *Surrey*. *Page* 831

xcii. An Act to authorize the Purchase by the *Eastern Counties* Railway Company of the *Maldon, Witham, and Braintree* Railway. *Ibid.*

xciii. An Act to enable the *Great Southern and Western* Railway Company to make a Railway from *Portarlington* to *Tullamore*. *Ibid.*

xciv. An Act to empower the *Norfolk* Railway Company to make a Railway from *Wymondham* to *Diss*. *Ibid.*

xcv. An Act to authorize the Purchase of the *Glasgow Southern Terminal* Railway by the *Glasgow, Barrhead, and Neilston Direct* Railway Company, and to amend the Acts relating to the said Company. *Ibid.*

xcvi. An Act for making an Alteration in the Line of the *Southampton and Dorchester* Railway, and Branches therefrom to *Lymington* and *Eling*; and for other Purposes. *Ibid.*

xcvii. An Act for making a Branch Railway from the *Southampton and Dorchester* Railway at *Moreton* to *Weymouth*, and for other Purposes. *Ibid.*

xcviii. An Act to authorize an Alteration in the Line of the *Lowestoft* Railway, and to amend the Act relating to the *Lowestoft* Railway and Harbour Company. *Ibid.*

xcix. An Act to enable the *Norfolk* Railway Company to extend their Railway to the Town of *Great Yarmouth*; and for other Purposes. 832

c. An Act to enable the *Dublin and Drogheda* Railway Company to make a Railway from the *Navan* Branch of the *Dublin and Belfast Junction* Railway in the County of *Meath* to the Town of *Kells* in the same County. *Ibid.*

ci. An Act for making a Railway from *Abercrave* Farm in the Parish of *Ystradgunlais* in the County of *Brecon* to *Swansea* in the County of *Glamorgan*, with Branches, to be called "The *Swansea Valley* Railway." *Ibid.*

cii. An Act to authorize a Deviation in the Line of the *Manchester and Lincoln Union* Railway. *Ibid.*

ciii. An Act to enable the *Manchester and Leeds* Railway Company to make an Extension of the *Holmfirth* Branch of the *Huddersfield and Sheffield Junction* Railway. *Ibid.*

civ. An Act to enable the *South-eastern* Railway Company to make a Railway to connect the *London and Greenwich* Railway and the *North Kent* Line of the *South-eastern* Railway with the *Bricklayers Arms* Branch Railway. *Ibid.*

cv. An Act for making a Railway from the *Liverpool and Bury* Railway near *Liverpool*, through *Crosby*, to the Town of *Southport*, to be called "The *Liverpool, Crosby, and Southport* Railway." *Ibid.*

cvi. An Act for widening, altering, and improving the *Dundee and Newtyle* Railway. *Ibid.*

cvii. An Act to empower the *London and North-western* Railway Company to make a Railway from the *London and North-western* Railway near *Bletchley* to *Newport Pagnel, Olney*, and *Wellingborough*. *Ibid.*

cviii. An Act to consolidate and amend the Acts relating to the *North Staffordshire* Railway Company, and to authorize certain Alterations of and the Formation of certain Branches and additional Works in connexion with their Undertaking. *Ibid.*

cix. An Act for making certain new Lines of Railway in connexion with the *South Wales* Railway, and certain Alterations in the Line of the said Railway; and for other Purposes. *Ibid.*

cx. An Act to authorize the Construction of a Railway from *Cannock* in the County of *Stafford* to *Uttoxeter* in the same County, to join the *North Staffordshire* Railway Potteries Line, by a Company to be called "The *Derbyshire, Staffordshire, and Worcestershire Junction* Railway Company." *Page* 832

cxi. An Act to authorize the Sale to the *Dublin and Drogheda* Railway Company of the *Navan* Branch of the *Dublin and Belfast Junction* Railway, and to enable the *Dublin and Drogheda*, the *Dublin and Belfast Junction* Railway Company with a Branch from *Drogheda* to *Navan*, the *Ulster*, and the *Dundalk and Enniskillen* Railway Companies, or any of them, to amalgamate with one another. *Ibid.*

cxii. An Act to empower the *Boston, Stamford, and Birmingham* Railway Company to make a Railway from the *Syston and Peterborough* Railway at or near *Peterborough* to the *Stamford and Wisbech* Line of the *Boston, Stamford, and Birmingham* Railway in the Parish of *Thorney* and *Isle of Ely*. *Ibid.*

cxiii. An Act to authorize the *East Lincolnshire* Railway Company to purchase an existing Lease of the *Louth* Navigation. *Ibid.*

cxiv. An Act to empower the *London and North-western* Railway Company to admit certain Parties as Shareholders in their Undertaking for making a Railway from *Coventry* to *Nuneaton* in the County of *Warwick*; and for other Purposes. 833

cxv. An Act to enable the *London and South-western* Railway Company to make Railways from *Andover* to join their *Salisbury* Branch Railway at *Michaelmarsh*, and from the same Branch at *Romsey* to join the *Southampton and Dorchester* Railway at *Redbridge*, all in the County of *Southampton*, to be called "The *Andover and Southampton Junction* Railway." *Ibid.*

cxvi. An Act for enabling the *Manchester, Sheffield, and Lincolnshire* Railway Company to make a Railway at *Bugsworth*, and for amending the Acts relating thereto. *Ibid.*

cxvii. An Act for the Enlargement of the *Wearmouth* Dock, and the Construction of new Works in connexion therewith; and for other Purposes relating thereto. *Ibid.*

cxviii. An Act to empower the *London and North-western* Railway Company to make a Branch Railway from the *London and North-western* Railway near *Atherstone* to the *Midland* Railway at *Whitacre* in the County of *Warwick*. *Ibid.*

cxix. An Act to enable the *Glasgow, Kilmarnock, and Ardrossan* Railway Company to make certain Branch Railways, and to make certain Deviations from the Line and Levels of the said Railway; and to amend the Act relating to the said Railway. *Ibid.*

cxx. An Act to authorize a certain Alteration in the Line of the *Birmingham, Wolverhampton, and Stour Valley* Railway, and to amend the Act relating thereto; and for other Purposes. *Ibid.*

cxxi. An Act to authorize a Lease of the Undertaking of the *Shropshire Union* Railways and Canal Company to the *London and North-western* Railway Company. *Ibid.*

cxxii. An Act to enable the *Midland* Railway Company to alter the Line of the *Leicester and Swannington* Railway, and to make certain Branches therefrom; and for other Purposes. *Ibid.*

cxxiii. An Act for constructing and maintaining Docks and other Works at or near the South Side of the Town of *Swansea* in the Town and Franchise of *Swansea* in the County of *Glamorgan*. *Ibid.*

cxxiv. An Act for lighting with Gas the Town of *Croydon* and its Vicinity in the County of *Surrey*. *Ibid.*

cxxv. An Act to amend the *East Lincolnshire* Railway Act, 1846, and to authorize the Construction of a Branch Railway to join the *Great Grimsby and Sheffield Junction* Railway near *Grimsby.* *Page* 833

cxxvi. An Act to construct Waterworks for supplying with Water the Town of *Falmouth* and certain Parishes adjacent thereto in the County of *Cornwall.* *Ibid.*

cxxvii. An Act for improving and maintaining the Harbour of *Macduff* in the County of *Banff.* *Ibid.*

cxxviii. An Act to repeal the Acts relating to *Warkworth* Harbour in the County of *Northumberland,* and to make other Provisions in lieu thereof. *Ibid.*

cxxix. An Act for extending and enlarging the Provisions of the Act for regulating Buildings and Party Walls within the City and County of *Bristol,* and for forming certain Streets, and for widening other Streets within the same. 834

cxxx. An Act to enable the *Midland Great Western* Railway of *Ireland* Company to make certain Deviations in the authorized Line of the said Railway; and to amend the Acts relating thereto. *Ibid.*

cxxxi. An Act to amend and enlarge the Powers and Provisions of the *Westminster* Improvement Act, 1845, and to authorize the Application of certain Rates in aid of the Improvements. *Ibid.*

cxxxii. An Act to empower the *London and North-western* Railway Company to make a Railway from the *London and North-western* Railway near *Watford* to *St. Albans, Luton,* and *Dunstable.* *Ibid.*

cxxxiii. An Act to authorize the Consolidation into One Undertaking of the *York and Newcastle* and the *Newcastle and Berwick* Railways. *Ibid.*

cxxxiv. An Act for enabling the *York and Newcastle* Railway Company to make certain Branch Railways in the Counties of *Durham* and *York;* and for other Purposes. *Ibid.*

cxxxv. An Act to enable the *Midland* Railway Company to make a Railway from near *Leicester,* viâ *Bedford,* to *Hitchin* and to *Northampton* and *Huntingdon,* with Branches; to enlarge the *Leicester* Station of the *Midland* Railway; and for other Purposes. *Ibid.*

cxxxvi. An Act to empower the *North British* Railway Company to extend the *Haddington* Branch of the *North British* Railway, to make certain Alterations in the *Hawick* and *Kelso* Branches of the same Railway, and for other Purposes. *Ibid.*

cxxxvii. An Act to amend the Acts relating to the *Ipswich and Bury Saint Edmunds* Railway Company, and to enable the Company to construct a Railway from the *Ipswich and Bury Saint Edmunds* Railway near *Ipswich* to *Woodbridge.* *Ibid.*

cxxxviii. An Act to enable the *Manchester, Sheffield, and Lincolnshire* Railway Company to make a Branch Railway from the *Market Rasen and Lincoln* Line of their Railway in the Parish of *Stainton-by-Langworth* to the Town of *Wragby* in the County of *Lincoln.* *Ibid.*

cxxxix. An Act for enabling the *London and North-western* Railway Company to make a Railway from *Birmingham* to *Lichfield,* and for amending the former Acts relating to the said Company. *Ibid.*

cxl. An Act for enabling the *York and North Midland* Railway Company to extend the Line of their *Harrogate* Branch Railway, and make a Station at *Harrogate.* *Ibid.*

cxli. An Act for enabling the *York and North Midland* Railway Company to make a Railway from their Line at *Burton Salmon* to *Knottingley,* with a Branch therefrom; and for other Purposes. *Ibid.*

cxlii. An Act to enable the *Aberdeen* Railway Company in part to alter their Branch Railway to *Brechin.* *Page* 834

cxliii. An Act to enable the *Great Northern* Railway Company to alter the Line of their Railway near *Doncaster.* *Ibid.*

cxliv. An Act to authorize the *Shrewsbury and Chester* Railway Company to make certain Branches, and to provide Station Room and other Conveniences in the City of *Chester,* and to raise additional Capital for these Purposes; and for amending the former Acts relating to the said Company. 835

cxlv. An Act for enabling the *London and South-western* Railway Company to make Extensions of the *Guildford Extension and Portsmouth and Fareham* Railway near *Portsmouth,* and a Deviation in the authorized Line thereof near *Godalming.* *Ibid.*

cxlvi. An Act to enable the *Great Northern* Railway Company to make certain Alterations in the Line of their Railway as already authorized between *Grantham* and *York.* *Ibid.*

cxlvii. An Act to authorize an Extension of and the Construction of a Station in connexion with the *Chester and Holyhead* Railway at *Chester;* and for other Purposes. *Ibid.*

cxlviii. An Act to enable the *Great Northern* Railway Company to take a Lease of or to purchase the *East Lincolnshire* Railway, and the *Boston, Stamford, and Birmingham* Railway. *Ibid.*

cxlix. An Act for enabling the *Birmingham, Wolverhampton, and Dudley* Railway Company to purchase Lands for additional Station Room at *Birmingham,* and for authorizing the Sale of the Undertaking of the said Company to the *Great Western* Railway Company. *Ibid.*

cl. An Act to enable the *Midland* Railway Company to enlarge their Stations at *Masbrough* and *Normanton* respectively, and to construct additional Sidings or Branch Railways. *Ibid.*

cli. An Act to enable the *Edinburgh, Leith, and Granton* Railway Company to make a Branch Railway to the *Upper Drawbridge* in the Town of *Leith.* *Ibid.*

clii. An Act to enable the *Edinburgh, Leith, and Granton* Railway Company to make a Branch Railway from *Bonnington* to *Trinity Villa;* to acquire certain Pieces of Land; and to shut up and use certain Roads or Streets for the Purposes of the said Railway. *Ibid.*

cliii. An Act for making a Railway from *Portadown* in the County of *Armagh* to *Dungannon* in the County of *Tyrone,* to be called "The *Portadown and Dungannon* Railway." *Ibid.*

cliv. An Act for making a Railway from the *Great Western* Railway at *Cheltenham* to join the *Oxford and Rugby* Railway near *Oxford,* with a Branch therefrom; and for other Purposes. *Ibid.*

clv. An Act to empower the *Boston, Stamford, and Birmingham* Railway Company to make a Railway from *Wisbech* to *Sutton Bridge,* with a Branch to *Sutton Saint Mary,* and to improve the Harbour at *Sutton Bridge.* *Ibid.*

clvi. An Act to authorize the Purchase by the *Eastern Counties* Railway Company of the *North Woolwich* Railway, and the Lease of the Pepper Warehouses and Wharfs of the *East* and *West India* Dock Company. *Ibid.*

clvii. An Act to enable the *Eastern Counties* Railway Company to enlarge their *London* and *Stratford* Stations; and to amend some of the Provisions of the Acts relating to the *Eastern Counties* Railway Company. *Ibid.*

clviii. An Act to enable the *Eastern Counties* Railway Company to make a Railway from the *Eastern Counties* Railway near *Cambridge* to the *Bedford and Bletchley* Railway at or near *Bedford*, with Branches. *Page* 835

clix. An Act to incorporate the *Huddersfield and Manchester* Railway and Canal Company and the *Leeds, Dewsbury, and Manchester* Railway Company with the *London and North-western* Railway Company. 836

clx. An Act to enlarge the Powers of the *Dublin, Dundrum, and Rathfarnham* Railway Act, 1846, and to enable the Company to make an Extension to *Stephen's Green*. *Ibid.*

clxi. An Act for enabling the *Huddersfield and Manchester* Railway and Canal Company to alter a Portion of the Line of their *Oldham* Branch; and for other Purposes. *Ibid.*

clxii. An Act for making a Railway from *Mold* in the County of *Flint* to join the *Chester and Holyhead* Railway in the Parish of *Hawarden* in the same County, with Branches, to be called "The *Mold* Railway." *Ibid.*

clxiii. An Act to enable the *Manchester and Leeds* Railway Company to make certain Branches, Extensions, and other Works, and to alter the Name of the Company. *Ibid.*

clxiv. An Act for enabling the *Blackburn, Darwen, and Bolton* Railway Company to make certain Alterations in the Line of their Railway in the Parishes of *Blackburn* and *Bolton-in-the-Moors*; and for amending the Acts relating thereto. *Ibid.*

clxv. An Act for enabling the *Manchester, Sheffield, and Lincolnshire* Railway Company to make a Coal Branch from their *Thurgoland* Station to the Township of *Stainborough*. *Ibid.*

clxvi. An Act to enable the *Manchester and Leeds* Railway Company to alter the Line and Levels of the *Brighouse* Branch of the *West Riding Union* Railways, and to make a new Line into *Leeds*. *Ibid.*

clxvii. An Act to enable the *Direct London and Portsmouth* Railway Company to make an Approach to the Town of *Dorking*, and a Deviation in the Line and certain Alterations in the Levels of their Railway and in the *Croydon and Epsom* Railway. *Ibid.*

clxviii. An Act to enable the *Glasgow, Paisley, and Greenock* Railway Company to make a certain Branch Railway to the *Caledonian* Railway at *Glasgow*, and to divert Part of the *Glasgow, Paisley, and Ardrossan* Canal. *Ibid.*

clxix. An Act to amalgamate the *Glasgow, Paisley, and Greenock* Railway with the *Caledonian* Railway, and to authorize the raising of additional Money by the said last-mentioned Company. *Ibid.*

clxx. An Act for making a Deviation in the Line of the *Lynn and Ely* Railway, and for forming Docks within the Borough of *King's Lynn*. *Ibid.*

clxxi. An Act to enable the *Lynn and Ely* Railway Company to make a Navigation from *Lynn* to *Wormegay*, all in the County of *Norfolk*. *Ibid.*

clxxii. An Act to enable the *Caledonian* Railway Company to make certain Branch Railways in the Counties of *Dumfries* and *Cumberland*. *Ibid.*

clxxiii. An Act for making a Railway from the *North British* Railway at *East Linton* to *Ormiston*, to be called "The *East Lothian Central* Railway." *Ibid.*

clxxiv. An Act to amalgamate the *Eastern Union* and *Ipswich and Bury Saint Edmunds* Railway Companies. *Ibid.*

clxxv. An Act to enable the *Chard* Canal and Railway Company to extend their Railway from *Ilminster* to *Chard* all in the County of *Somerset*. 837

clxxvi. An Act to enable the *Midland Great Western* Railway of *Ireland* Company to make a Railway from *Athlone* to *Galway*. *Page* 837

clxxvii. An Act to enable the *Newport, Abergavenny, and Hereford* Railway Company to extend their Railway from the Neighbourhood of *Pontipool* to the *Taff Vale* Railway. *Ibid.*

clxxviii. An Act for making a Railway from the *Northampton and Peterborough* Branch of the *London and North-western* Railway to the Town of *Banbury*, to be called "The *Northampton and Banbury* Railway;" and for other Purposes. *Ibid.*

clxxix. An Act for making a Railway from the *Swansea Vale* Railway at *Ynisymond* in the Parish of *Cadoxton* to *Nantmelyn* in the Parish of *Llangefelach*, both in the County of *Glamorgan*, with Branches. *Ibid.*

clxxx. An Act to authorize the Purchase by the *Dublin and Drogheda* Railway Company of the *Navan* Branch of the *Dublin and Belfast Junction* Railway, and to authorize the *Dublin and Drogheda*, the *Dublin and Belfast Junction* Railway with a Branch from *Drogheda* to *Navan*, the *Ulster*, and the *Dundalk and Enniskillen* Railway Companies, or any of them, to amalgamate with one another. *Ibid.*

clxxxi. An Act to amend some of the Provisions of the *Glasgow, Dumfries, and Carlisle* Railway Act, 1846. *Ibid.*

clxxxii. An Act to amend the Act relating to the *Glasgow, Dumfries, and Carlisle* Railway Company, and to authorize the Company to make a Branch Railway to *Kirkcudbright*, with diverging Lines therefrom; and for other Purposes. *Ibid.*

clxxxiii. An Act to amend the Acts and alter the Terms of Amalgamation of the *Glasgow, Dumfries, and Carlisle* Railway Company, and of the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company. *Ibid.*

clxxxiv. An Act to enable the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company to make certain Branch Railways in the County of *Ayr*, and to alter the Line of the *Glasgow and Belfast Union* Railway; and for other Purposes. *Ibid.*

clxxxv. An Act to authorize the Construction of certain Branch Railways in the County of *Ayr* in connexion with the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway; and for other Purposes. *Ibid.*

clxxxvi. An Act to amend the Acts relating to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, and to provide additional Station Accommodation; and for other Purposes. *Ibid.*

clxxxvii. An Act for making a Railway from *Parkgate* in the Parish of *Great Neston* in the County of *Chester* to join the *Chester and Birkenhead* Railway in the Parish of *Bebbington* in the same County. *Ibid.*

clxxxviii. An Act for enabling the *London and North-western* Railway Company to make a Branch Line of Railway from *Portobello* to *Wolverhampton*; and for other Purposes. *Ibid.*

clxxxix. An Act to empower the *South Staffordshire* Railway Company to make divers Branch Railways; and for other Purposes. *Ibid.*

cxc. An Act to incorporate the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company with the *Manchester, Sheffield, and Lincolnshire* Railway Company. 838

cxci. An Act to enable the *Midland* Railway Company to purchase the *Mansfield and Pinxton* Railway, and to alter the same, and to make a Railway from the *Ere-*

wash Valley Railway to the *Nottingham and Mansfield* Railway, with Branches to *Mansfield*, and also to the *Alfreton* Ironworks. *Page* 838

cxcii. An Act to vest in the *Edinburgh and Northern* Railway Company the Undertaking of the Low-water Pier at *Burntisland*, and of the Ferry between the same and *Granton*, and to enable the said Company to extend and improve the said Pier. *Ibid.*

cxciii. An Act to empower the *Boston, Stamford, and Birmingham* Railway Company to make a Branch Railway from the *Stamford and Wisbech* Line of the *Boston, Stamford, and Birmingham* Railway at *Wisbech* to *Wisbech* Harbour, and to construct certain Works at *Wisbech* Harbour. *Ibid.*

cxciv. An Act to authorize an Alteration in the Line of the *Cork and Bandon* Railway, and an Extension thereof into the City of *Cork*, and to amend the Act relating to the said Railway. *Ibid.*

cxcv. An Act to consolidate the *Aberdeen* and *Great North of Scotland* Railway Companies. *Ibid.*

cxcvi. An Act for improving, regulating, and maintaining the Haven of *Sandwich* in the County of *Kent*. *Ibid.*

cxcvii. An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Wisbech*, as Guardians of the Port and Harbour of *Wisbech*, to raise a Sum of Money; and for other Purposes. *Ibid.*

cxcviii. An Act for amending Two Acts of Parliament, passed respectively in the Fourth Year of the Reign of His late Majesty King *George* the Fourth and the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, for erecting a Bridge across the River *Shannon*, and a Floating Dock and other Works for the Improvement of the Port of *Limerick*. *Ibid.*

cxcix. An Act for better supplying with Gas the Parish and Neighbourhood of *Wakefield* in the West Riding of the County of *York*. *Ibid.*

cc. An Act for making perpetual the Provisions of an Act passed in the last Session of Parliament, intituled *An Act for the Regulation of the Legal Quays within the Port of* London. *Ibid.*

cci. An Act for better supplying with Gas the Town of *Ashton-under-Lyne* in the County Palatine of *Lancaster*, and the Neighbourhood thereof. *Ibid.*

ccii. An Act for better supplying with Water the City of *Edinburgh* and Places adjacent. *Ibid.*

cciii. An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Manchester* in the County of *Lancaster* to construct Waterworks for supplying the said Borough and several Places on the Line of the said intended Works with Water; and for other Purposes. *Ibid.*

cciv. An Act for supplying with Water certain Parts of the *Staffordshire Potteries* and the Town of *Newcastle-under-Lyme*, and several Townships and Places adjoining or near thereto. 839

ccv. An Act for building a Bridge across the River *Ouse* in the City of *York*, with Approaches thereto, and for widening, altering, and improving certain Streets or Thoroughfares within the said City; and for other Purposes. *Ibid.*

ccvi. An Act for the more effectually assessing, collecting, and levying the Poor and other Rates in the City and County of the City of *Norwich*, and Liberties of the same. *Ibid.*

ccvii. An Act for amending the Acts relating to the Police and Improvement of the Burgh of *Kilmarnock*; and for other Purposes in relation thereto. *Page* 839

ccviii. An Act for extending the Municipal Boundaries of the Burgh of *Inverness*; establishing a general System of Police therein, and regulating the Petty Customs; and for other Purposes relating to the said Burgh. *Ibid.*

ccix. An Act for deepening, enlarging, improving, and maintaining the Port and Harbour of *Inverness*, and the Navigation of the River *Ness*, and the Quays and Piers and other Works connected therewith; for regulating the Anchorage and Shore Dues of the said Port and Harbour; and for other Purposes relating thereto. *Ibid.*

ccx. An Act for enabling the *Leeds and Thirsk* Railway Company to deviate the Main Line of their Railway in *Crimple Valley*, to alter the proposed Junction with the *York and Newcastle* Railway, and to divert the *Leeds, Wortley, and Stanningley* Turnpike Road. *Ibid.*

ccxi. An Act to confirm an Agreement between the Treasurer and Masters of the Bench of the Honourable Society of *Lincoln's Inn* in the County of *Middlesex* and the joint Vestry of the joint Parishes of *Saint Giles-in-the-Fields* and *Saint George Bloomsbury* in the same County and the Rector and Vestry of the separate Parish of *Saint Giles-in-the-Fields*. *Ibid.*

ccxii. An Act for incorporating the Landowners Drainage and Inclosure Company, and for enabling the Owners of settled Estates, drained, irrigated, inclosed, and improved by the said Company, to charge the same for the Purposes of such Drainage, Inclosure, and Improvement. *Ibid.*

ccxiii. An Act for repairing and keeping in repair the Turnpike Roads in the County of *Ayr*; for making and maintaining new Roads, and altering and improving existing Roads; for rendering Turnpike certain Parish Roads; and for regulating the Statute Labour and Bridge Money in the said County. *Ibid.*

ccxiv. An Act to empower the *Midland* Railway Company to extend the Line of their *Nottingham and Lincoln* Railway at *Lincoln*, and to make a Branch Railway to their *Lincoln* Station. *Ibid.*

ccxv. An Act to authorize certain Deviations in the Line of the *Syston and Peterborough* Branch of the *Midland* Railway, and the Formation of a Road or Approach to the intended *Manton* Station thereof. *Ibid.*

ccxvi. An Act to authorize the Purchase by the *York and North Midland* Railway Company of the Interests of the Shareholders in the *Market Weighton* Canal, and the Purchase of the Canal communicating therewith called Sir *Edward Vavasour's* Canal, of the *Pocklington* Canal, and of the *Leven* Canal, all in the East Riding of the County of *York*. 840

ccxvii. An Act to facilitate the effectual Drainage of certain Districts within the Commission of Sewers for the Limits extending from *East Moulsey* in *Surrey* to *Ravensbourne* in *Kent*. *Ibid.*

ccxviii. An Act for enabling the *York and North Midland* Railway Company to make a Station at *Hull*, and certain Branch Railways connected with their Railways and the said Station; and for other Purposes. *Ibid.*

ccxix. An Act for enabling the *York and North Midland* Railway Company to make a Railway from their *Church Fenton and Harrogate* Branch to *Knaresborough* and *Boroughbridge*. *Ibid.*

ccxx. An Act to enable the *Edinburgh and Northern* Railway Company to make a Deviation and Extension of their Branch Railway to *Dunfermline*, to make another

Railway from their *Strathearn* Deviation Railway to the *Scottish Central* Railway, and to make an Alteration in the Manner of constructing the said Branch and *Strathearn* Deviation across certain Roads. *Page* 840

ccxxi. An Act for making a Railway from *Southport* through *Wigan* to *Pendleton* near *Manchester*, with several Branches, to be called "The *Manchester and Southport* Railway." *Ibid.*

ccxxii. An Act to incorporate the *Chester and Birkenhead* Railway with the *Birkenhead, Lancashire, and Cheshire Junction* Railway. *Ibid.*

ccxxiii. An Act for enabling the *Birkenhead, Lancashire, and Cheshire Junction* Railway Company to make a Deviation in the *Chester* Branch of their Railway; and for other Purposes. *Ibid.*

ccxxiv. An Act to enable the *East of Fife* Railway Company to make a Deviation in their Main Line, and to improve the Junction with the *Edinburgh and Northern* Railway near *Markinch*. *Ibid.*

ccxxv. An Act to empower the *Eastern Union* Railway Company to make a Railway from the *Eastern Union* Railway at *Manningtree* to *Harwich*, with Branches thereout; and for other Purposes. *Ibid.*

ccxxvi. An Act for making Branch Railways from the *Great Western* Railway to *Henby* and to *Radstock;* to widen certain Portions of the *Great Western* Railway; to enable the *Great Western* Railway Company to purchase or amalgamate with the *Birmingham, Wolverhampton, and Dudley* Railway, and to purchase the *Wycombe* and *Great Western and Uxbridge* Railways; and for other Purposes. *Ibid.*

ccxxvii. An Act to authorize certain Alterations in the Line of the *Liverpool, Manchester, and Newcastle-upon-Tyne Junction* Railway; and for other Purposes. *Ibid.*

ccxxviii. An Act to empower the *London and North-western* Railway Company to enlarge their Stations at *Liverpool* and *Crewe;* and for other Purposes. *Ibid.*

ccxxix. An Act to authorize the Sale of the *Paisley and Renfrew* Railway to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, and the Improvement of the said Railway by that Company. *Ibid.*

ccxxx. An Act to enable the *South-eastern* Railway Company further to widen the *London and Greenwich* Railway, and to enlarge their *London Bridge* Station. *Ibid.*

ccxxxi. An Act to authorize certain Alterations in the Line of the *Waterford and Limerick* Railway; and to amend the Act relating thereto; and for other Purposes. 841

ccxxxii. An Act for making certain Lines of Railway in the County of *Lancaster*, to be called "The *Oldham Alliance* Railway." *Ibid.*

ccxxxiii. An Act for making a Railway and Branch Railways in the County of *Chester*, to be called "The *Manchester and Birmingham and North Staffordshire Junction* Railway." *Ibid.*

ccxxxiv. An Act to enable the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company to make certain Branch Railways in the County of *Renfrew;* and for other Purposes. *Ibid.*

ccxxxv. An Act to enable the *Eastern Counties* Railway Company to make a Railway from *Wisbech* to *Spalding*. *Ibid.*

ccxxxvi. An Act to authorize the Consolidation into One Undertaking of the *Oxford and Bletchley Junction* Railway Company and the *Buckingham and Brackley Junction* Railway Company, and to enable the Company so to be consolidated to make Extension Lines to *Banbury* and *Aylesbury*, and an Alteration of the Line into the City of *Oxford*. *Page* 841

ccxxxvii. An Act to enable the *Caledonian* Railway Company to extend their Station in *Edinburgh*, and to make Branch Railways to *Granton* and to the *Edinburgh and Glasgow* Railway. *Ibid.*

ccxxxviii. An Act to enable the *Chester and Holyhead* Railway Company to extend their Line of Railway to the proposed new Harbour at *Holyhead*, and to contribute towards the Expence of constructing the said Harbour. *Ibid.*

ccxxxix. An Act to incorporate the *Edinburgh, Leith, and Granton* Railway Company with the *Edinburgh and Northern* Railway Company. *Ibid.*

ccxl. An Act to enable the *Liverpool, Manchester, and Newcastle-upon-Tyne Junction* Railway Company to make a Railway from the *Burnley* Branch of the *Manchester and Leeds* Railway in the Township of *Habergham Eaves* in the Parish of *Whalley* in the County of *Lancaster* to the *East Lancashire* Railway in the same Township; and for other Purposes. *Ibid.*

ccxli. An Act to authorize a certain Alteration in the Line of the *Reading, Guildford, and Reigate* Railway, and to amend the Act relating thereto. *Ibid.*

ccxlii. An Act to enable the *South Devon* Railway Company to extend the Line of the *South Devon* Railway to *Torquay* and to *Brixham;* and for other Purposes. *Ibid.*

ccxliii. An Act to amend the *Exeter and Exmouth* Railway Act, 1846, and to enable the *London and South-western* Railway Company to subscribe towards, lease, or purchase the said Railway. *Ibid.*

ccxliv. An Act for authorizing the Sale of Part of the *Brighton and Chichester* (*Portsmouth* Extension) Railway to the *London and South-western* and the *London, Brighton, and South Coast* Railway Companies, and the Use by the last-mentioned Company of Part (*Wandsworth* to *London*) of the *London and South-western* Railway. *Ibid.*

ccxlv. An Act for making a Branch Railway from the *Glasgow, Airdrie, and Monklands Junction* Railway at or near *Whitevale Street, Glasgow*, to the *Edinburgh and Glasgow* Railway at or near *Cowlairs;* and to amend the Acts relating to such Railways. *Ibid.*

ccxlvi. An Act to enable the *Edinburgh and Bathgate* Railway Company to deviate a Portion of their Main Line, and for other Purposes. 842

ccxlvii. An Act to make certain Deviations in the authorized Line of the "*Manchester, Buxton, Matlock, and Midlands Junction* Railway," and to amend the Act relating thereto. *Ibid.*

ccxlviii. An Act to enable the *Royston and Hitchin* Railway Company to lease or sell their Line, and to authorize the said Company to enter into Contracts and complete Arrangements with the *Great Northern* Railway Company. *Ibid.*

ccxlix. An Act to amend the Acts relating to the *London and South-western* Railway. *Ibid.*

ccl. An Act to repeal an Act passed in the Fifty-fifth Year of His late Majesty King *George* the Third, for building a new Church and also a Workhouse in the Parish of *Bathwick* in the County of *Somerset*, and another Act passed in the Fifty-seventh Year of His said late Majesty to amend the said Act, and to provide for the future Administration and Exercise of the Trusts and Powers thereby respectively created. *Ibid.*

cclii. An Act for paving, lighting, watching, draining, cleansing, regulating, and otherwise improving the Town of *Lytham* in the County Palatine of *Lancaster*, for supplying the Inhabitants thereof with Water, and for establishing and regulating a Market and Market Places therein. *Page* 842

cclii. An Act for paving, lighting, watching, cleansing, and otherwise improving the Town and Neighbourhood of *Tunstall* in the County of *Stafford*, and for improving and regulating the Market Place and Markets therein. *Ibid.*

ccliii. An Act for better paving, cleansing, draining, regulating, lighting, and improving the District of *Rathmines, Mount Pleasant, Ranelagh, Cullenswood, Milltown, Rathgar*, and *Haroldscross*, and such other Portions of the Parish of *Saint Peter* within the Barony of *Uppercross* in the County of *Dublin*, and for otherwise promoting the Health and Convenience of the Inhabitants. *Ibid.*

ccliv. An Act for the further Improvement of the Borough of *Belfast*. *Ibid.*

cclv. An Act for improving the Streets and public Places, and erecting a Town Hall, and improving the Markets, in the Township of *Blackburn* in the County Palatine of *Lancaster*. *Ibid.*

cclvi. An Act for paving, lighting, watching, draining, cleansing, and improving the Town of *Saint Ives* and the Neighbourhood thereof in the County of *Huntingdon*. *Ibid.*

cclvii. An Act for paving, lighting, cleansing, watering, regulating, and otherwise improving the Town of *Portsmouth* in the County of *Southampton*, and for removing and preventing Nuisances and Annoyances therein. *Ibid.*

cclviii. An Act for lighting, paving, cleansing, sewering, draining, regulating, and improving the Town and Neighbourhood of *Bingley* in the West Riding of the County of *York*, and for other Purposes connected therewith. *Ibid.*

cclix. An Act for constructing and maintaining a Bridge across the River *Slaney* near the Town of *Wexford*, with Approaches, and for taking down the present Bridge there. 843

cclx. An Act to amend the several Acts relating to *Swansea* Harbour. *Ibid.*

cclxi. An Act for better supplying with Water the Borough of *Liverpool* and the Neighbourhood thereof, and for authorizing the Mayor, Aldermen, and Burgesses of the said Borough to purchase the *Liverpool and Harrington* Waterworks and *Liverpool* Waterworks. *Ibid.*

cclxii. An Act for better supplying with Water the Inhabitants of the Town and Neighbourhood of *Leeds* in the County of *York*. *Ibid.*

cclxiii. An Act for making Docks at *Jarrow Slake* in the River *Tyne*. *Ibid.*

cclxiv. An Act to authorize the *Birkenhead* Dock Commissioners to construct an additional Dock and other Works at *Birkenhead* in the County of *Chester*, and for other Purposes. *Ibid.*

cclxv. An Act to alter and amend the Acts relating to the *Birkenhead* Commissioners Docks, and to make further Provision with respect to the Construction of the Sea or Wharf Walls along *Wallasey Pool*; and for other Purposes. *Ibid.*

cclxvi. An Act for authorizing the Sale of the *Leominster* Canal, and other Property of the Company of Proprietors of the *Leominster* Canal Navigation, and for winding up and adjusting the Concerns of the same Company. *Ibid.*

cclxvii. An Act for the better Drainage of Lands called *Crowland Washes* and *Fodder Lots, Cowbit Wash*, and *Deeping Fen Wash*, in the several Parishes of *Crowland, Spalding*, and *Pinchbeck*, the Hamlets of *Cowbit* and *Peakhill*, and the extra-parochial Place or Lands called *Deeping Fen*, or *Deeping Fen Welland Washes*, all in the County of *Lincoln*. *Page* 843

cclxviii. An Act to change the Name of the *Liverpool* Fire and Life Insurance Company, and for other Purposes relating thereto. *Ibid.*

cclxix. An Act to enable the National Mercantile Life Assurance Society to sue and be sued in the Name of a nominal Party, and for other Purposes relating to the said Company. *Ibid.*

cclxx. An Act to enable the *Coventry, Nuneaton, Birmingham, and Leicester* Railway Company to sell and transfer their Railway, Works, and Interests to the *London and North-western Midland* Railway Companies, or either of them; and for other Purposes. 844

cclxxi. An Act to enable the *Saint Helen's* Canal and Railway Company to make Branch Railways to *Warrington* and to *Blackbrook*, and to make certain Alterations in their Railway, and also to take a Lease of the *Rainford* Branch of the *London and North-western* Railway. *Ibid.*

cclxxii. An Act to enable the *Great Northern* Railway Company to make a Railway from *Saint Alban's* to the *Great Northern* Railway at *Hatfield*, and thence to the Town of *Hertford*. *Ibid.*

cclxxiii. An Act for making a Deviation in the Line of the *Taw Vale* Railway, for making Branches therefrom to the Towns of *Bideford* and *South Molton*, for enlarging the Dock, and for amending the Acts relating thereto. *Ibid.*

cclxxiv. An Act to enable the *Edinburgh and Northern* Railway Company to improve the Ferry between *Ferry-Port-on-Craig* and the North Shore of the River *Tay*. *Ibid.*

cclxxv. An Act for consolidating the *Lynn and Ely*, the *Ely and Huntingdon*, and the *Lynn and Dereham* Railway Companies into One Company, to be called "The *East Anglian* Railways Company." *Ibid.*

cclxxvi. An Act for enlarging the present Station of the *London, Brighton, and South Coast* Railway Company at or near *London Bridge*, and for the Division of the present Station between the *London, Brighton, and South Coast* and the *South-eastern* Railway Companies, for the separate Accommodation of the Traffic of such Two Railway Companies. *Ibid.*

cclxxvii. An Act to enable the *Edinburgh and Northern* Railway Company to construct Branch Railways to *Saint Andrew's* and *Newburgh* Harbour, and to divert and alter the Levels of certain Turnpike Roads in the Line of the *Newport* Railway Extension. *Ibid.*

cclxxviii. An Act to empower the *London and North-western* Railway Company to make a certain Branch Railway from *Kenilworth* to *Berkswell*, and to widen the Line from *Leamington* to *Coventry*, all in the County of *Warwick*; and for other Purposes. *Ibid.*

cclxxix. An Act to enable the *Manchester, Sheffield, and Lincolnshire* Railway Company to sell the Water not required for their Canals called the *Peak Forest* Canal and *Macclesfield* Canal, and to make additional Works in connexion with such Canals. *Ibid.*

cclxxx. An Act for widening and improving *Cannon Street*, and for making a new Street from the West End

of *Cannon Street* to *Queen Street*, and for widening and improving *Queen Street*, and for effecting other Improvements in the City of *London*. *Page* 844

cclxxxi. An Act to amend an Act for improving the Navigation from the *Hythe* at *Colchester* to *Wivenhoe* in the County of *Essex*, and for better paving, lighting, and improving the Town of *Colchester*; and for making a new Channel and deepening the River *Colne* from *Wivenhoe* to *Ram's Hard* leading towards the Sea. *Ibid.*

cclxxxii. An Act for better supplying with Water the Inhabitants of the Borough of *Leicester*, and certain Parishes and Places adjacent thereto, in the County of *Leicester*. 845

cclxxxiii. An Act for removing Doubts as to the Purchase of Lands by the Dock Company at *Kingston-upon-Hull* in certain Cases. *Ibid.*

cclxxxiv. An Act to purchase and define the Manorial and Market Rights of *Stockport*, to establish public Parks, to purchase or lease Waterworks, to build Bridges, and to make other Communications within the Borough of *Stockport*. *Ibid.*

cclxxxv. An Act for establishing a general Cemetery at *Wolverhampton* in the County of *Stafford*, and for making certain direct Roads and Approaches to the said Cemetery from the Town of *Wolverhampton* and the Neighbourhood thereof. *Ibid.*

cclxxxvi. An Act to enable the *Great Northern* Railway Company to make a Branch Railway near *Sutton* in *Lincolnshire*. *Ibid.*

cclxxxvii. An Act to enable the *Great Northern* Railway Company to make certain Alterations in the Line and Levels of their Railway between *London* and the Neighbourhood of *Grantham*. *Ibid.*

cclxxxviii. An Act to enable the *East Lancashire* Railway Company to alter the Line and Levels of their Railway, and to make a Branch Railway therefrom; and for other Purposes relating thereto. *Ibid.*

cclxxxix. An Act to enable the *East Lancashire* Railway Company to extend the *Liverpool, Ormskirk, and Preston*, and the *Blackburn and Preston* Lines of their Railway into *Preston*; and for other Purposes relating thereto. *Page* 845

ccxc. An Act to enable the *Northern Counties Union* Railway Company to make certain Alterations in their Railway in the Parishes of *Aysgarth* and *Wensley* in the North Riding of the County of York. *Ibid.*

ccxci. An Act for making several Lines of Railway between *Penistone*, *Barnsley*, *Elsecar*, and *Doncaster*, in the West Riding of *Yorkshire*, to be called "The *South Yorkshire, Doncaster, and Goole* Railway;" and for authorizing the Purchase of Part of the *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway, and of the *Dun* Navigation and *Dearne and Dove* Canal. *Ibid.*

ccxcii. An Act for enabling the *Wear Valley* Railway Company to purchase or lease the *Bishop Auckland and Weardale* Railway, the *Wear and Derwent* Railway, the *Weardale Extension* Railway, and the *Shildon* Tunnel, and to raise an additional Sum of Money; and for other Purposes. *Ibid.*

ccxciii. An Act for establishing a general Cemetery for the Interment of the Dead in the Parish of *Newbury* near the Town of *Newbury* in the County of *Berks*. *Ibid.*

ccxciv. An Act to empower the *London and North-western* Railway Company to make divers Branch Railways in the County of *Lancaster*; and for other Purposes. *Ibid.*

ccxcv. An Act for the Consolidation of the *Duffryn Llynvi and Porth Cawl* Railway Company with the *Llynvi Valley* Railway Company. 846

ccxcvi. An Act for forming and regulating "The Timber-preserving Company;" and to enable the said Company to purchase and work certain Letters Patent. *Ibid.*

ccxcvii. An Act for improving and regulating the Harbour of *Sutton Pool* within the Port of *Plymouth* in the County of *Devon*. *Ibid.*

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act to enable the Minister of the Parish of *Dalkeith* in the County of *Edinburgh* to feu his Glebe Lands lying in the said Parish. *Page* 847

2. An Act to empower the Devisees of the Most Noble *Francis* Duke of *Bridgewater* deceased to appropriate to Building Purposes a Portion of *Cleveland Square* in the Parish of *Saint James Westminster*, and to improve the Approaches thereto. *Ibid.*

3. An Act to divide the Parish and Rectory of *Doddington* otherwise *Dornington* into Three separate and distinct Parishes and Rectories, and to endow the same out of the Revenues of that Rectory, and to make Provision for the further Division of such Rectories and Parishes; and for other Purposes connected therewith. *Ibid.*

4. An Act for dividing, allotting, and inclosing certain Open Marshes and Waste Lands in the Township of *Terrington* in the County of *Norfolk*. *Page* 847

5. An Act for facilitating the Proof of the Will of the Right Honourable *George Obrien*, late Earl of *Egremont* and Baron of *Cockermouth*, in certain Actions in *Ireland*. *Ibid.*

6. An Act for exchanging Freehold Estates belonging to *Robert Kellett Long* Esquire for Freehold Estates settled by the Will of *Robert Churchman Long* deceased, and for authorizing the leasing of the settled Estates. *Ibid.*

7. An Act for exchanging certain detached Portions situate in the County of *Sutherland* of the entailed Estate of *Poyntzfield*, belonging to Sir *George Gun Munro* Knight, for the Lands of *Udale*, situate in the County of *Cro-*

marty, belonging to *James Matheson* Esquire, contiguous to the said Estate of *Poyntzfield*, and for securing the Purchase of other Lands, to be entailed, and to form, along with the said Lands of *Udale*, Parts of the said entailed Estate of *Poyntzfield*. *Page* 847

8. An Act to rectify an Error in an Act of the last Session, intituled *An Act to enable the Trustees appointed by Mrs.* Jane Ferguson *deceased to sell the Lands of* Laverocklaw, *and also certain Subjects situate in the Village of* Ormiston, *vested in them in trust, and to apply the Price to be obtained, and certain Trust Monies in their Hands, in the Purchase of other Lands, for the Purposes of the said Trust.* *Ibid.*

9. An Act for exchanging Hereditaments subject to Uses declared by the Will of *Anthony Compton* Esquire, deceased, for Hereditaments belonging to the Right Honourable *Henry* Earl *Grey*, for selling and exchanging other Hereditaments subject to the same Uses, and for investing the net Proceeds to arise from such Sales and Exchanges in the Purchase of other Hereditaments, to be settled to the same Uses; and to authorize the granting of Leases of Part of the Hereditaments subject to the Uses of the said Will. 848

10. An Act to enable *Edward Legh* and *Mary Anne* his Wife, and others, to make and authorize Sales, Exchanges, and also Building and other Leases, of Estates at *Newington* otherwise *Newington Lucies* and *Lewisham* respectively in the County of *Kent;* and for other Purposes. *Ibid.*

11. An Act to enable *Charles Gordon* Duke of *Richmond* and *Lennox* to borrow a certain Sum of Money upon the Security of his entailed Estates, for Repayment to him of a Portion of the Monies laid out by him in the Improvement of these Estates. *Ibid.*

12. An Act for enabling certain Estates in *Ireland* of the Right Honourable *William* Earl of *Devon* deceased to be sold, and the Proceeds arising therefrom, after Payment of certain Charges and Incumbrances, to be applied in Payment or towards Reduction of the Charges and Incumbrances affecting the Family and other Estates in *England* late of the said Earl of *Devon;* and for authorizing the raising by Mortgage of the Estates in *Ireland*, until sold, of a limited Sum of Money, to be applied, under the Direction of the High Court of Chancery in *England*, in or towards permanently improving the said Estates in *Ireland;* and for making Provision for the Liquidation and Payment of the Principal Monies and Interest; and for other Purposes. *Ibid.*

13. An Act for enabling the Sale and Conveyance of certain Cottages, Gardens, and other improved Lands comprised in the Will of the Right Honourable *John William* Earl of *Dudley* deceased, and for laying out the Sale Monies in the Purchase of Estates, to be settled to the Uses of the said Will; and for other Purposes. *Ibid.*

14. An Act for authorizing the Sale and Exchange of certain Lands, Collieries, Hereditaments, and Mining Stock, forming Part of the Estate of *John Bowes* late Earl of *Strathmore*, and for enabling the Trustees to shift the Charges affecting the Inheritance of the same Lands and Hereditaments; and for other Purposes. *Ibid.*

15. An Act to incorporate the President and Trustees of *Huggens*'s College at *Northfleet* in the County of *Kent*, and to enable them the better to carry on the charitable Designs of the said College. *Ibid.*

16. An Act to increase the Number of Trustees for the Management of the *Dollar* Institution or *John M'Nabb*'s School, and to incorporate the Trustees. *Page* 848

17. An Act for enabling Conveyances to be made of the Estate and Interest of *Elizabeth Goddard* (who is of unsound Mind) in Lands and Tenements a Partition or Division whereof is directed by a Decree of the High Court of Chancery made in a Cause "*Whitmore* v. *Goddard*." *Ibid.*

18. An Act to authorize the Sale of an Estate called *Morrant's Court* otherwise *Morant's Court* otherwise *Madam's Court* in the County of *Kent*, late the Property of *John Fry* Esquire, deceased, and for applying the Monies to arise by such Sale in Payment of Incumbrances affecting the said Estate, and for investing the Residue of such Monies for the Benefit of the Parties beneficially interested in the said Estate. *Ibid.*

19. An Act for exonerating the Trustees of the deceased *George Paterson* of *Castle Huntly*, Esquire, the elder, of their Expenditure in making Improvements upon the entailed Estates left by him; for enabling them to acquire certain Lands contiguous thereto, and to grant Feus; and for certain other Purposes. *Ibid.*

20. An Act for authorizing the Sale of so much of the entailed Lands and Estates of *Dundas* in the County of *Linlithgow* belonging to *James Dundas* Esquire as may be required to pay the Debts affecting or that may be made to affect the said Estates; and for enabling the said *James Dundas* to borrow Money upon the Security of the said Lands and Estates, for Repayment of a Portion of the Monies laid out in the Improvement of the said Lands and Estates, and in building a Mansion House and Offices for the same. 849

21. An Act for authorizing the granting of a new Lease of certain Coal Mines and Hereditaments in the County of *Durham* late the Estate of *John Lyon* Esquire, deceased. *Ibid.*

22. An Act to vest in Trustees certain Lands in the Vicinity of *Glasgow* which belonged to the late *Colin Gillespie*, for the Purpose of selling a Portion thereof to pay off the Debt affecting the same, and of partitioning and feuing out the Remainder for the Benefit of his Heirs. *Ibid.*

23. An Act for extending the Time for enrolling (pursuant to the Statute Third and Fourth of *William* the Fourth, Cap. Seventy-four,) a Deed executed in the Colony of *New South Wales* for the Purpose of enlarging a Base Fee in Hereditaments at *Messingham* in the County of *Lincoln* into an Estate in Fee Simple. *Ibid.*

24. An Act for vesting in the Company of Proprietors of *Northam Bridge* and Roads certain Lands in the Town and County of *Southampton* and in the County of *Southampton*, and for empowering them to sell the same. *Ibid.*

25. An Act for enabling the Trustees of the Will of *George Charles Rooke* Esquire, deceased, to carry into effect a Contract for the Purchase of the Life Estate and Interest of *Hannah Rooke* Widow in the Real and Personal Estates of the said *George Charles Rooke*, respectively devised and bequeathed by his Will, and for raising Money for that Purpose; and for Payment of the Debts of the said *George Charles Rooke*, and of the Legacies and Arrears of Annuities bequeathed by his said Will; and for other Purposes incidental thereto. *Ibid.*

26. An Act for enabling Leases, Sales, and Partitions to be made of certain Estates in the County Palatine of *Lancaster* heretofore belonging to *John Penson* and *Molly* his Wife. *Ibid.*

27. An Act to enable the Trustees of a Charity called the *Leeds* Free Grammar School to sell Parts of the Trust Estates belonging to the said Charity, and to purchase other Lands, for the Uses and Purposes of the said Charity; and for other Purposes. *Page* 849

28. An Act to empower the Dean and Chapter of *Westminster* to sell and exchange certain Lands and Hereditaments in the Parishes of *Paddington* and *Saint George Hanover Square* in the County of *Middlesex*, and to lay out the Monies to arise from such Sale in the Purchase of other Lands and Hereditaments; and for other Purposes. *Ibid.*

29. An Act to vest certain Estates in the County of *York* in *England* in *Alexander William Robert Bosville* and *Godfrey Wentworth Bayard Bosville*, and in *Skye* and *North Uist* in *Scotland* in the Right Honourable *Godfrey William Wentworth* Lord *Macdonald*, and to enable the said Lord *Macdonald* to sell Parts of the said Estates in *Scotland*, for the Payment of Debts; and for other Purposes. *Ibid.*

30. An Act for authorizing the Sale to the Right Honourable *William* Baron *Ward* of certain Freehold and Copyhold Hereditaments in the County of *Worcester* devised by the Will of *Thomas Pickernell* Esquire, deceased, and for directing the Investment of the Purchase Money in other Hereditaments, to be settled in like Manner. *Ibid.*

31. An Act for authorizing Leases to be granted for Quarrying and Mining Purposes of certain Estates in the *Isle of Purbeck* in the County of *Dorset*, subject to the Uses of the Will of *Maria Sophia Richards* Spinster, deceased. *Ibid.*

32. An Act for enabling the *Tunstall* Market Company to sell their Estate and wind up their Concerns, and for dissolving the Company. *Page* 850

33. An Act to enable the Trustees and Executors of the Will and Codicil of Sir *John Saint Aubyn* Baronet, deceased, to raise a Sum of Money towards the Liquidation of his Debts, by Mortgage of his devised Estates in the County of *Devon*, instead of selling certain Leasehold Hereditaments in the County of *Cornwall;* and to enable the said Trustees to convey the Reversion in Fee Simple in the same Hereditaments, vested in them for that Purpose under the Will of the Reverend *John Molesworth Saint Aubyn* deceased, to the Uses of the said Will and Codicil of the said Sir *John Saint Aubyn*, so as to convert such Leaseholds into a Fee Simple Estate in possession; and for other Purposes. *Ibid.*

34. An Act for the better Support and better Regulation of the Hospital of the Holy *Jesus*, founded in the *Manors* in the Town and County of *Newcastle-upon-Tyne* at the Costs and Charges of the Mayor and Burgesses of the Town of *Newcastle-upon-Tyne* in the County of the Town of *Newcastle-upon-Tyne* aforesaid, and for confirming Sales and other Dispositions made of Estates formerly Part of the Possessions of the said Hospital; and for other Purposes; and for repealing an Act of the last Session of Parliament for the same Purposes. *Ibid.*

35. An Act to authorize the Construction of a Canal on the Estates devised by the Will of the late Mr. *Jonathan Passingham*, for the Transport of Bricks manufactured on such Estates, and to enable the Trustees of the Will to complete the Purchase of an adjoining Estate contracted for by them; and for other Purposes. *Ibid.*

PRIVATE ACTS,

NOT PRINTED.

36. An Act to dissolve the Marriage of *Robert Montgomery Martin* Esquire with *Jane Avis Frances Martin* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

37. An Act to extend the Relief given by an Act of the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act to declare that certain Persons therein mentioned are not Children of the Most Honourable* George Ferrars *Marquis* Townshend.

38. An Act to dissolve the Marriage of *Thomas Brooks* with *Mary* his now Wife, and to enable him to marry again; and for other Purposes.

THE

STATUTES at Large, &c.

Anno Regni VICTORIÆ, Britanniarum Reginæ, Nono & Decimo.

'AT the Parliament begun and holden at *Westminster*, the Nineteenth Day of *August*, *Anno Domini* 1841, in the Fifth Year of the Reign of our Sovereign Lady VICTORIA, by the Grace of God, Queen of the United Kingdom of *Great Britain* and *Ireland*, Defender of the Faith: and from thence continued, by several Prorogations, to the Twenty-second Day of *January*, 1846; being the Sixth Session of the Fourteenth Parliament of the United Kingdom of *Great Britain* and *Ireland*.'

CAP. I.

An Act for the further Amendment of the Acts for the Extension and Promotion of Public Works in *Ireland*. [5th *March* 1846.]

'WHEREAS an Act was passed in the First Year of Her present Majesty's Reign, intituled *An Act to amend the Acts for the Extension and Promotion of Public Works in* Ireland, reciting an Act of the First and Second Years of His late Majesty King *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in* Ireland, the Provisions whereof were amended and extended by an Act passed in the then last Session of Parliament, and that the Commissioners acting under and in execution thereof were authorized to make Advances by way of Loan to a certain Amount in the said Acts limited, in aid of the Execution of Public Works in *Ireland*, and were also authorized to make Advances for the like Purpose by way of Grant in aid of the Construction of certain Works to an Amount not exceeding in the whole the Sum of Fifty thousand Pounds, and that it was expedient, with a view to the further Promotion of Public Works in *Ireland*, and the Employment of the labouring Population, that the said Commissioners should be enabled to make Advances to an additional Amount by way of Grant, and that Provision should be made for making Advances for the Execution of Public Works under certain Circumstances, partly by way of Loan and partly by way of Grant, that is to say, by Loan to the Extent of One Moiety of such Advances, and by Grant to the Extent of the other Moiety thereof; and by the said first-recited Act it is enacted, that it should and might be lawful to and for the Commissioners for the Execution of the said recited Acts, under the like Conditions and Regulations, and for the Purposes of the said therein-recited Acts and the said first-recited Act, to make additional Advances by way of Grant to an Amount not exceeding in the whole the Sum of Fifty thousand Pounds, and for the Commissioners of Her Majesty's Treasury, or any Three or more of them, to cause to be issued from Time to Time as they might find necessary, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* arising in *Ireland* (in addition to the Sum of Fifty thousand Pounds therein-recited to which the Issues for the Purposes of the Grant to be made under the therein recited Acts were limited,) any further Sum or Sums of Money not exceeding in the whole the Sum of Fifty thousand Pounds, to be applied to the Purposes of the said recited Acts and the said first-recited Act: And whereas by another Act passed in the First and Second Years of Her present Majesty, intituled *An Act to authorize a further Issue of Exchequer Bills for Public Works and Fisheries and Employment of the Poor; and to amend the Acts relating thereto*, it is enacted, that it should be lawful for the Commissioners of Her Majesty's Treasury to appropriate out of the Sum of Five hundred thousand Pounds in Exchequer Bills authorized to be advanced under the Authority of the said Act any Sum or Sums in Exchequer Bills not exceeding Fifty thousand Pounds in the whole for the Promotion and Extension of Public Works in *Ireland*, to be applied by the Commissioners appointed under the Authority of an Act of the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in* Ireland, to the Purposes and under the Provisions of the said Act: And whereas of the said Sum of Fifty thousand Pounds so made applicable under the said

7 W. 4. & 1 Vict. c. 21.

1 & 2 W. 4. c. 33.

1 & 2 Vict. c. 88. § 14.

1 & 2 W. 4. c. 33.

'said last-mentioned Act the Sum of Four thousand Pounds was applied to Grants, the remaining Forty-six thousand Pounds having been issued by way of Loan: And whereas by another Act passed in the Sixth and Seventh Years of Her present Majesty, intituled *An Act to amend the Acts for carrying on Public Works in* Ireland, after reciting as therein recited, it is enacted, that it shall be lawful for the Commissioners of Her Majesty's Treasury to order that out of such Monies as at or after the passing of said Act may be in the Exchequer, or as may be thereafter paid into the Bank of *England* to the Credit of Her Majesty's Exchequer in Repayment of Loans made for Public Works in *Ireland*, any Sum or Sums of Money not exceeding the Sum of Twenty-one thousand Pounds may be set apart and appropriated for Grants by the said Commissioners of Public Works, with the Approval of the said Commissioners of Her Majesty's Treasury, in such and the same Manner as the said Sum of Twenty-one thousand Pounds might have been used and applied for Grants if the same had not been, as therein mentioned, inadvertently applied for the Purposes of Loans: And whereas of the said several Sums so authorized to be advanced under the said recited Acts a Sum of One hundred and eighteen thousand and ninety-three Pounds Nineteen Shillings and Eight-pence has been advanced and paid, and applied for the Purposes of the said Acts, in the way of Grant, leaving a Sum of Six thousand nine hundred and six Pounds and Four-pence still unapplied and available for such Purposes; and it is expedient to increase the Sum so available, and to authorize the Commissioners of Her Majesty's Treasury to issue a further Sum from the Consolidated Fund for the Purposes of the said Acts and this Act, or any of them; and it is also expedient to amend the said recited Act of the First Year of Her present Majesty, and extend its Provisions to other Cases:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Commissioners of Public Works in *Ireland* acting in execution of the said recited Acts, under the like Conditions and Regulations (save as herein-after provided,) and for the Purposes of the said recited Acts and this Act, to make additional Advances by way of Grant to an Amount not exceeding in the whole the Sum of Fifty thousand Pounds, and for the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, to cause to be issued from Time to Time as they may find necessary, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, in addition to the said several Sums herein-before mentioned, any Sum or Sums of Money not exceeding in the whole the said Sum of Fifty thousand Pounds, to be applied for the several Purposes of the said Acts and this Act, or any of them, in relation to Grants.

6 & 7 Vict. c. 44. § 17.

The Commissioners of Public Works in Ireland may make additional Grants to the Extent of 50,000*l.* for the Purposes of the recited Acts and this Act.

II. And be it enacted, That all and every the Provisions, Regulations, Powers, Privileges, Advantages, Forfeitures, and Disabilities contained or expressed in the said recited Acts, or any Act amending the same, in respect of the Grants authorized to be made thereunder, shall (save as herein-after provided) be applied and extended to the Grants to be made under Authority of this Act as fully and effectually to all Intents and Purposes as if the same were herein repeated and re-enacted.

Provisions of former Acts to apply to Grants under this Act.

Two Justices and Three Cess-payers associated with them at the last Special or Presentment Sessions may convene a Meeting of Justices and Cess-payers for making an Application to the Lord Lieutenant for the Execution of any Public Works under 7 W. 4. & 1 Vict. c. 21. § 3.

III. 'And whereas by the said recited Act of the First Year of Her present Majesty it is, amongst other things, enacted, that if any Three or more Justices of the Peace, not being Stipendiary Magistrates, in and for any County, County of a City, or County of a Town in *Ireland*, shall think it expedient to make Application for the Construction of any Public Work on the Terms and under the Regulations therein-after contained for the Repayment of a Moiety of the Expence of executing such Work, it shall and may be lawful for them, by Notice under their Hands to be posted on the Places appointed for posting Notices of Applications to Presentment Sessions in the Barony or Half Barony or Place in which such Work is proposed to be executed, to convene a Special Meeting of the Justices and Cess-payers associated with such Justices at the last Special or Presentment Sessions held in such Barony or Half Barony or Place for the Purposes of an Act passed in the then last Session of Parliament, intituled *An Act to consolidate and amend the Laws relating to the Presentment of public Monies by Grand Juries in* Ireland; and such Meeting shall be held at the Place appointed for the holding of such Special or Presentment Sessions at such Time as shall be specified in such Notice, not being sooner than Seven Days from the Time of posting such Notice; and the senior Justice present at such Meeting shall preside thereat, and shall have, in addition to his Vote, a casting Voice in case of an Equality of Voices; and if a Majority of such Justices and Cess-payers assembled at such Special Sessions shall so think fit, the Chairman shall apply by Memorial to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* on behalf of the Justices and Cess-payers assembled at such Sessions, praying that the Work described in such Memorial may be executed, and that a Sum, not exceeding the Amount in such Memorial mentioned, may be advanced for that Purpose, a Moiety thereof to be repaid by Grand Jury Presentment as therein-after mentioned: And whereas by reason of a Deficiency of Magistrates residing in certain Districts, it is difficult to obtain the Concurrence of Three Justices of the Peace in convening any such Special Meeting as aforesaid, and it is therefore expedient to amend the said Provision;' be it therefore enacted, That from and after the passing of this Act it shall and may be lawful for any Two Justices of the Peace (not being Stipendiary Magistrates) in and for any County, County of a City, or County of a Town in *Ireland*, and any Three Cess-payers associated with the Justices at the then last Special or Presentment Sessions as aforesaid held in and for the Barony, Half Barony, or Place wherein any public Work is proposed to be executed under the Provisions of the said first-recited Act and this Act (as far as the same are applicable), by Notice under their Hands to be posted as in the said last-recited Provision directed, to convene any such Special Meeting of the Justices and Cess-payers for such Purposes and subject to such Regulations as in the said last-

last-recited Provision mentioned; and every such Special Meeting so convened shall be as valid and effectual for all and every the Purposes of the said first-recited Act as if such Meeting had been convened in such Manner as in the said first-recited Act prescribed; and the several Provisions of the said first-recited Act (subject to the Variations thereof contained in this Act) shall extend and be applied to any such Special Meeting, and to the Proceedings thereat, the Application for the Execution of the Works, the Advance of Monies, the Repayment on account of the same, and to the several other Matters and Things relating to any such Works applied for at such Meeting.

Such Special Meeting may apply for Advances for the Repair or Extension of any existing Public Works.

IV. And be it enacted, That it shall and may be lawful for any such Special Meeting as aforesaid, convened in the Manner in the said first-recited Act or this Act prescribed, to make an Application in like Manner as aforesaid to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for an Advance as aforesaid for the Alteration, Extension, or Improvement of any then existing Public Work, as fully and effectually as for the Construction as aforesaid of any Public Work, and the Provisions of the said first-recited Act shall extend and be applied to any such Alteration, Extension, or Improvement of any existing Public Work as fully and effectually as to the Construction of any Public Work.

Subsequent Repairs of such Public Works to be provided for as under the recited Acts.

V. And be it enacted, That whenever any such Public Work shall have been constructed, altered, extended, or improved under the Provisions of the said recited Acts or this Act, it shall and may be lawful for the said Commissioners of Public Works from Time to Time to take such Proceedings and exercise such Powers and Authorities for or relating to the subsequent Repairs and Maintenance of any such Public Work aforesaid, and such subsequent Repairs and Works of Maintenance shall and may be executed, and the Expence thereof shall and may be provided for, raised, and repaid, in such Manner and subject to such Provisions and Regulations as by the said recited Act of the First and Second Years of the Reign of His late Majesty King *William* the Fourth, or any Act or Acts amending the same, are directed and provided in relation to the Repair or Maintenance of any Road or Bridge in aid of the Construction whereof Grants may be made or have been made by the said Commissioners of Public Works.

Advances under Public Works Act on Loan for Improvements of Lands may be made by Board of Public Works, repayable within 20 Years, at such Rate of Interest as in Cases of other Loans.

VI. 'And whereas by the said recited Act of the First and Second Years of the Reign of His late 'Majesty King *William* the Fourth it is, amongst other things, enacted, that it shall and may be lawful 'for the Commissioners for the Execution of the said recited Act to make Advances in aid of the 'Drainage, Embankment, reclaiming, or other Improvement of Land, on the Credit of Mortgages, 'Assignments, or other Assurances of the Estate and Interest, Freehold or Leasehold, in such Land 'which is to be the Subject of such Drainage, Embankment, Reclamation, or other Improvement: Pro-'vided always, that it shall be made out to the Satisfaction of such Commissioners, by competent 'Evidence, accompanied by the Certificate of a skilful Engineer or Surveyor approved of by the said 'Commissioners, that such Drainage, Embankment, Reclamation, or other Improvement, when completed, 'will increase the Value of such Land in the Proportion of at least Ten *per Centum* on the Sum proposed 'to be expended thereon; and that a Contract, with Two good and sufficient Sureties, to be approved of 'by the said Commissioners, shall be previously made and entered into for the full and complete Execution 'of such Drainage, Embankment, reclaiming, or other Improvement, at and for a Sum not exceeding 'the Amount of the Advance sought therefor, within a Period to be fixed by the said Commissioners, not 'exceeding Seven Years from the Date of such Advance; and that in all such Cases the whole Amount 'of such Advance shall be made repayable within Three Years next after the Period so fixed for the Com-'pletion of such Drainage, Embankment, reclaiming, or other Improvement, with Interest thereon in the 'meanwhile at a Rate not less than Five Pounds *per Centum per Annum*, payable half-yearly, as the said 'Commissioners shall fix and appoint: And whereas the Provisions of the last-recited Act as to Loans 'are in part amended by an Act of the Sixth and Seventh Years of the Reign of King *William* the 'Fourth, for the Amendment of the said last-recited Act; but it is expedient that further Encourage-'ment should be given for the Improvement of Lands by enabling Parties to obtain such Advances on 'more favourable Terms, and that for such Purpose the aforesaid Provision should be further amended;' be it therefore enacted, That it shall and may be lawful for the Commissioners of Public Works in *Ireland*, if they shall so think fit, subject to such Restrictions and Conditions as are herein-after provided, to make any Loan or Advance as aforesaid for or in aid of the Drainage, Embankment, reclaiming, or other permanent Improvement of Land, upon Application duly made conformably to the Provisions of the said recited Act of the First and Second Years of the Reign of King *William* the Fourth, and any other Acts amending the same, and this Act, in relation thereto, and which may be approved of by the said Commissioners, and by the Commissioners of Her Majesty's Treasury, or any Three or more of them, upon the Terms and Conditions that the whole Amount of such Loan or Advance shall be made repayable within such Time or Times, not exceeding Twenty Years after the Periods so fixed as aforesaid for the Completion of such Drainage, Embankment, reclaiming, or other permanent Improvement, at such Rate of Interest in the meanwhile, payable half-yearly, as by the said last-recited Act, or any Acts amending the same, is provided with respect to any other Advances by way of Loan thereunder, any thing in the said last-recited Act, or the other Acts amending the same, requiring a different Period of Payment, or a higher or other Rate of Interest on any Loan or Advance for any such Drainage, Embankment, Reclamation, or other permanent Improvement, to the contrary notwithstanding: Provided always, that any such Loan or Advance, and any Charge, Mortgage, Assignment, or other Assurance for securing the Repayment thereof, shall be subject to the several Provisions, Regulations, and Enactments in the said last-recited Act, and the other Acts amending the same, contained in relation to any Loan or Advance or Security thereunder, so far as the same are applicable, and shall not be varied by this Act; and any such Charge, Mortgage, Assignment, or other Assurance for securing the Repayment of any

such last-mentioned Loans under this Act shall take Priority of all Charges and Incumbrances whatsoever and whensoever made: And provided further, that no such Charge, Mortgage, or other Assurance to be made as last aforesaid shall have such Priority as aforesaid in any Case where such Loan or Loans shall be made pursuant to the Provisions aforesaid, to or for the Use of any Person or Persons under any legal Disability or Incapacity, or being Tenants for Life, or having only particular or limited Estates or Interests in the Lands whereon the same are to be charged, or whose Estates therein shall be subject to any Incumbrances whatever, unless, previous to the making such Loan or Advance, the Person or Persons to whom or on whose Behalf the same shall be made shall have obtained the Report of One of the Masters of the High Court of Chancery in *Ireland*, authorizing such Advance to be made, on a Petition to be presented to the said Court pursuant to the Provisions of a certain Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to alter and amend an Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled 'An Act to enable the Owners of Settled Estates to defray the Expences of draining the same by way of 'Mortgage,'* and such Report shall have been duly filed and absolutely confirmed according to the Provisions of the same Act, and which Provisions shall be applicable to Advances to be made under this Act in the same Manner as if the same were here repeated.

8 & 9 Vict. c. 56.

Persons under legal Disability may charge the Lands improved to secure Repayment of such Loans for Improvements.

VII. 'And whereas by reason of such Advances in aid of permanent Improvements of Lands it may be 'expected that great Benefit will accrue to the Proprietors thereof, and that the Value thereof will be 'considerably increased; and it is expedient, with the Sanction of the High Court of Chancery, to be 'obtained on such Petition as aforesaid in manner aforesaid, to enable Tenants for Life, and others 'having only particular Estates, and Persons under legal Disability or Incapacity, or Persons whose 'Lands are incumbered, to charge on such Lands Monies so to be advanced for the Purposes of such 'Improvements;' be it therefore enacted, That it shall and may be lawful for any Corporation, lay or ecclesiastical, sole or aggregate, and for the Husbands, Trustees, Committees, or Attornies of or for the Owners or Proprietors of, or for any Company or Companies, or the Directors thereof for the Time being, interested in, any Part or Parts of any such Lands in or for or in aid of the Drainage, Embankment, reclaiming, or other permanent Improvement of which any such Loan or Advance shall be agreed to be made by the said Commissioners of Public Works, in pursuance of the said last-recited Act, or the other Acts amending the same, and this Act, being under Coverture, Minors, Lunatics, or beyond the Seas, or otherwise incapable of acting for themselves, and to and for every of them for the Time being, and to and for the Owners and Proprietors of all such Lands, being Tenants in Tail or for Life, or Tenants in Tail after Possibility of Issue extinct, or Tenants by the Courtesy or in Dower, and for Persons whose Estates are incumbered as herein-after mentioned, and to and for every of them respectively for the Time being, by and with the Sanction and Approbation of the High Court of Chancery, to be obtained in manner aforesaid, by Indenture or Indentures under their respective Hands and Seals, from Time to Time, and to which Indenture or Indentures One of the said Commissioners shall be an executing Party, and before obtaining any Advance on account of such Loan from the said Commissioners, subject to such Restrictions and Conditions as are herein-after provided, to charge the said Lands with any Sum or Sums of Money which the said Commissioners shall advance in or for or in aid of any such Drainage, Embankment, reclaiming, or other permanent Improvement thereof as aforesaid; and for securing the Repayment by Instalments of such Sum or Sums of Money which the said Commissioners shall so advance, with Interest from the Date of the Advance thereof, with the Approbation of the Court of Chancery, to be obtained in manner aforesaid, to grant, mortgage, lease, or demise or otherwise subject the said Lands unto the said Commissioners of Public Works, or to the Secretary of the said Commissioners, in trust for them, either in Fee or for any Term of Years, so as every such Grant, Mortgage, Lease, or Demise be made with a Proviso or Condition to cease and be void, or under an express Trust to be surrendered, in case and so soon as the Sum or Sums of Money thereby to be secured, with the Interest for the same, shall be fully paid and satisfied at the Time or Times to be appointed in that Behalf, and also with a Covenant to pay the Instalments as they shall become due, and to pay and keep down the Interest in the meanwhile; and in the Case of every such Grant, Mortgage, Lease, or Demise, such Person or Persons or Bodies as aforesaid, as the Case may be, and every succeeding Tenant for Life, or other Person or Persons having only a limited Interest in the Lands charged, shall be bound to pay the Instalments of Principal and the Interest which shall become from Time to Time due and payable during the Continuance of his, her, or their Title in or to the said Lands; but nevertheless, on the Termination of such Title, by Death or otherwise, the Estate in remainder or reversion in such Lands, or the Inheritance thereof, shall remain chargeable with all Instalments, and Interest and Arrears thereof, then due or thereafter to become due; and every such Charge, Grant, Mortgage, Lease, or Demise as aforesaid shall be good, valid, and effectual in the Law for the Purposes hereby intended, and shall take Priority of all Charges and Incumbrances whatsoever and whensoever made: Provided always, that it shall be lawful for any Person or Persons liable to repay any Loans and Interest by Instalments under any of the Provisions aforesaid to repay the same in One Sum, or in a shorter Time than that in which the same shall be made repayable under the Provisions aforesaid.

Advances to be by Instalments not exceeding One Fifth of Sum advanced.

VIII. And be it enacted, That every Loan or Advance to be made by the said Commissioners of Public Works for any such last-mentioned Works or Improvements as aforesaid under the Provisions hereof shall be made by Instalments not exceeding at any One Time One Fifth of the entire Sum agreed to be advanced; and that no Second or subsequent Instalment of any such Loan shall be advanced until it shall have been proved to the Satisfaction of the said Commissioners that the preceding Instalment has been

been properly expended on such Works or Improvement pursuant to the Application for such Work approved by the said Commissioners: Provided always, that no one Instalment shall in any Case exceed Three hundred Pounds.

Incorporated Companies for Improvement of Land in Ireland empowered to borrow Money from the Commissioners.

IX. 'And whereas Societies or Companies incorporated by an Act of Parliament or established by 'Charter in *Ireland* or in *England*, for the Improvement of Land in *Ireland*, or for reclaiming Land in 'Ireland, may be desirous of applying for Advances of Money under the Provisions of this Act and the 'Acts herein recited, but Doubts may arise whether such Societies are within the Provisions of the Acts 'herein recited, and whether they are authorized to borrow Money, by reason of the Absence of special 'Authority in their Acts or Charters of Incorporation, or by reason of the Powers to borrow therein 'contained not having arisen or being inapplicable to the Securities which must be taken under the said 'recited Acts and this Act;' be it enacted, That it shall and may be lawful for the Trustees or Directors of any such Society or Company incorporated by Act of Parliament or by Royal Charter for the Improvement of Land in *Ireland*, or for reclaiming Land in *Ireland*, to convene a Special General Meeting of the Shareholders, with such Notice as may be required by the respective Act or Charter of Incorporation, and specifying in such Notice the Object of such Meeting, and to submit to such Meeting a Proposition for borrowing Money under the Provisions of this Act; and if the Majority of the Shareholders present at such Meeting shall authorize the Directors to borrow a Sum of Money under the Provisions of this Act, it shall and may be lawful for the said Commissioners of Public Works, if they shall think fit, upon the Application of the Trustees or Directors of such Society or Company, to advance any Sum of Money not exceeding the Sum by such Resolution of the Special Meeting authorized, upon the Security herein-after mentioned; and such Trustees or Directors shall and may mortgage, assign, or charge all or any Part of the Property of such Society or Company, or all or any of the Interests of such Society or Company in the Leases of Lands which they may have taken for the Purpose of Improvement, or the Monies to arise from the Sale, letting, or Disposal of such Lands or any of them, for securing the Repayment, according to the Provisions of this Act, of the Money so advanced, with Interest, although such Society or Company may not have Power, independently of this Act, to borrow Money, or may have special Powers of borrowing which shall not have arisen; and the Securities made under the Provisions of this Act shall, so far as respects the Property therein comprised, have Priority over all Mortgages or Charges subsequent in Date and Registry, any Provisions in the Acts or Charters of Incorporation of such Societies or Companies notwithstanding.

Commissioners may receive Applications for Loans in certain Cases, without the Bond required by 1 & 2 W. 4. c. 33. and 6 & 7 W. 4. c. 108.

X. 'And whereas, under the said recited Acts of the First and Second and Sixth and Seventh Years of the 'Reign of King *William* the Fourth, all Persons, save as therein excepted, to whom Advances may be made 'for the Use of any Person or Persons, Body or Bodies Politic or Corporate, or Company or Companies 'in *Ireland*, or for any other Purpose, under the Provisions of said Acts, are required, besides the Securities in each Case respectively therein directed to be taken before any Advance shall be made in respect 'of any Loan under the Provisions of the said Acts or of either of them, to make and enter into, or 'cause some sufficient Persons or Person, to the Satisfaction of the said Commissioners, to make and 'enter into, a Bond or Obligation in Writing to the Secretary for the Time being of the said Commissioners, together with a Warrant of Attorney for confessing Judgment thereon, binding the Obligors 'or Obligor therein named, their, his, or her Heirs, Executors, or Administrators, in such Penalty as the 'said Commissioners should direct, conditioned to be void, as in the said Acts mentioned: And whereas 'it may be convenient that such Bond and Warrant of Attorney should be dispensed with in the Case of 'Bodies Politic or Corporate, or incorporated Societies or Companies;' be it enacted, That it shall be lawful for the said Commissioners, when they shall think fit, to receive Applications for and make any Loan or Advance, under the Provisions of the said recited Acts or this Act, to or for the Use or in aid of any Body or Bodies Politic or Corporate, or incorporated Society or Company, without requiring such Bond or Warrant of Attorney to be made or entered into as aforesaid; and the said Commissioners may, if they shall think fit, in lieu thereof require such Security, under the Seal of any such Body Politic or Corporate, or incorporated Society or Company, for the due Application of the Money advanced, as they shall think fit; and the said Commissioners shall amend the Regulations established by them under the said Acts accordingly.

In case of Misapplication of or Neglect to apply any such Loan to the Purpose agreed upon, the Commissioners may recover the Advances made, or may complete the Works.

XI. And be it enacted, That if Default shall be made in the due Application of any Instalment of any Loan or Advance made for the Purpose of any such Drainage, Embankment, Reclamation, or other Improvement, or in case the Party or Person to whom any such Loan or Advance may have been so agreed to be made, or if the Person or Persons entitled for the Time being to the Rents and Profits of the Lands which may be the Subject of such Drainage, Embankment, Reclamation, or other Improvement shall omit or neglect to proceed with the Completion of such Drainage, Embankment, Reclamation, or other Improvement, it shall and may be lawful for the said Commissioners to proceed for the Recovery of any such Instalment, Loan, or Advance, or any Part thereof, with the Interest due thereon, and to stop all further Advances or Loan in respect of such Work, or it shall and may be lawful for the said Commissioners, or any Person authorized by them for that Purpose, if they shall so think fit, to enter upon such Lands, and proceed to complete the Drainage, Embankment, Reclamation, or other Improvement of such Lands according to the original Plan and Specification which may have been agreed upon for the same, and out of the Residue of the Monies so agreed to be advanced by and then remaining in the Hands of the said Commissioners to complete and finish such Drainage, Embankment, Reclamation, or other Improvement; and all Monies so advanced and paid as last aforesaid by the said Commissioners shall be deemed and taken as Part of the Money agreed to be advanced by the said Commissioners, and secured and charged

charged on such Lands as aforesaid, and shall be repaid to the said Commissioners out of such Lands, and out of the Monies to be raised from such Lands by means of such Charge, Grant, Lease, Mortgage, or Demise, or other Assurance as aforesaid.

Definition of Terms in this Act.

XII. And be it enacted, That in the Construction of this Act (except where the Nature of the Provision or the Context of the Act shall exclude such Construction) the Word "Land" shall extend to all Arable, Pasture, or otherwise profitable, and to all waste uncultivated Land, whether Bog Land or Land covered with Water, and shall also extend to Messuages, Tenements, and other Hereditaments, corporeal or incorporeal, and any Estate or Interest therein, and any undivided Part thereof; and the Expression "Commissioners of Her Majesty's Treasury" or "Commissioners of the Treasury" shall mean the said last-mentioned Commissioners or any Three or more of them; and the Expression "the said Commissioners" shall mean the Commissioners of Public Works in *Ireland* or any Two or more of them (except where otherwise provided); and the Words "Person or Persons" shall extend to all Bodies Politic, Corporate, or Collegiate, and also all Bishops, Parsons, and other ecclesiastical Persons, as to Lands held by them in those respective Characters, and to any Number of Persons associated together as a Company or Partnership; and the Word "County" shall extend and be applied to all Counties, Counties of Cities, and Counties of Towns; and the Expression "High Court of Chancery, or Chancery," shall extend to and include the Equity Side of the Court of Exchequer; and the Word "Master" shall extend to and include the Remembrancer; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing; and every Word importing the Plural Number shall extend and be applied to one Person or Thing as well as several Persons or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male.

Act may be amended, &c.

XIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. II.

An Act to authorize Grand Juries in *Ireland*, at the Spring Assizes of the present Year, to appoint Extraordinary Presentment Sessions; to empower such Sessions to make Presentment for County Works, and to provide Funds for the Execution of such Works; and also to provide for the more prompt Payment of Contractors for Works under Grand Jury Presentments in *Ireland*. [5th *March* 1846.]

'WHEREAS by reason of an extensive Failure of the Potato Crop of the last Season in *Ireland* it is expedient to facilitate and encourage the Employment of the Poor in Public Works during the 'approaching Summer:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the several Grand Juries assembled for the Despatch of fiscal Business at the Spring Assizes of this Year in every County, County of a City, or County of a Town in *Ireland*, the County of the City of *Dublin* excepted, if they shall respectively think fit, to appoint by Presentment certain Places within their respective Counties (*videlicet*, One in and for each Barony or Half Barony, to be called the Extraordinary Baronial Presentment Sessions, and One for each County of a City or County of a Town, or in and for such Barony or Baronies, Half Barony or Half Baronies only, as they shall think fit,) where, and certain Times, the first thereof not being later than Thirty Days from the Day of the Opening of the Commission at such Spring Assizes, when Extraordinary Presentment Sessions shall be holden for the Purposes of this Act; and the said several Grand Juries, save in a County of a City or County of a Town, shall by such Presentment also appoint an Extraordinary Presentment Sessions for the County to be holden either in the County Court House or such other Court House or Place as such Grand Juries may deem most convenient, which Sessions shall be called the Extraordinary County Presentment Sessions, and shall be appointed to be held as soon as conveniently may be after the last of such Extraordinary Baronial Presentment Sessions as aforesaid; and every such Presentment shall appoint the Hours of the Day between which such Sessions shall be respectively holden, and public Notice thereof shall be forthwith given and posted at the usual Places for posting public Notices; and it shall be lawful for every such Grand Jury at such Spring Assizes to direct by Presentment what Number of Copies of the Schedules of Applications to be made at each such Extraordinary Presentment Sessions shall be printed and distributed by the Secretary of the Grand Jury.

Grand Juries in Ireland may, at the Spring Assizes of this Year, appoint Places and Times for holding Extraordinary Presentment Sessions for the Purposes of this Act.

Justices and Cess-payers to hold Sessions for the Purposes of this Act at the Times and Places appointed by the Grand Jury.

II. And be it enacted, That it shall and may be lawful for every Justice of the Peace in and for any County, County of a City, County of a Town, or City and County in *Ireland*, not being a Stipendiary Magistrate, to attend, and all such Justices are hereby required to assemble, and with the Cess-payers associated with them respectively, as herein-after appointed, to hold such Extraordinary Baronial and County Presentment Sessions respectively for the Purposes of this Act in such Place or Places, and at such Time or Times, within any and every such County, County of a City, or County of a Town as the Grand Jury of the same at such Spring Assizes shall have appointed for the holding of such Extraordinary Sessions.

How Sessions are to be constituted.

III. And be it enacted, That the Justices or Justice present at every such Extraordinary Baronial Presentment Sessions, together with the Number of Cess-payers which shall have been appointed by the Grand Jury at such Spring Assizes to be associated with the Justices at the Ordinary Presentment Sessions to be holden next after such Spring Assizes for the Purposes of an Act passed in the Sixth and Seventh

Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Presentment of public Money by Grand Juries in* Ireland, for the Barony or Half Barony, County of a City, or County of a Town, in which such Extraordinary Baronial Presentment Sessions shall be holden, shall constitute such last-mentioned Sessions; and that all and every the Provisions contained in the said recited Act of the Sixth and Seventh Years of the Reign of the said King *William* the Fourth relative to the Selection of a Chairman and of the Cess-payers to be associated with such Justices or Justice at Presentment Sessions, and to their respective Powers, Duties, and Authorities, shall, as far as the same are applicable, extend to all Extraordinary Baronial Presentment Sessions to be held under this Act, and to the Proceedings to be had thereat; and that all and every the Provisions contained in the said recited Act relating to the Declarations to be made by the Justices and Cess-payers respectively who shall act at any Presentment Sessions, and relating to Notices or to Applications for Works, whether by the County Surveyor or other Person or Persons, and to the Lodgment of such Applications, and to the Manner in which every such Application shall be made, dealt with, and decided upon, and to the Duties of the Secretary of the Grand Jury with respect to the same, and also relating to Specifications of proposed Works, and to Applotments by the County Treasurer of the several Sums required by such Applications, and also relating to the Powers, Duties, and Authorities of the Secretaries of Grand Juries, County Surveyors, Clerks of the Crown, and Clerks of the Peace, and all other Officers respectively, shall, as amended by an Act passed in the Seventh Year of the Reign of His said late Majesty King *William* the Fourth, intituled *An Act to amend an Act passed in the Seventh Year of the Reign of His present Majesty, for consolidating and amending the Laws relating to the Presentment of public Money by Grand Juries in* Ireland, as far as the same are applicable or may be necessary for carrying out the Provisions of this Act, and not inconsistent with such Provisions, extend to all Proceedings respectively to be had under the Provisions of this Act in as full and ample a Manner to all Intents and Purposes as if the same were herein repeated and enacted, unless where other Provisions are hereby substituted; and further that the said Justices or Justice and Cess-payers shall sit *de die in diem* until all the Business which may come before them shall be concluded; provided that in any such Declaration to be made by any such Justice or Cess-payer the Title of this Act shall be inserted together with the Title of the said Act of the Sixth and Seventh Years of King *William* the Fourth.

Provisions of 6&7 W. 4. c. 116. relative to Special Presentment Sessions to extend to Sessions held under this Act.

7 W. 4. & 1 Vict. c. 2.

IV. And be it enacted, That the Justices and Cess-payers associated at each Extraordinary Baronial Presentment Sessions shall select One of the said Cess-payers for every Barony for which such Sessions are appointed to be associated with the Justices of the County as a Member of the Extraordinary County Presentment Sessions; and the Secretary of the Grand Jury shall make out a List of the Persons so chosen at each such Baronial Sessions, and shall forthwith notify the same and the Day appointed for such County Sessions to them, and shall read out the same List previous to the Appointment of the Chairman for the Extraordinary County Presentment Sessions; and the Persons so chosen shall, together with the Justices as aforesaid, form the Extraordinary County Presentment Sessions; and every such Justice or Cess-payer shall make a like Declaration respectively as in the Case of Extraordinary Baronial Presentment Sessions is provided.

One Cess-payer shall be selected at each Extraordinary Baronial Sessions, and shall, with the Justices, constitute the Extraordinary County Presentment Sessions.

V. And be it enacted, That all Applications for Works, the Expence whereof it may be proposed as aforesaid to levy off any Barony, shall be made at such Baronial Presentment Sessions as shall be holden for such Barony, and that such Applications shall be for any one or other of the following Matters, and no others; (that is to say,) the lowering a Hill or filling a Hollow, or both, on any public Road, and the making a Road thereon with Stones and Gravel, the building, rebuilding, repairing, enlarging any Bridge, the Cost of which shall not exceed Fifty Pounds, or any Pipe, Arch, or Gullet built of Stones or Brick or Wood under or on any such Road, or filling or gravelling over any such Bridge, Arch, Pipe, or Gullet, or for building or repairing any Wall or Part of a Wall necessary to the Support of, or to prevent any steep Bank of Earth from falling upon any such Road, or in erecting any Fence, Railing, or Wall for the Protection of Travellers from dangerous Precipices or Holes lying on the Side of any public Road, the widening of any public Road to a Breadth not more than Forty Feet, the gravelling, macadamizing, paving, fencing, repairing, or otherwise improving any Part of any public Road, filling up Grips or Trenches on any public Road, making sufficient Fences instead thereof, the filling Dikes or Holes on the Sides of any public Road, or for making, widening, or deepening Drains on the Side of any such Road, and carrying off the Water therefrom, the making or repairing of the Footpaths along the Side of any County Road, and the making or repairing of any Sewer or Channel along the Side of any Part of a public Road lying within any Town or Village.

Applications for Presentments on any Barony to be made at the Baronial Sessions.

Matters for Application.

VI. And be it enacted, That at each Extraordinary Baronial Presentment Sessions to be holden as herein-before provided the Justices and Cess-payers associated in the Business of such Sessions shall take into consideration all such Applications as may be laid before them in manner aforesaid, and examine into the posting or serving of the Notices of all such Applications, when a Notice shall be necessary, and into the Merits of such Applications, and the Conformity thereof with the Provisions of the said recited Acts and this Act; and the said Justices and Cess-payers shall, after such Examination, decide by Majority of Voices upon every such Application, and whether the same ought to be adopted or rejected, and whether wholly or in part, or conditionally, in the event of the Expence thereof not exceeding a certain specified Sum, and what Modification thereof, if any, may be proper; and if such Justices and Cess-payers shall approve of any proposed Work, either wholly or in part, or conditionally, or of any Modification thereof, they shall, where necessary, save in the Case of Applications herein-after otherwise provided for, direct the County Surveyor to prepare a proper Form of Tender for the Execution of the same,

Applications shall be considered and decided on at such Baronial Sessions, who shall then adjourn, &c.

If proposed Work approved, the County Surveyor to prepare a Form of Tender for

the Execution thereof, with Specifications, &c., and deliver the same to the Secretary of the Grand Jury.

same, together with such Specifications, Maps, Plans, Sections, or Elevations as may be necessary, expressing the Nature and Extent of such Works, and if the Sessions shall so direct, the Quantity *per* Perch, and the Description of the Materials proper to be employed in performing and executing the same, and the Term within which such Work ought to be completed, and such other Particulars as said Justices and Cess-payers shall think fit; and such Chairman shall endorse all Applications accordingly which shall be adopted and approved, and sign his Name thereto, and deliver all such Applications so endorsed to the Secretary of the Grand Jury; and such Surveyor shall deliver such Form of Tender, Specifications, Maps, Plans, Sections, or Elevations in respect of the Work to which each Application shall relate, as soon thereafter as the same can be conveniently prepared, to the Secretary of the Grand Jury; and the said Justices and Cess-payers shall adjourn such Sessions until some Day not sooner than Fourteen Days after the Day fixed for the Extraordinary County Presentment Sessions.

Secretary of the Grand Jury to have Schedules of approved Applications printed and distributed, and lay the same before the Extraordinary County Sessions;

and also keep a Copy in his Office for Inspection.

VII. And be it enacted, That so soon as may be possible after the Extraordinary Baronial Presentment Sessions shall have been holden at all the Places and Times appointed therefor in any such County the Secretary of the Grand Jury shall prepare and make Schedules of the Contents of all Applications approved of wholly or in part, and which may have been delivered to him for such Purpose by the Chairman at each such Sessions; *videlicet*, One Schedule for each Barony of all such Applications for Works proposed to be levied upon each such Barony, arranging all such Applications in alphabetical Order, and noting on the Face of each Schedule the Particulars of the Decision of the Extraordinary Baronial Presentment Sessions on each Application; and such Secretary shall forthwith cause Copies of such Schedules to be printed and distributed in such Manner as shall have been authorized and directed by such Grand Jury Presentment as herein provided; and the said Secretary shall on the Day when the Extraordinary County Presentment Sessions shall be assembled as herein directed deliver One Copy of the said printed Schedules, together with the several printed Applications, with any Specifications, Maps, Plans, Sections, or Elevations of the Works to which such Application shall relate, which shall have been prepared by the County Surveyor, annexed thereto, to the Chairman of such Sessions; and the said Secretary shall keep another Copy of the said Schedules in his Office for the Inspection of the Public during Three complete Days at least immediately before the Day when such Sessions shall be first assembled.

Such Extraordinary County Sessions shall consider Applications, and make or refuse Presentment thereupon, fixing Amount and Time for Execution of Works.

VIII. And be it enacted, That the Justices and Cess-payers at such Extraordinary County Presentment Sessions shall at the Time appointed proceed to transact all Business relating to Public Works and Contracts within the County, and to consider and decide upon all Applications which shall be made for Works, as herein-before provided, in the Order in which the same shall be entered in the Schedules to be prepared as aforesaid, where they may deem it necessary, lessening the Amount or altering the Time for executing each Work, and examining all Maps, Plans, Estimates, and Specifications relating to each Application; and the said County Sessions shall be attended by the Secretary of the Grand Jury, and by the County Surveyor or Surveyors, and shall hear and receive and direct to be read aloud in open Court the several Reports and Certificates of such Surveyor or Surveyors, and shall have Power and Authority at their Discretion to receive and obtain all legal and pertinent Evidence which shall be tendered to them for or against the making any Presentment, or in anywise relating thereto, or concerning any Public Work authorized to be executed under this Act, or any Contract for or in respect of any of the Matters aforesaid; and such Extraordinary County Presentment Sessions are hereby authorized and empowered, if they shall think fit, to make Presentments for all or any of the Works, and the Expence thereof, hereby authorized to be applied for, and for which an Application shall have been made and approved, either wholly or in part, at the Extraordinary Baronial Presentment Sessions as herein-before provided, and specifying in all such Presentments the maximum Amount which shall be raised for the Execution of any such Work, and the Barony off which such Amount is to be raised; and the said County Presentment Sessions shall sit *de die in diem* until all the Business which may come before them of the Nature hereby described be despatched; and every such Presentment so made by such County Sessions shall be as valid and effectual for the Purposes of this Act as if the same had been duly presented by the Grand Jury, and fiated by the Court at any Assizes.

Secretary of the Grand Jury to advertise his readiness to receive Tenders and Proposals for the Execution of such Works, and that Forms of such Tenders may be had at his Office.

IX. And be it enacted, That the Secretary of the Grand Jury shall immediately after the Conclusion of such County Presentment Sessions, upon being furnished by the County Surveyor with the Specification or Form of Tender for the Execution of any such Work as aforesaid, and the Maps, Plans, Sections, and Elevations belonging thereto, notify, by public Advertisement or otherwise, in the usual Manner as such County Sessions shall have directed, his Readiness to receive sealed Tenders and Proposals for the Execution of such Work during such Period as shall have been appointed for the Reception of the same, and the Time to which the Extraordinary Baronial Presentment Sessions respectively has adjourned for the opening of such Tenders and Proposals, and that Forms thereof may be obtained at his Office or elsewhere; and such Secretary shall accordingly cause to be printed and prepared a sufficient Number of Forms of such Tenders and Proposals, and furnish to any Person who shall demand the same a Copy thereof, receiving therefor the reasonable Cost of preparing the same, not exceeding the Sum of Threepence, and also take such other Means as such County Presentment Sessions shall direct for placing such Forms within reach of Persons who may have Occasion to use them; and each of such Tenders and Proposals shall be returned to him sealed, or in an Envelope, and shall contain a Statement of the lowest Sum for which the Party making such Proposal is willing to contract for the Performance of the Work or Works specified and described in such Notification, and shall be subscribed with the Name, Description, and Residence of the Party so desirous to enter into such Contract, and also the Names,

Tenders to be delivered in sealed, or in Envelopes.

Descriptions,

Descriptions, and Residences of not less than Two sufficient Persons willing to be bound jointly and severally with him for the due and faithful Performance of the said Contract, within the Time and in the Manner thereby prescribed in a penal Sum double the Amount of the said Sum mentioned in such Tenders and Proposals if the said Sum shall not exceed One thousand Pounds, but if such Sum shall exceed One thousand Pounds then in a penal Sum exceeding the Sum mentioned in such Tenders and Proposals by One thousand Pounds in addition thereto; and all Maps, Plans, Sections, and Specifications relating to any such Work prepared by the County Surveyor shall be open to public Inspection in the Office of such Secretary without Fee or Reward.

At the adjourned Extraordinary Baronial Sessions the Tenders shall be opened and dealt with.

X. And be it enacted, That at the Meeting of each such adjourned Extraordinary Baronial Presentment Sessions as aforesaid the Secretary of the Grand Jury shall in open Court produce, duly numbered and arranged, and with the Seals unbroken, all the Tenders and Proposals which may have been delivered to him, and shall open consecutively all those relating to the same Public Work; and so soon as the lowest Proposal made for the Performance of each such Work shall be ascertained, the Party making such Proposal and his Surety shall be called, and if the said Party and his Sureties shall appear, and shall satisfy the Justices and Cess-payers at such Baronial Sessions, upon Oath or otherwise, of the Sufficiency and Ability of each and every of them to answer and make good the Penalty herein-before specified for the Nonperformance of such Contract, and that such Proposal has not been made for any unfair or fraudulent Purpose, and shall thereupon enter into Security for the due Performance of such Contract, conditioned in such Penalty as aforesaid, in the Manner and subject to the Provisions in the said recited Act of the Sixth and Seventh Years of King *William* the Fourth directed and contained, such Proposal shall be accepted, and the Party making the same shall be declared entitled to execute the Work to which such Proposal may refer, unless there shall appear some Reason for rejecting it; but if the Party making such Proposal, and his Sureties, shall not appear when called, or shall fail to satisfy the Justices and Cess-payers at such Sessions in any of the Particulars aforesaid, or shall decline to enter into such Security as aforesaid, or if such Presentment Sessions shall see Cause to reject it, then and in such Case the Proposal of the Party making default as aforesaid shall be deemed null and void to all Intents and Purposes whatsoever, and the next lowest Proposal shall be ascertained and dealt with in the same Manner, and so on till the said Security shall be entered into, and the Contract duly completed: Provided always, that if no Proposal shall be made in respect of any Work within the Time limited for receiving such Proposals, or if no Proposal or Tender shall be approved of by such Presentment Sessions, it shall and may be lawful for the said Presentment Sessions, if they think proper, to give such Work in charge to the County Surveyor, with Power to expend a Sum not exceeding the Maximum fixed as aforesaid; and such County Surveyor shall cause such Work to be executed, and shall account for the Execution thereof to the Grand Jury at the following Assizes.

If no Tender or Proposal approved of, Work may be given in charge to County Surveyor.

Form of Security.

XI. And be it enacted, That such Security so to be entered into by Contractors under this Act, and their Sureties, shall be a Recognizance to Her Majesty, Her Heirs and Successors, and of like Force, Validity, and Effect as other Recognizances made to the Queen's Majesty; and at such adjourned Baronial Presentment Sessions any Justices present, or the Chairman, are and is hereby authorized to take such Recognizance, and the Secretary of the Grand Jury shall prepare the same, and come provided therewith, so as to prevent Delay; and the Expence of preparing the same, not exceeding Sixpence, shall be defrayed by the Party or Parties entering thereinto; and such Recognizance shall be preserved in custody of such Secretary until the Condition of such Recognizance shall have been fulfilled, and shall then be delivered up to the Contractor or Contractors therein named, or to any Person by him or them duly authorized, to be cancelled.

Secretary of the Grand Jury shall keep a Book, with Particulars of Contracts; and shall prepare Schedules, &c.

XII. And be it enacted, That the Secretary of the Grand Jury shall have charge of all such Contracts as aforesaid, and shall provide and keep a Book in which he shall insert an Abstract of all such Contracts, setting out the Names of the several Contractors, and the Particulars of each Contract; and all Contracts so entered in such Book shall be numbered; and every such Book shall have an alphabetical Index referring to the Number of each Contract; and such Secretary of the Grand Jury shall, as soon as may be afterwards, prepare Schedules of all Applications so contracted for, approved of, and presented for as aforesaid, and cause the same to be printed and distributed in the same Manner as he is by the said recited Act of the Sixth and Seventh Years of the Reign of King *William* the Fourth required to do with respect to Applications approved of at Presentment Sessions, and shall immediately thereafter deliver all such Applications so presented for to the Clerk of the Crown for the County, County of the City or County of the Town to which they shall relate, who shall preserve the same, and within Seven Days after such Delivery deliver to the Treasurer of such County, County of a City, or County of a Town, without Fee or Reward, a Copy thereof, attested upon Oath, and signed by himself; and such Treasurer shall return the same to the Foreman of the Grand Jury at the Time when they shall be first impannelled at the ensuing Summer Assizes; and all and every the Powers, Authorities, or Provisions given or contained in the said recited Acts in relation to Works or the Execution of the same, and the raising and levying the Expence of the same, shall, as far as the same are applicable, and not inconsistent with this Act, extend and be applied in relation to the Works to be executed under this Act, or to the raising or levying Money for the Payment of the Expence of the same; and the several Forms in the Schedule to the said first-recited Act contained shall be used and applied, or altered and made applicable as Occasion may require, in or in relation to the several Proceedings under this Act.

Powers of former Acts applied.

Forms.

Treasury may make Advances by way of Loan

XIII. And be it enacted, That it shall and may be lawful for the Commissioners of Her Majesty's Treasury, on Application to them in that Behalf, to make Advances, not exceeding in the whole the Sum

in respect of Works approved of.

Sum of One hundred thousand Pounds, by way of Loan, at such Rate of Interest, not exceeding the Rate of Five Pounds *per Centum per Annum*, as they shall think fit, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, arising in *Ireland*, to defray the Expence of any Public Work or Works the Execution of which shall have been approved of and presented under the Provisions herein in that Behalf contained, or of any Work presented for by a Grand Jury under the Provisions of any Acts relating to the Presentment of public Money by Grand Juries in *Ireland*, save any Gaol, Court House, Hospital, Infirmary, or Bridge, the Cost of which Bridge shall exceed Fifty Pounds; and that when and so soon as any Application for such Works as aforesaid shall have been duly certified to the said Commissioners of the Treasury by the acting Clerk of the Crown to have been duly approved of, and presented according to the Provisions of any of the said last-mentioned Acts or of this Act, it shall and may be lawful for the said Commissioners from Time to Time to make, upon the Credit of such Application so approved of and presented as aforesaid, any Advance they may think fit; and that any such Money advanced under the Authority of this Act shall be delivered or paid by such Officer or Person and in such Manner as the said Commissioners shall think fit, and by such Instalments as may be necessary, to the Treasurer of the County, County of a City, or County of a Town in which the Works in respect of which such Advances shall be made shall have been or are intended to be executed, and shall be accounted for by him in like Manner as any other Monies by him received for the Use of such County, County of a City, or County of a Town, and all Securities given or to be given by him or on his Behalf shall extend to such Money; and every such Treasurer shall also from Time to Time, and at all Times when thereunto required by the said Commissioners of Her Majesty's Treasury, furnish to the said Commissioners, as they may direct, an Account of all his Disbursements and Receipts in respect of such Advances.

Monies advanced to be paid to the Treasurer of the County, &c., who shall account for the same.

Treasurer of the County to furnish a List of all Presentments, and of all undischarged Queries.

Secretary of the Grand Jury to furnish a List of all Contracts, and the Particulars thereof.

XIV. And be it enacted, That the Treasurer of each County, County of a City, or County of a Town shall deliver to the Chairman of such Extraordinary County Presentment Sessions, or Extraordinary Presentment Sessions, on the assembling thereof, a List, signed by himself, of all Presentments made at the then last Assizes for such County, County of a City, or County of a Town, and of all Queries remaining undischarged in respect of Grand Jury Presentments for such County, County of a City, or County of a Town, and the Amount of the County Funds then in his Hands, or invested in Exchequer Bills for or on behalf of the said County; and the Secretary of each Grand Jury shall deliver to such Chairman a List, signed by himself, of all Contracts theretofore entered into by such Grand Jury, on Foot of which any Sums shall appear to be due, setting out the Names of the several Contractors, the Particulars of each Contract, and in the Case of Roads the Places whence and to which each Road contracted for leads, and where each Road under Charge of a Contractor commences and ends, or the Names of the Occupiers of the adjoining Lands, and the Number of Perches of Road included in such Contract, and the Rate *per* Perch and the whole annual Sum which each Contractor is to be paid, and the Period for which each Contract is made.

Advances may be made to Contractors in certain Cases, not exceeding Three Fourths of the Cost of the Work.

XV. And be it enacted, That in Cases where the Cost of executing any public Work shall exceed Twenty Pounds it shall and may be lawful for the Justices, or Justice and Cess-payers, at any such Extraordinary County Presentment Sessions, or, in the Case of a County of a City or County of a Town, at the Meeting of the Extraordinary Presentment Sessions, to authorize the Treasurer of the County, County of the City, or County of a Town, out of any Funds applicable to the Purpose, to advance from Time to Time during the Execution of the Work to the County Surveyor to whom any Work shall be given in charge as aforesaid, or to the Contractor for any such County Work applied for and presented under this Act, or presented under any other Act for the Regulation of Grand Jury Presentments in *Ireland*, upon his Application, any Sum or Sums not exceeding in the whole Three Fourths of the Cost of such Work; provided that no such Advances shall be made by such Treasurer unless such Application shall be accompanied by a Certificate attached thereto, and signed by the County Surveyor, that more than the Sum applied for by such Contractor, in addition to any previous Advances made to him for such Work, has been fairly and honestly expended upon it conformably to the Contract.

Contractors to procure Certificate from County Surveyor of the Completion of the Work.

XVI. And be it enacted, That any Person who may have contracted for the Execution of any Work under this Act, or under the said recited Act of the Sixth and Seventh Years of King *William* the Fourth, or any Act amending the same, save in the Case of any Gaol, Court House, Hospital, Infirmary, or any Bridge, the Cost of which Bridge shall exceed Fifty Pounds, may, on the Completion of the Work for which he may have contracted, if completed within the present Year, give Notice thereof by Post, addressed to the County Surveyor at his Office, who shall, either by himself or his Assistants, within Fifteen Days from the Receipt of such Notice, examine the Work so represented to be completed, and in case he shall be fully satisfied of the due Execution of such Work, but not otherwise, shall grant his Certificate of Approval thereof to such Contractor, which Certificate shall set forth the Amount to be paid, and the Description or Number of the Contract on account of which Payment is to be made.

On Production of such Certificate to the County Treasurer he shall give a Draft for the Amount thereof.

XVII. And be it enacted, That the Treasurer of such County shall thereupon, upon the Production to him of such Certificate, give to the Person entitled to such Payment a Draft for the Amount thereof, which Draft shall contain a Specification of the Purposes for which the same shall have been drawn, and of the Person to whom it is payable, and when so signed it shall be the Authority for the Bankers in whose Bank the County Funds may be deposited to pay the Amount thereof, any thing in an Act of the First and Second Years of Her present Majesty's Reign, intituled *An Act to amend an Act of the last Session of Parliament, for providing more effectual Means to make Treasurers of Counties and Counties of Cities in* Ireland *account for public Monies, and to secure the same*, to the contrary in anywise notwith-

1 & 2 Vict. c. 53.

notwithstanding; and such Draft shall be as valid to all Intents and Purposes as any Draft for the Payment of any Money given under the said last-mentioned Act; provided that after the Expiration of this Year the Contractors for any such Works shall make Application for and receive Payment, subject to the Provisions and Regulations of the Acts relating to the Presentment of public Monies by Grand Juries in *Ireland*.

Presentment for Printing, &c.

XVIII. And be it enacted, That the Treasurer of every County, County of a City, or County of a Town in which this Act shall come into operation shall include in his Account, to be furnished to the respective Grand Jury at the next Summer Assizes, the Cost of all Copying, Printing, and other Proceedings of a like Nature required under the Provisions of this Act, who shall, at such next Summer Assizes, and they are hereby required to present, to be levied off the County at large, such Sum as shall be necessary to defray the same, and shall also present, to be levied off the County at large, to be paid to the Secretary of the Grand Jury, and to the County Surveyor or his Assistants, such Sums of Money as shall be actually incurred by them respectively for their Expences out of Pocket in or in respect of their respective Attendance at any such Extraordinary Presentment Sessions as herein provided.

Advances from Treasury to be repaid by compulsory Presentment.

XIX. And be it enacted, That the Monies so from Time to Time to be advanced, pursuant to the Provisions of this Act, by the Commissioners of Her Majesty's Treasury, for the Execution of any such Public Works in any County, County of a City, or County of a Town, or City and County, shall be repaid by Grand Jury Presentments at such Time or Times and in such Manner and with such Interest (not exceeding the Rate aforesaid) as the said Commissioners of the Treasury shall appoint and direct; and the said Commissioners shall from Time to Time cause to be certified to the Secretary of the Grand Jury of each such County, County of a City, and County of a Town the Money so to be repaid; and each such Secretary shall lay such Certificate before the Grand Jury of such County, County of a City, or County of a Town at the next Assizes or Presenting Term after he shall receive the same; and it shall be lawful for every such Grand Jury and they are hereby required to present the Sum mentioned in every such Certificate to be raised either off the County at large or off the respective Baronies or Half Baronies in respect whereof the Works for which any such Monies shall be so advanced by the said Commissioners shall have been presented by the Extraordinary County Presentment Sessions as herein-before directed, or off the County of the City or County of the Town, as the Case may be; and the Treasurer of such County, County of a City, or County of a Town shall pay the Sum so presented when and as by him received to such Bank or Person, and to such Account or in such Manner, as the said Commissioners of the Treasury shall direct: Provided always, that if the Grand Jury of any County, County of a City, or County of a Town shall fail to present the Sum or any Part thereof contained in any such Certificate, the Treasurer of such County, County of a City, or County of a Town shall and he is hereby required to insert such Sum or such omitted Part thereof in his Warrant for raising the Monies presented at the same Assizes as if such Sum had been duly presented by such Grand Jury to be raised off the County at large, or County of a City or County of a Town, as the Case may be, and the same shall be raised and levied off such County, County of a City, or County of a Town accordingly as if the same had been so presented, and the said Treasurer shall pay over the Amount when by him received as herein-before provided in the Case of such Money being presented; and all the Provisions of the said recited Act of the Sixth and Seventh Years of His late Majesty King *William* the Fourth with reference to the raising, Applotment, Collection, Levy, or Recovery of Grand Jury Cess shall, as far as the same are applicable, apply to all such Sums of Money so inserted in such Warrant: Provided also, that in all Cases in which any of such Monies shall have been advanced by the said Commissioners for or on account of any Works for which Presentment shall have been theretofore made by a Grand Jury, the Treasurer of the respective County, County of a City, or County of a Town shall from Time to Time pay to such Bank or Person as the said Commissioners shall direct all such Sums as shall from Time to Time be received by him from the Baronial or other Collectors by virtue of the Presentment on account of which such Money shall have been advanced, until the whole Sum so advanced shall be repaid.

In case the Grand Jury fail to present.

Treasurer to pay into Bank all Advances received from Collectors.

Contractors shall pay Labourers in Money and not in Goods, and at Intervals of not more than Fourteen Days.

XX. And be it enacted, That every Contractor for the Execution of any County Work shall pay his Labourers or Artificers in Money, and at Intervals of not more than Fourteen Days; and if any Contractor shall directly or indirectly attempt to persuade or induce any Labourer in the Employment of such Contractor to take Goods in lieu of such Wages, or to expend his Wages in any particular Shop, or for any particular Purpose, he shall be liable to be summoned before the Justices assembled at any Petty Sessions on Complaint of the Party aggrieved, or any other Person, and such Justices are hereby authorized to hear such Complaint, and adjudicate thereon; and if such Contractor shall be convicted thereof he shall forfeit and pay such Sum not exceeding Five Pounds as to such Justices shall seem fit; and if any Contractor shall neglect to pay any Labourer in his Employment, at Intervals of not more than Fourteen Days, all Wages that may be due to him, save and except the Wages of One whole Week, he shall be liable to be summoned before the Justices assembled at any Petty Sessions, on Complaint of the Party aggrieved, for Recovery of any Wages or Money payable to any Person employed by him in the Execution of such Works, so as the Sum demanded shall not exceed Six Pounds, and such Justices assembled as aforesaid are hereby authorized and required to hear such Complaint, and adjudicate thereon and it shall be no Defence to such Complaint that such Contractor has not himself received any Payment on Foot of his Contract, and the Decision of such Justices shall be final; and the Sum adjudged to be due shall be levied by Warrant of Distress, under Hand and Seal of any Two such Justices, off the Goods and Chattels of such Contractor.

XXI. And

Grand Jury to exercise Powers herein given, after Commission is opened.

XXI. And be it enacted, That it shall be lawful for each Grand Jury at such Spring Assizes to exercise the Powers given to them by this Act after and notwithstanding that Her Majesty's Commission at such Assizes shall have been opened, any thing in the said Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, or any Act or Acts notwithstanding.

If the Spring Assizes shall be concluded before the passing of this Act, or before due Notice of it, Grand Juries may be re-assembled.

XXII. And be it enacted, That in any and every Case in which it shall happen that the Spring Assizes in and for any such County, County of a City, or County of a Town shall have been concluded, or that the Grand Jury at such Assizes respectively shall have been discharged before the passing of this Act, or before any such Grand Jury shall have received sufficient Notice of the passing of the same, it shall and may be lawful for the Sheriff of such County, County of a City, or County of a Town, and such Sheriff is hereby authorized and required in case he shall receive a Direction by Warrant, to be issued from Time to Time as may be necessary, under the Hand of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, so to do, to summon the several and respective Persons who shall have served as Grand Jurors upon the Grand Jury at such Spring Assizes of the present Year for such County, County of a City, or County of a Town to re-assemble and attend for the Purposes of this Act at the usual Place of holding Assizes upon a Day by such Sheriff to be fixed, not later than Ten Days from the Day on which such Sheriff shall have received such Warrant as aforesaid; and such Persons so summoned are hereby required to come and appear agreeably to the Exigency of such Summons, under the like Penalties and subject to the like Forfeiture of Issues as Persons heretofore summoned to appear and serve on Grand Juries at any Assizes in *Ireland;* and on the Day and at the Place appointed for such Attendance such Sheriff shall attend and proceed to call such Grand Jurors, and the Clerk of the Crown or his Deputy shall attend at such Time and Place, and take a List of all such Grand Jurors so attending; but in case Twelve such Grand Jurors should not be so in attendance it shall be lawful for such Sheriff to call and summon to be associated with such Grand Jurors attending such Number of other Persons whose Attendance can be procured, and whose Names shall have been on the Grand Jury Panel for such Spring Assizes, as will be sufficient with such first-named Grand Jurors attending to make up a Number not less than Twelve and not exceeding Twenty-three; and such Grand Jurors so attending, not being less than Twelve in Number, or, as the Case may be, such Grand Jurors so attending together with such other Persons associated with them, shall have all the Powers and Authorities hereby given to the respective Grand Juries at the Spring Assizes of this Year for appointing any such Extraordinary Presentment Sessions as herein provided; and it shall be lawful for them, if they shall respectively so think fit, Twelve of them at the least assenting, by a Presentment, to appoint such Extraordinary Presentment Sessions respectively, and the Times and Places for holding the same, and the several Matters relating to the same, as herein-before provided; and any such Extraordinary Presentment Sessions so appointed shall be as valid, and have all such Powers and Authorities, and be subject to such Provisions, as if the same had been appointed by the Grand Jury at such Spring Assizes under the Provisions of this Act herein-before contained; provided that the Time to be so appointed for holding the First Extraordinary Baronial Presentment Sessions in each County, County of a City, or County of a Town shall not be later than Thirty Days from the Days so fixed for the respective Grand Juries to re-assemble.

In Counties of Cities or Towns the First Extraordinary Presentment Sessions to have the Powers herein given to Extraordinary County Sessions.

Interpretation of Act.

XXIII. Provided always, and be it enacted, That in the Case of any County of a City or County of a Town the Extraordinary Presentment Sessions to be held for the same respectively under the Provisions of this Act shall in addition to the other Powers and Authorities hereby given to any Extraordinary Baronial Presentment Sessions, have and exercise at their first Meeting all the Powers and Authorities hereby given to any Extraordinary County Presentment Sessions; and no such Extraordinary County Presentment Sessions shall be held for any such County of a City or County of a Town under this Act, save such respective Extraordinary Presentment Sessions for such County of a City or County of a Town in this Provision and before mentioned, and the Adjournment thereof respectively as herein-before directed; and in the Construction of this Act, unless the Context or the Nature of the Case shall exclude such Construction, the Expression "Extraordinary Baronial Presentment Sessions," or "Baronial Sessions," shall, in the Case of a County of a City or County of a Town, mean and include such Extraordinary Presentment Sessions for such County of a City or County of a Town respectively, or the Adjournment thereof, hereby provided; and the Word "Treasurer" shall, as to the County of *Dublin*, mean and include the Finance Committee; and the Words "Assizes" or "Spring Assizes" shall, as to the said County of *Dublin*, mean and include the "Presenting Term."

County Surveyors to assist in Works directed by the Lord Lieutenant.

XXIV. 'And whereas it may become necessary and expedient to provide further Employment for the 'labouring Poor of *Ireland* during the approaching Summer and Autumn, by the Execution of Works 'other than those presented for by the respective Grand Juries of the Counties wherein such further 'Works shall be required; and in order to assist in and facilitate the due Execution thereof it is 'desirable that the several County Surveyors and their Assistants, within their respective Counties 'should superintend such Works, either wholly or in part, and subject to such Orders and Directions as 'may from Time to Time be issued to them by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, or by the Commissioners of Public Works in *Ireland;*' be it therefore enacted, That the several County Surveyors in *Ireland*, and their Assistants, do and shall at all Times, from and after the passing of this Act and until the Thirty-first Day of *December* next, or until the respective Works in this Provision mentioned shall be completed, in addition to all their other Duties, obey, perform, and execute either alone or conjointly with or subject to the Direction of any other Person or Persons to be appointed for that Purpose by the said Lord Lieutenant or other Chief Governor or Governors of *Ireland*, all such Orders and Directions as the Lord Lieutenant or other

other Chief Governor or Governors of *Ireland* for the Time being, or the Commissioners of Public Works, shall from Time to Time issue and transmit to them or any of them respecting the planning, laying out, superintending, or overseeing any such Work or Works within their respective Counties as shall be specified in and by such Orders or Directions, or the disbursing any such Sum or Sums of Money which shall be placed at his or their Disposal for that Purpose, whether such Works shall be of a public or private Nature, and do and shall from Time to Time, and as often as he or they shall be so required, report to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or to the said Commissioners of Public Works, how and in what Manner he or they shall have executed such Orders and Directions, and disbursed such Sum or Sums of Money so to be issued and transmitted to him or them as aforesaid.

XXV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament. *Act may be amended, &c.*

CAP. III.

An Act to encourage the Sea Fisheries of *Ireland*, by promoting and aiding with Grants of public Money the Construction of Piers, Harbours, and other Works. [5th *March* 1846.]

'WHEREAS it is necessary, for the Encouragement and Promotion of the Deep Sea Fisheries of *Ireland* as a Source of Employment and Food, to provide Funds, partly by way of Grant, and partly by way of Loan, for the Construction or Repair of small Harbours, Piers, Quays, and Landing Places, and other Works in connexion therewith, or of a like Nature, and to establish a System whereby the Co-operation of Parties interested may be obtained for securing the Repayment (by Instalments or otherwise) of such Portion of such Funds as shall be advanced by way of Loan for the said Purposes: And whereas it is expedient, with a view to prevent Delay and Expence as to Inquiry into the Titles of and Incumbrances upon the Estates of Parties interested in or benefited by such Works, to define and declare the Mode in which the Repayment of such Sums so lent shall be secured: And whereas it is expedient that Provision be made for the Repair, Maintenance, or Improvement of such small Harbours, Piers, Quays, and Landing Places, and other such Works as at present exist, which may be useful for Fisheries, or which have been wholly or in part constructed with public Money advanced for the Purposes of the Improvement of the Fisheries of *Ireland*, and for the Maintenance of which there are now no specific Funds; and it is expedient that the necessary Provisions for such Purposes be consolidated into and contained in One Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Commissioners of Public Works in *Ireland* for the Time being shall be Commissioners for the Execution of this Act; and that it shall and may be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, by Warrant under the Hands of any Three or more of them, if they shall so think fit, to appoint during Pleasure the Person who for the Time being shall be a Commissioner of Fisheries, appointed by the Commissioners of Her Majesty's Treasury under an Act passed in the last Session of Parliament, intituled *An Act for the further Amendment of an Act of the Sixth Year of Her present Majesty, for regulating the* Irish *Fisheries*, to be associated with the said Commissioners of Public Works for the Time being, and with them to be a Commissioner for the Execution of this Act; and all and every the Powers and Authorities by this Act given to or vested in the said Commissioners for the Execution of this Act may be exercised by any Two or more of them.

Commissioners.

Appointment of Commissioners.

8 & 9 Vict. c. 108.

II. And be it enacted, That all and every the like Powers and Authorities and Privileges in and by an Act of the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in* Ireland, or any Act or Acts amending the same, vested in or given to the said Commissioners of Public Works for the Purposes of said recited Acts, shall be vested in, given to, and used and exercised by the Commissioners for the Execution of this Act; and the said Commissioners for the Execution of this Act may and shall in all Cases sue and be sued in the Name of the Secretary of the Commissioners of Public Works in *Ireland* for the Time being for and on behalf of the said Commissioners for the Execution of this Act; and that in all Indictments, or Criminal or Civil Proceedings, the Name "Commissioners of Public Works in *Ireland*" shall be a sufficient Description of the said Commissioners for the Execution of this Act; and that no such Action or Suit at Law or in Equity shall abate or be discontinued by the Death or Removal of such Secretary; and such Secretary for the Time being shall be deemed the Plaintiff or Defendant in such Action or Suit, as the Case may be; and the several Provisions in the said recited Acts contained as to Actions or Suits brought or instituted by or against the said Commissioners of Public Works, and the Proceedings therein, shall extend and be applied to any Action or Suit brought or instituted by or against the Commissioners for the Execution of this Act.

Powers of Commissioners.

1 & 2 W. 4. c. 33.

III. And be it enacted, That it shall and may be lawful for the Commissioners for the Execution of this Act, by and with the Consent and Approbation of the Commissioners of Her Majesty's Treasury, for the Purposes of this Act, to make Advances by way of Grant to an Amount not exceeding in the whole the Sum of Fifty thousand Pounds, and for the said Commissioners of Her Majesty's Treasury to cause to be issued from Time to Time as they may find necessary, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not exceeding in the whole the said Sum of Fifty thousand Pounds, to be applied to the Purposes of this Act in the Manner and on the Conditions herein-after mentioned and specified concerning the same.

Grants.

Grants may be made by the Treasury, not exceeding 50,000l., for the Purposes of this Act.

IV. And

Grants.

Conditions of such Grants.

IV. And be it enacted, That the Conditions upon which any such Grants as aforesaid, under the Provisions of this Act, shall be made, shall be as follows; (that is to say,)

First.—That any such Grants may be made for constructing, erecting, or making, reconstructing, repairing, or improving, on or near the Sea Coast of *Ireland*, such small Harbours, Piers, Quays, Landing Slips or Places, and Roads of Approach thereto respectively, and such navigable Cuts through Shoals, or for connecting adjacent Bays or Inlets, and such Engines, Beacons, or small Harbour Lights, and other Works of a like Nature respectively, as the said Commissioners shall deem necessary or useful for the Encouragement and Promotion of the Sea Fisheries of *Ireland*:

Second.—That such Works shall be executed, constructed, maintained, and kept in repair by and under the Directions of the said Commissioners for the Execution of this Act, and such Works shall, with any Lands purchased or acquired under the Provisions of this Act, be deemed and taken to be public Property, and be for that Purpose absolutely vested in the said Commissioners and their Successors:

Third.—That any Grant for any one such Work shall not exceed in the whole the Sum of Five thousand Pounds:

Fourth.—That the Amount of any such Grant shall not exceed Three Fourths of the total actual Cost of any such Work, and that such Grant shall be made only upon the Condition that the Repayment of the Residue of the total actual Cost of such Work, with Interest, shall be secured, or agreed to be secured by the County, District, or Proprietors of Lands which or who, as herein-after directed, ought in the Opinion of the said Commissioners to provide for securing the same.

Loans.

Loans to be made by the Commissioners of Public Works to defray the Residue of the Cost of Works.

V. And be it enacted, That in all Cases of Grants of Money, under the Provisions of this Act, for defraying a Portion of the total actual Cost of such Works, the Amount of the Residue of such Cost shall, with the Approval of the Commissioners of Her Majesty's Treasury, be supplied and advanced out of any Monies applicable to Loans at the Disposal of the said Commissioners of Public Works under the Provisions of the said recited Act, or any Act or Acts amending the same; and the Repayments of such Residue so lent and advanced, with Interest thereon at such Rate as the said Commissioners of the Treasury shall approve, shall be received and recovered in such Manner as herein-after provided, and when so received or recovered shall be paid over and applied as by the said first-recited Act, or any Act or Acts amending the same, Repayments of Loans for Public Works are directed to be paid over and applied.

Preliminary Proceedings.

Application by Memorial for the Execution of Works.

VI. And be it enacted, That it shall and may be lawful for any Person residing or being Proprietor or Occupier of Land in any District or Place adjacent to the Sea Coast of *Ireland* to apply by Memorial to the said Commissioners, stating the Advantage of or the Necessity for the Construction of any such Work as aforesaid or the Improvement of any such existing Work, and praying that such District or Place may be examined, and such Works, or such other Works in lieu thereof as the Commissioners shall deem fit, may be executed under this Act, and by such Memorial undertaking, in the event of any such Works, or other Works in lieu thereof, not being duly approved of or proceeded with by the said Commissioners, to defray the Expences of any preliminary Survey and Examination which may be requisite; and the said Commissioners shall cause to be entered in a Book to be by them for that Purpose provided a List of all such Applications as shall be made to them by Memorial as aforesaid, with the Particulars of each Case, and the principal Proceedings thereon.

Preliminary Survey, &c. to be made.

VII. And be it enacted, That on the Receipt of any such Memorial as aforesaid it shall be lawful for the said Commissioners, if they shall so think fit, to order a Survey or Examination to be made of such District or Place, and a Report, Plan, and Estimate of the necessary Work, and the Costs thereof, to be prepared, or to adopt any existing Survey, Report, Plan, or Estimate concerning the same, and, without being limited to any Proposition contained in any such Memorial, or to the District or Place described in any such Memorial, to select and determine, in case of new Works, the Site, Position, and Plan thereof, or, in the Case of existing Works, the Mode of Improvement thereof, which respectively, under all the Circumstances of the Case, shall in their Opinion be best suited to the Wants of such Place, or to the Purposes of this Act, in respect to that Part of the Sea Coast in or near to which such District or Place shall be situated.

Commissioners, &c. may enter Lands for the Purposes of Survey or Inquiry.

VIII. And be it enacted, That, for the Purposes of any Inspection, Survey, or Inquiry directed or necessary under any of the Provisions of this Act, it shall be lawful for the said Commissioners, by themselves, their Surveyors, Engineers, Agents, Officers, or Workmen, to enter upon any Lands or Premises in or adjacent to which it is proposed that any Works shall be executed under this Act, and, if necessary, to dig or bore therein, and also to examine any existing Works which it shall seem to them to be necessary to examine, and to make any Soundings, or bore the Bed or Channel of any River, making reasonable Compensation for any Damage done thereby; and the Amount of such Compensation, in case of Dispute, shall be ascertained by Two or more Justices of the Peace at Petty Sessions in or for the District wherein any such Damage shall be committed, and they are hereby authorized and required to inquire into and determine the same, and for that Purpose to examine on Oath or otherwise all such Witnesses as shall be produced before them, and to make such Order as to them shall seem just for the Payment of the Amount of such Damage by the Commissioners to the Party aggrieved, which said Order shall be final and conclusive: Provided always, that the said Commissioners, their Surveyors, Engineers, Agents, Officers, and Workmen, may enter upon such Lands as aforesaid, and do all necessary Matters and Things by this Act authorized, previously to or pending the Decision of such Justices.

IX. And

Preliminary Proceedings.

The Commissioners of the Treasury may make temporary Advances to the Commissioners under this Act for the Expences of preliminary Inquiries.

IX. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, to cause to be issued as a temporary Advance, from Time to Time as they may find necessary, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not exceeding in the whole the Sum of Two thousand Pounds in any One Year, by way of Imprest, to the said Commissioners for the Execution of this Act, to be by them applied in providing for the Expences of procuring and prosecuting any such preliminary Examinations or Inquiries as herein-before mentioned; and in every such Case in which any Portion of such Monies so advanced and issued shall be so applied by the said Commissioners such Sum of Money shall be repaid to the Consolidated Fund by the said Commissioners (as in Cases of Repayments of Loans for Public Works) from and out of any Funds or Monies to be received, borrowed, or raised by them for defraying the Costs, Charges, and Expences incurred or to be incurred in the Execution of such Work: Provided always, that in any Case where the Expences of any such preliminary Investigation and Inquiry as aforesaid as to any proposed Works shall have been defrayed out of the Monies so advanced and issued as last aforesaid by the Commissioners of Her Majesty's Treasury, and the Presentment or Assents as required by this Act as to such Works shall not have been obtained within a Time to be limited by the said Commissioners, the Amount of such Expences shall be paid to the said Commissioners for the Execution of this Act by the Person or Parties who shall have applied by Memorial in such Case, and by said last-mentioned Commissioners be paid over to the Consolidated Fund in the Manner aforesaid.

Commissioners may report to Treasury, and recommend a Grant.

X. And be it enacted, That if upon any such Survey or Examination and Report as aforesaid the said Commissioners shall approve of the proposed Works, or any Modification of the same, or other Works in lieu thereof, and deem it fit to recommend that a Grant should be made for the Execution of the same, they shall forward to the Commissioners of Her Majesty's Treasury a Report upon such Case, with such Information as may be required, and their Recommendation of the Work approved of by them, and the Amount of Money which in their Opinion might properly be advanced by way of Grant for or on account of such Work; and if the said Commissioners of the Treasury shall think fit provisionally to approve of the Work so recommended, or any Modification thereof, and the Amount of Grant recommended, or any Modification thereof, it shall be lawful for the Commissioners of the Treasury to signify their provisional Approval of the same respectively, and to specify the Time to be allowed for the Repayment, and the Rate of Interest to be chargeable upon such Sum of Money as may be required by way of Loan to defray the Residue of the total Cost of the Work so approved of by them, over and above the Amount of Money to be advanced for the same by way of Grant.

Provisional Declaration to be made by Commissioners as to Works, and Proportion of Grants and Loans for the same.

XI. And be it enacted, That by such Survey or Examination as aforesaid, or otherwise, as the said Commissioners shall think fit, they shall ascertain and determine the County or Counties, the District, or the Lands of any Person or Persons, as the Case may be, which in their Opinion will be benefited by the proposed Works, and, having regard to the Regulations herein-after mentioned, ought in their Opinion to secure or become chargeable with the Repayment of such Portion of the total Cost of such Works as shall be advanced by way of Loan; and the said Commissioners shall, upon receiving from the Commissioners of the Treasury their provisional Approval as aforesaid, cause to be prepared a provisional Declaration under their Hands, describing, by Reference to Plans or otherwise, the Works proposed to be executed as provisionally approved of as aforesaid, and the estimated Cost thereof, with the respective Proportions of such Cost to be supplied by way of Grant and by way of Loan, and the Time of Repayment of and the Rate of Interest on such Loan, and the County or Counties, or the Extent of District, or Lands, which ought, in the Opinion of the said Commissioners, to secure or become chargeable with the Repayment of such Loan and the Interest thereon.

Regulations as to the securing of Loans.

XII. And be it enacted, That the said Commissioners, in determining what "County," "Counties," "District," or "Lands" ought in their Opinion to secure or become chargeable with such Sums of Money with Interest thereon, as shall be advanced by way of Loan for any such Works, shall be guided by the Regulations following; (that is to say,)

Case of "Counties."

First.—If the Work on or near the Coast of any County or Counties be of such a Nature as to confer a general rather than a local Benefit, such as the Removal of Obstructions to Navigation, the opening of Passages through Shoals or between Rocks, the connecting of Bays or Inlets of the Sea, the Erection of Beacons in certain Cases, and other similar Works, such Loan ought to be secured by Grand Jury Presentment on such "County or Counties" at large:

Case of "County" and "District" conjointly.

Second.—If the Work, from its Nature and Extent, would afford Facilities for Commerce and Agriculture as well as Fisheries, or be calculated to produce a considerable Market for Fish and Trade arising thereout, and thus afford general as well as local Advantage, a Moiety of such Loan ought to be secured by Presentment on the County at large, and the other Moiety by the "District" adjacent to such Work, to be determined and defined as herein provided:

Case of "District."

Third.—If the Work be on or near the Shore of a cultivated or populous District or Island, or for such Reason or otherwise is calculated to confer important local Advantage, as a landing or shipping Place for agricultural or other Produce or Goods, as well as a Fishing Station or Market, such Loan ought to be secured and become chargeable on the adjacent "District," to be determined and defined as aforesaid:

Case of "Lands of Proprietors."

Fourth.—If the Work be situate in or near uncultivated or partially cultivated Lands, or in remote or thinly-peopled Districts, or be otherwise calculated to confer important Advantages on the Estates or Properties of Proprietors of Lands (as defined by this Act) to an Extent in the Opinion of the

Preliminary Proceedings.

the said Commissioners commensurate with the Amount of the Loan to be secured, then such Loan ought to be secured and become chargeable upon the "Lands" of such "Proprietors," as hereinafter provided:

Case of "County," "District," and "Lands," or any Two of them conjointly.

Fifth.—If a Combination of the Circumstances and Advantages described in the foregoing Regulations should be found to exist, or in Cases where Piers or Harbours chiefly useful for the Refuge and Rendezvous of Fishing Vessels are constructed near remote Headlands or in Islands, the Amount of such Loan ought to be secured by and become chargeable on the "County or Counties," "District," or "Lands," in proportionate Parts accordingly.

Provisional Declarations, Plans, Estimates, &c. to be lodged for public Inspection.

XIII. And be it enacted, That the said Commissioners shall cause a Copy of such provisional Declaration, together with such Maps, Plans, Sections, and Estimates of the proposed Works as they shall think fit and sufficient, to be deposited for public Inspection at all reasonable Times, for a Period not less than Two Weeks, in such convenient Place or Places as the said Commissioners shall think proper within the County or Counties, or in or in the Vicinity of the District or Lands, as the Case may be, which it is proposed should become chargeable with the Repayment of any Money advanced by way of Loan for such Works; and all Persons shall be at liberty to inspect or make Copies of or Extracts from such Declaration, Maps, Plans, Sections, or Estimates which may be so deposited; and Notice of the Time and Place of such Deposit shall be published in some Newspaper usually circulated in the County, District, or Place in or near which said Work is proposed to be made or constructed, and posted in such public Places as the said Commissioners shall think fit within such County, or in or near such District or Place as aforesaid; and by such Notice all Parties interested shall be required, on or before a Day therein to be named, not sooner than Two Weeks from such Publication and posting as aforesaid of such Notice, to transmit to the Secretary of the said Commissioners in *Dublin* their Objections (if any) in Writing to the said Declaration, Maps, Plans, Sections, and Estimates, and all other Objections which such Parties shall think fit to make with respect to any thing proposed to be done by the said Commissioners under the Provisions of this Act.

Meetings to hear Objections may be held in certain Cases.

XIV. And be it enacted, That in Cases in which the said Commissioners shall deem it expedient so to do they shall, by the Notice to be published and posted as aforesaid, or by a subsequent Notice to be published and posted in like Manner, call One or more public Meetings of Persons interested or likely to be affected by any such proposed Works, or the Charge for the same, to be held on such Day or Days subsequent to the Expiration of such Period of Two Weeks at such convenient Place or Places as shall be specified in such Notice: Provided always, that if any such Meeting shall be called by any subsequent Notice as before mentioned such Meeting shall be held on a Day not sooner than Two Weeks from the Date of such subsequent Notice.

Proceedings at such Meetings and final Declaration to be printed.

XV. And be it enacted, That in any Case where such Meeting shall be called, then, at the Time and Place named in such Notice as aforesaid, the said Commissioners, or One of them, shall attend, and shall have Power to adjourn from Time to Time, or hold such new Meeting as they shall deem necessary, and shall hear or inquire into, on Oath or otherwise, all such Objections as shall have been or shall then and there by any Person interested be made to such Declaration, Maps, Plans, Sections, or Estimates, or proposed Works, or Charge in respect of the same, and after having considered all such Objections as aforesaid they shall at such Meeting, or subsequently thereto, or in case no Meeting shall have been called or held then upon considering the Objections (if any) which shall have been made in Writing pursuant to such first-mentioned Notice as aforesaid, cause such Alterations (if any) as they may deem expedient to be made in such Declaration, Maps, Plans, Sections, or Estimates, and shall finally settle and sign the same, and shall cause such final Declaration, so settled and signed, to be printed, and a Copy thereof to be furnished to the Memorialists in such Case, or to such Persons interested as they shall think fit, or who shall apply for the same: Provided always, that if the Commissioners shall deem it expedient to alter such Declaration in any Matter or Thing which shall have been provisionally approved of by the said Commissioners of Her Majesty's Treasury, such Alteration shall not be finally determined without the Approval of the said Commissioners of Her Majesty's Treasury.

Final Notice may be published in case the Presentment or Assents herein required be made or given.

XVI. And be it enacted, That after such Declaration shall have been finally settled and printed as aforesaid it shall and may be lawful for the said Commissioners, in the Cases following, to publish in the "*Dublin Gazette*," and otherwise as they shall deem fit, a final Notice, stating that all the Requisitions of this Act, with respect to the Work proposed to be executed, and to all Matters and Things preliminary to the Commencement of the same, and with respect to the Security or Charge for any Monies to be advanced for such Work by way of Loan, have been complied with; (that is to say,)

Case of "Counties" to be chargeable.

First.—Where by such Declaration it shall be declared that in the Opinion of the said Commissioners any "County" ought to secure and become chargeable with the Repayment of any Sum of Money to be advanced by way of Loan for such Work, then in such Case such final Notice shall be published if the Grand Jury of the County, or in the Case of Two Counties if the Grand Jury of the County to become liable to repay the Half or more of such Sums of Money, shall make a Presentment approving of the proposed Work, and consenting that such Sum of Money, or proportionate Part, as the Case may be, shall be secured by or become chargeable and levied upon such County at large, under the Provisions of this Act:

Case of "District" to be chargeable.

Second.—Where by such Declaration it shall be declared that in the Opinion of the said Commissioners any "District" ought to secure and become chargeable with the Repayment of any Sum of Money to be advanced by way of Loan for such Work, then in such Case such final Notice shall be published, if, at a Meeting which may be convened by public Notice issued by the said Commissioners,

sioners, and at which Meeting an Officer appointed by the said Commissioners shall attend and preside, the Majority of the Rate-payers present who, under an Act of the First and Second Years of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in* Ireland, and any Act amending the same, shall have been rated under the then last Rate in respect of Property in such District, shall approve of and assent to the proposed Work, unless, in case of a Division or Poll at such Meeting, upon a Scrutiny which such Officer shall be authorized to take, it shall appear to such Officer as aforesaid that the Rate-payers declaring their Dissent at such Meeting were by the then last preceding Rate rated in respect of Property valued at more than Half the net annual Value of the rateable Property within such District:

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1 & 2 Vict. c. 56.

Third.—Where by such Declaration it shall be declared that in the Opinion of the said Commissioners the "Lands of any Proprietors" ought to secure and become chargeable with the Repayment of any Sum of Money to be advanced by way of Loan for such Work, then in such Case such final Notice shall be published if the Proprietors of so much of the Lands as according to such Declaration ought to secure or become chargeable with more than One Half the Amount of such Sum of Money shall assent in Writing to the proposed Work:

Case of "Lands of Proprietors" to be chargeable.

Fourth.—Where by any such Declaration it shall be declared that in the Opinion of the said Commissioners such Sum of Money to be advanced by way of Loan for such Work ought to be secured conjointly by any "County, District," and "Lands of Proprietors," or by any such County and District conjointly, or County and Lands of Proprietors conjointly, or District and Lands of Proprietors conjointly, then in such Case such final Notice shall be published if such County, District, or Proprietors which or who would become liable to such Charge shall have as aforesaid, in the Manner and subject to the Regulations herein-before mentioned, respectively approved or assented to such Work:

Case of "County, District, or Lands," or any Two of them conjointly.

Provided always, that such final Notice shall and may be published in any Case in which the Commissioners of Her Majesty's Treasury shall deem fit to accept and signify their Approval of any other Security for the Repayment of the Monies advanced by way of Loan for any such Work in lieu of the Security herein prescribed or provided, any thing in the foregoing Regulations or Provisions to the contrary notwithstanding; and provided also, that it shall be lawful for the Grand Jury of any County, without Application to Presentment Session, to make any such Presentment as herein-before mentioned in relation to any such proposed Work.

Who shall be deemed Proprietors.

XVII. And be it enacted, That any Person seised or entitled to any Land proposed to be made chargeable under the Provisions of this Act for the Repayment of any Money advanced by way of Loan, in possession, as Tenant in Fee Simple or in Fee Tail, General or Special, or as Tenant by Courtesy, and also any Person who shall be entitled under any Will or Settlement, or any other Deed or Instrument (except a Grant or Lease reserving Rent, or an Agreement in Writing for such Grant or Lease), for his own Life, or the Life of any other Person, or for Years determinable on such Life or Lives, and also any Person who shall be entitled under any Lease granted by a Bishop or any Collegiate or Ecclesiastical Body, or under any Lease granted by any Person having immediate or derivative Title from or under any Bishop or any Collegiate or Ecclesiastical Body, which Lease shall contain a *toties quoties* Covenant of Renewal, and also any Person who shall be entitled under any Grant, Lease, or any other Deed or Assurance for an Estate in Fee, or for a Term of Years absolute whereof One hundred Years or more shall be unexpired, or for an Estate or Interest for any Life or Lives renewable for ever, or for any Term or Terms of Years renewable for ever, whether such last-mentioned Person shall be entitled to any such Estate, Term, or Interest, either absolutely or as Tenant in Tail, or as *quasi* Tenant in Tail, or for his Life, and also every Feoffee or Trustee of any such Land, or of any such Estate or Interest therein as aforesaid, for charitable or other Purposes, shall be deemed a Proprietor of such Land for the Purposes of this Act; and in every Case in which any Person seised, possessed of, or entitled to any such Land for any such Estate or Interest as aforesaid shall be an Infant, Feme Covert, Idiot, or Lunatic, the Guardian of such Infant, the Husband of such Feme Covert, and the Committee of the Estate of such Idiot or Lunatic, shall, subject to the Provisions herein-after contained, be deemed a Proprietor of such Land for the Purposes of this Act: Provided always, that no Person shall be deemed a Proprietor for the Purposes of this Act for or by reason of any Estate vested in him which shall have been created by way of Mortgage, or for the Purpose of securing the Payment of any Sum of Money, but that the Person who would be deemed a Proprietor for the Purposes of this Act if such Estate by way of Mortgage or for securing any Money had not been created shall, if in the actual Possession or Receipt of the Rents, Issues, and Profits thereof, notwithstanding such Mortgage or Security, be deemed such Proprietor as aforesaid: Provided also, that where several Persons shall have in any such Land such Estate or Interests as would otherwise entitle them under the Provisions aforesaid to be so deemed Proprietors, such of the said Persons shall be deemed the Proprietor for the Purposes of this Act as shall be in actual Occupation of the said Land, or as shall have such Estate or Interest as aforesaid therein next in reversion or remainder to the Estate or Interest of the Person in actual Occupation.

Trustees, &c. may apply to Court of Chancery for Leave to assent.

XVIII. Provided always, and be it enacted, That it shall and may be lawful for any Feoffee or Trustee for charitable or other Purposes, and also for any Guardian, Husband, or Committee of any Infant, Feme Covert, or Idiot or Lunatic respectively, (on behalf of their respective Infants, Wives, Idiots, or Lunatics,) or for any Receiver appointed by any Court of Equity over the Estate of any such Proprietor, to apply, if they shall think fit, in a summary Way, by Petition to Her Majesty's Court of Chancery in *Ireland*, for Leave to assent to the Execution of any Works proposed to be done under the Provisions of this Act; and the said Court shall have Power to inquire into the Propriety of giving

Preliminary Proceedings.

such Assent, and to make such Order on the Petition, and as to the Costs thereof, as to the Court shall seem meet; and if the Court shall authorize any such Assent being given, then it shall be lawful for the Person who shall have presented the Petition to give such Assent, and the same shall be as binding and effectual to all Intents and Purposes whatsoever as if the Person giving the same had been the actual Proprietor of the Lands in respect of which such Assent shall be given.

Joint Tenants to be accounted as One Person.

XIX. And be it enacted, That joint Tenants, Tenants in Common, and Coparceners, jointly interested in any Portion of Land proposed to be made chargeable as aforesaid, shall in respect of the Land in which they are so interested be accounted as One Person: Provided always, that the Concurrence of the Person or Persons interested in or possessing more than Half of the Estate or Interest in such Portion of Land shall be sufficient for the Purpose of giving such Assent as aforesaid.

Assents may be given by Persons authorized.

XX. And be it enacted, That the Assents of Proprietors required to be given in Writing for any of the Purposes of this Act may be given by the known Agent or Attorney of any such Proprietor.

Publication of final Notice to be conclusive.

XXI. And be it enacted, That the Publication of any such final Notice shall be deemed final and conclusive Evidence that the several preliminary Measures, Proceedings, and Requisitions herein-before directed to be taken and observed have been duly taken and observed, and no Error, Misdescription, Misnomer, Mis-statement, or Omission in any of the Maps, Plans, Sections, Estimates, Declarations, or Notices by this Act required to be prepared, lodged, enrolled, or given by the said Commissioners shall invalidate the same or any of them, or any of the Proceedings under this Act; and from and after the Publication of such final Notice no Error or Omission whatever in any of the Proceedings preliminary to the issuing of such final Notice shall be deemed to affect or invalidate any such Proceedings, or the Powers and Authorities of the said Commissioners, or prevent them from proceeding with the Execution of the Works in their Opinion necessary, and for that Purpose effecting any Purchases, and doing all Matters and Things requisite for carrying fully into effect any such Works, or the Provisions of this Act in relation thereto, nor to affect or invalidate any Award to be made by the said Commissioners in respect of any of the Works, or the County, District, or Lands to become chargeable in respect thereof, nor the Extent of such District or Lands to become liable for the Repayment of any Part of the Cost of the Works, nor any other Matter or Thing done or omitted to be done by the said Commissioners previously or subsequently to the publishing of such final Notice; and the Approval of or Assent to any Work which shall have been received by the said Commissioners from any such Meeting of any District, or from any Proprietor of Lands to become chargeable as aforesaid, shall be conclusive and binding upon such District and such Proprietor of and all Persons interested in the Lands of such Proprietor in respect of which respectively such Approval or Assent may have been given, and also upon and against the same District and Lands respectively; and it shall not be lawful for any Person whatever in any Manner to question or appeal against or in respect of any thing whatsoever done or omitted to be done by the said Commissioners under the Provisions of this Act (save only in such Case and such Manner as herein specially provided), nor shall any Proceedings to be had or taken by or on behalf of the said Commissioners for the Purposes of this Act be removed or removable by Certiorari into any of Her Majesty's Courts of Record.

Errors, Omissions, Misstatements, or Misnomers in Proceedings or Documents previous to and inclusive of the Publication of the final Notice shall not invalidate any of the Proceedings under this Act.

As to Expence of preliminary Proceeding.

XXII. And be it enacted, That in every Case where any such final Notice shall be published as aforesaid all the Costs and Expences of the preliminary Proceedings herein-before directed to be taken shall be considered as Expences incidental to the Execution of the Works proposed to be executed, and shall be defrayed accordingly; but if in any Case the said Commissioners shall determine that it is inexpedient to execute any of the Works referred to in any such Memorial, or other Works in lieu thereof, or if the necessary Presentment or Assents herein-before required to be obtained shall not be given to the Execution of the proposed Works, then and in any such Case all Expences which shall have been incurred shall be defrayed by the Person or Persons who shall have presented such Memorial as aforesaid, and the same shall be recoverable from such Person or Persons by the said Commissioners by Civil Bill or by Action or Suit in any of the Superior Courts in *Dublin*.

Final Declaration, when settled, to be deposited in the Court of Chancery.

XXIII. And be it enacted, That every such final Declaration, when so settled by the said Commissioners, shall be enrolled in the Rolls Office of Her Majesty's Court of Chancery in *Ireland* within Three Months after same shall have been finally settled; and a Copy thereof shall be deposited with the Clerk of the Peace of each County in which such District shall be situate, who is hereby authorized and required to receive and deposit the same amongst the Records of the County; and a Copy thereof, certified by the proper Officer of Her Majesty's Rolls Office, shall be Evidence that it was duly made, and that all the Requisitions of this Act in relation thereto were complied with.

After Publication of final Notice, Grants and Loans may be issued.

XXIV. And be it enacted, That after the Publication of such final Notice as aforesaid it shall be lawful for the said Commissioners of Her Majesty's Treasury to cause to be advanced out of the growing Produce of the Consolidated Fund of *Great Britain* and *Ireland* from Time to Time, upon the Application of the said Commissioners for the Execution of this Act, such Sum or Sums of Money for the Execution of the Works as shall have been specified in such final Declaration as the Proportion of the Cost of such Works, to be supplied by way of Grant, and the Monies so to be from Time to Time issued for the Purpose last aforesaid shall be accounted to be Part of the Money by this Act authorized to be issued by way of Grant, and it shall and may be lawful for the Commissioners of Public Works in *Ireland*, out of the Funds at their Disposal under the Provisions of the said first-recited Act, or any Act or Acts amending the same, from Time to Time to advance by way of Loan such Sum or Sums of Money for the Execution of such Works as shall have been specified by such final Declaration as the Proportion of the Cost of such Works to be supplied by way of Loan.

XXV. And

Works.

After Publication of final Notice, Commissioners may commence the Works.

XXV. And be it enacted, That at any Time after the Publication of any such final Notice as hereinbefore mentioned the said Commissioners may commence and proceed with the Works proposed to be executed, and to which such Notice may relate.

Commissioners to appoint Officers.

All Officers to account.

XXVI. And be it enacted, That it shall be lawful for the said Commissioners to appoint, employ, and dismiss at Pleasure such Engineers, Surveyors, Clerks, Collectors, Receivers, or other necessary Officers, and pay and allow, out of the Funds at their Disposal under this Act, to such Engineers, Surveyors, Clerks, Collectors, Receivers, and other Officers, such yearly or other Salary or Wages as the said Commissioners shall think fit; and all and every the Person or Persons employed as aforesaid shall, when required so to do by the said Commissioners, render to them a true and perfect Account of all Monies which shall have been received and paid by them respectively by virtue of such Employment, with proper Vouchers for the same, and shall pay to the said Commissioners, or such Person as they shall authorize to receive the same, all such Sums as shall be due to the said Commissioners from such Persons, and shall deliver up all Vouchers, Books, and Writings relating to their respective Offices to the said Commissioners; and in case any Person who shall be so employed as aforesaid shall refuse or neglect to render such Account, and make such Payment as aforesaid, or to deliver up such Vouchers, Books, and Writings to the said Commissioners, or to such Person as they shall empower to receive the same, then and in every of the said Cases it shall and may be lawful to and for any Two or more Justices of the Peace at Petty Sessions assembled to inquire into the Matter of such Default in a summary Way; and if such Person shall thereof be convicted, either by Confession or by the Testimony of any One or more credible Witness or Witnesses upon Oath, such Justices shall commit the Party to the Common Gaol of the County, there to remain for any Time not exceeding Twelve Calendar Months, or until he shall have made a perfect Account and Payment as aforesaid, and shall have delivered up all such Vouchers, Books, and Writings in his Custody, or shall have compounded or agreed with the said Commissioners, which Composition and Agreement the said Commissioners are hereby empowered to make: Provided always, that such of the Officers of the Board of Public Works, and Persons appointed Inspectors of Fisheries under an Act of the Fifth and Sixth Years of Her present Majesty's Reign, intituled *An Act to regulate the* Irish *Fisheries*, as the Commissioners for the Execution of this Act shall deem fit and by their Order direct, shall be Officers for the Purposes of this Act.

5 & 6 Vict. c. 106.

Power to execute the Works.

XXVII. And be it enacted, That it shall be lawful for the said Commissioners to contract with or employ such Contractors, Surveyors, Agents, and Workmen as they shall think fit, and to make and execute all such Works as shall be described in the Maps, Plans, and Sections herein-before mentioned, or such Deviations therefrom or such other Works as they shall deem necessary for effecting all or any of the Purposes of this Act, and for such Purposes to enter into and upon any Land whatsoever, and to widen, straighten, deepen, or divert any Channel, Sailing Course, River, or Stream, and to make or erect any Wharf, Landing Place, Pier, Quay, Harbour, Beacon, Bank, Sluice, Lock, Lockhouse, Lighthouse, or other Building, Drain, Tunnel, Road, Towing Path, Capstan, or other Works necessary for the Purposes of this Act, and also to make any Embankment against the Sea, or remove or cut away any Rocks or other Obstruction to Navigation, or make any navigable Cut or Channel, and to put and place on such Land any Piles, Stones, Earth, Soil, or other Materials for the Purposes of the Works, and also to stop up or divert any Road or remove any Bridge, and to make any new Road or Bridge, and also from Time to Time to repair, alter, or improve any Harbour, Wharf, Landing Place, Quay, Pier, Road, or other Works now made or to be made as aforesaid, and also to do all such Things, and erect such Engines, and execute all such Works as may be necessary or convenient for the Purposes of this Act, making Compensation, to be ascertained in the Manner herein-after mentioned, to all Persons for any Damage occasioned to them by the Exercise of any such Powers.

Commissioners may enter Lands, and dig for Materials, on making Compensation.

XXVIII. And be it enacted, That it shall be lawful for the said Commissioners, or any Engineer, Workman, or other Person authorized by them, after Three Days previous Notice, to enter into, and to search for, dig, take, and carry away Materials out of any Land, for the Purpose of executing or repairing any Works under the Provisions of this Act, making such Compensation for the Surface Damage done, to the Proprietors, Lessees, or Occupiers of such Lands, according to their respective Interests therein, as to the said Commissioners shall seem fit and reasonable; and in case of Dispute such Compensation shall be settled, on a Summons to be issued for that Purpose, by any Two or more Justices of the Peace for the County in which such Land is situate, at Petty Sessions: Provided always, that in all Cases where Materials shall be taken from an open Quarry *bonâ fide* demised to any Person with Liberty to raise, sell, and dispose of the Materials therein, the Value of such Materials shall be paid for by the said Commissioners, and the Amount owing, in the Event of Difference as to the same, shall be settled on Summons by any Two or more Justices as aforesaid.

Commissioners to fill up Holes and Pits not found useful, and fence off those that may be useful.

XXIX. And be it enacted, That if by reason of the searching for, digging, or getting any Materials as aforesaid any Pit or Hole be made in any Common or other Land wherein such Materials shall be found, the said Commissioners shall forthwith, where the same shall be necessary for the Safety or Security of the Public, or if the Proprietor or Occupier shall so require, cause the same to be sufficiently fenced off during such Time as the said Pit or Hole shall be used, and shall within Six Days after having dug up sufficient Materials, if such Pit or Hole is not likely to be further useful, cause the same to be filled up, sloped down, or fenced off, and so continued, and if the same is likely to be further useful the said Commissioners shall cause the same to be sufficiently secured by Posts and Rails or other Fences so as to prevent Accidents to Cattle or Persons.

Works.

When Lands cut through shall be less than an Acre in Quantity, or less than 15 Yards wide, Commissioners to purchase the whole if required.

XXX. And be it enacted, That if in the Execution of any of the Works authorized by this Act any Field, Close, or Parcel of Land shall be cut through or divided from the Remainder of any Estate, Farm, or Property, so that there shall be left on each or either Side of the said Works or any of them less than One Statute Acre in Quantity or less than Fifteen Yards in Breadth, then and in every such Case the said Commissioners shall (if thereunto required by the Proprietor of such Field, Close, or other Land so cut through or divided,) take and purchase such Piece or Parcel or Pieces or Parcels so to be left as aforesaid of such Field, Close, or Land, and shall pay for the same in the same Manner as for the Land actually required for the Purpose of this Act; and the said Commissioners are hereby authorized and empowered to sell such Lands which they shall be so required to take and purchase as aforesaid, and cause the same to be conveyed to any Person or Persons whomsoever who shall be willing to purchase the same; and any Profit or Loss arising from such Sale and Resale shall be respectively placed to the Account of the Work in respect of which such Lands shall have been purchased.

Purchase of Lands.

Commissioners may purchase Land for the Purposes of the Act.

XXXI. And be it enacted, That it shall be lawful for the said Commissioners to purchase any Lands which they shall think it necessary or proper to purchase for accomplishing any of the Purposes of this Act, and also any Land, not exceeding Five Acres, at, about, and immediately adjoining to the Site of any Pier, Harbour, Quay, or Landing Place to be constructed or improved under the Provisions of this Act, which they may deem requisite, as Sites for the building or constructing Market Places, Drying Sheds, or for Ground for spreading and mending Nets, or for other Purposes of a public Nature, calculated to promote and improve the Fisheries, making such reasonable Satisfaction and Recompence to the Person entitled to or interested in such Land as may be agreed upon, or shall be settled and ascertained in manner herein-after mentioned.

Corporations, Trustees, and other Persons empowered to sell and convey, &c.

XXXII. And be it enacted, That it shall be lawful for every Corporation, and for every Trustee and Feoffee in Trust for charitable or other Purposes, and for every Executor and Administrator, not only for and on behalf of himself, his Heirs, Executors, and Administrators respectively, but also for and on behalf of his Cestuique Trust, whether Infant, Feme Covert, Idiot, Lunatic, or Persons not born or not ascertained, or any other Person whomsoever, and to and for any Tenant for Life, or for Years absolute and determinable on any Life or Lives, and every Person having any other partial or qualified Estate or Interest in any Land required to be purchased for any of the Purposes of this Act, or injuriously affected by any such Works as aforesaid, not only for and on behalf of himself, his Heirs, Executors, Administrators, and Issue, but also for and on behalf of the Person entitled in Remainder, Reversion, Expectancy, or Contingency, or for any other future Estate or Interest, where such Person or any of such Persons (if more than One), whether entitled to the next or any subsequent Estate or Interest, or any Part thereof, shall not be ascertained, or shall be incapable of contracting for, selling, or conveying the same, and to and for every Guardian on behalf of his respective Ward, Husband on behalf of his respective Wife, Committee on behalf of the Person of whose Estate he shall be Committee, and the Heirs, Executors, Administrators, and Issue of such Ward, Wife, or Person respectively, and to and for any Feme Covert entitled in her own Right to any such Land, or to Dower or other Interest therein, on behalf not only of herself but also of her respective Heirs, Executors, Administrators, and Issue, and also where such Ward, Wife, Person, or Feme Covert respectively shall be Tenant for Life or in Tail, or for Years, or have any other partial or qualified Estate or Interest, to and for such Guardian, Husband, Committee, and Feme Covert, on behalf of the Person or Persons on behalf of whom such Ward, Wife, Person, or Feme Covert respectively, if of full Age, unmarried, and of sound Mind, might have contracted for, sold, and conveyed the same Land, and to and for every other Person whomsoever who is or shall be seised or possessed of or interested in any such Land, to contract or agree for the absolute Sale or Exchange thereof, and of every or any Part thereof, to the said Commissioners, or to contract for the Amount of Compensation which shall be paid for any Injury thereto, or for the Payment of such Sum of Money for Equality of Exchange as shall be determined by the said Commissioners, and also to execute any Conveyance or enter into any Contract with respect to the Premises which the said Commissioners shall deem necessary for the due Execution of this Act; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be valid and effectual, and all Monies payable by the said Commissioners in respect thereof shall be paid by the said Commissioners out of the Monies to be raised by virtue of this Act, as herein-after mentioned.

Form of Conveyance.

XXXIII. And be it enacted, That all Conveyances which shall be executed to the said Commissioners of any Land which shall be required by them for any of the Purposes of this Act shall be in the following Form, or as near thereto as the Number of Parties and the Nature of the Case will admit; namely,

' of in in consideration of the Sum
' of paid to [*or* paid into the Bank of Ireland, *as the Case may*
' *be*,] by the Commissioners appointed under an Act passed in the Year of the Reign
' of Her Majesty Queen Victoria [*here set forth the Title of this Act*], do hereby grant and release to
' the said Commissioners all [*describing the Premises*], together with all Ways, Rights, and Appurtenances
' thereunto belonging, and all Estates, Rights, and Interests in the same and every Part thereof, to hold
' to the said Commissioners and their Successors for ever, according to the true Intent and Meaning of
' the said Act. In witness whereof I have hereunto set my Hand and Seal on this
' Day of in the Year of our Lord One thousand eight hundred and .'

Satisfaction to be made, and

XXXIV. And be it enacted, That every Corporation, and every Trustee and other Person hereinbefore capacitated to contract for, sell, and convey any such Land as aforesaid, and any other Owner of any

Purchase of Lands.

any such Land, or of any Share, Estate, or Interest therein, may accept and receive such Satisfaction and Recompence for the Value thereof, and such Corporation, Trustee, Person, or Owner, and also any Tenant for a Year, or from Year to Year, or at Will, or other Occupier of any Land, entitled to such Compensation for such Injury or Damage as shall be sustained on account of the Execution of this Act, or in anywise relating thereto, may accept and receive such Sum of Money in respect thereof as shall be agreed upon between him respectively and the said Commissioners; and in case the said Commissioners and the said Party interested in such Land, or sustaining such Injury or Damage, cannot or do not agree as to the Amount or Value of such Satisfaction, Recompence, or Compensation, the same respectively shall be ascertained and settled in manner herein-after directed.

may be accepted.

Commissioners empowered to award the Value.

XXXV. And be it enacted, That if any such Corporation, Trustee, or other Person interested in or herein-before authorized to contract for, sell, and convey any such Land as aforesaid shall neglect or refuse to treat or shall not agree with the said Commissioners, or by reason of Absence or Disability cannot agree, or cannot be found or known, or shall not prove a clear Title to the Land, or the Estate or Interest which he shall claim therein, to the Satisfaction of the said Commissioners, or in case any such Corporation or Trustee or other Person sustaining any such Injury or Damage as aforesaid shall not accept such Satisfaction or Recompence for the same as shall be offered by the said Commissioners, for the Space of Thirty Days after Notice published in some Newspaper circulating in the County in which such Lands shall be situate, and a Copy of such Notice given to the principal Officer or Officers of such Corporation, or to such Trustee or Person respectively, or left at his respective Place of Abode, or at the House of the Tenant or Occupier of such Land intended to be purchased, taken, or used for any of the Purposes of this Act as aforesaid, then in every such Case the said Commissioners are hereby empowered, at a Time and Place to be specified in such Notice as last aforesaid, to inquire and examine, by themselves or One of them, or by any Officer to be appointed for that Purpose, and to award the Sum of Money to be paid for the Purchase of such Land, or the Recompence or Satisfaction to be made for Damage that may or shall be sustained as aforesaid, and to settle and ascertain in what Proportions the Sum so awarded shall be paid to the several Persons interested in such Land, or in any Charge, Lien, or Incumbrance thereon, and what Abatements (if any) shall be made in the Rents payable out of the Land named or described in such Award, or any Land held in conjunction therewith; and the said Commissioners shall award such Purchase Money or Recompence so to be assessed, and the said Commissioners shall and may in such Award name or describe the Persons (if known to the said Commissioners) to whom respectively the Sum mentioned therein shall be paid, and in what Proportions the same shall be paid to and among such Persons where more than One, and the Land, naming or describing the same, in respect of which such Sum has been so awarded, and also what Abatements (if any) shall be made in the Rents payable out of the Land named and described in such Award, or any Land held under the same Lease or Instrument in conjunction therewith; and the said Commissioners shall notify and appoint a Time and Place for holding a Meeting for the Confirmation of their said Award, and they, or One of them, shall attend at such Time and Place, and at such Meeting, or at some Adjournment thereof, proceed to consider each Case, and hear all Objections which may be made thereto by any Person whatsoever, and receive all such Evidence as they shall find pertinent and proper, and amend or confirm and settle each such Award accordingly; and such Award shall be conclusive and binding upon the Queen's most Excellent Majesty, and all other Persons interested, except in the Case and subject to the Provisions herein-after contained: Provided always, that after having offered to any Proprietor or Occupier of any Land such Sum as the said Commissioners shall think reasonable, it shall and may be lawful for them, without further Delay, to enter into and upon such Lands for the Purposes of this Act, and to proceed with such Works thereon as shall in the Opinion of the said Commissioners be necessary.

Any Person dissatisfied with the Adjudication of the Commissioners may appeal to the Assistant Barrister at Quarter Sessions;

who may determine the Matter either by or without the Verdict of a Jury, if required.

XXXVI. Provided always, and be it enacted, That if any Person interested or claiming to be interested in any Land which may be made the Subject of any such Award as aforesaid shall be dissatisfied therewith, either as respects the Amount of the Value or the Compensation awarded in respect thereof, or of any Abatement to be made in any Rent, or as respects the Persons to whom or the Proportions in which such Value or Compensation is to be paid or Abatement made, it shall be lawful for such dissatisfied Person to appeal to the Quarter Sessions which shall be held next after any such Award shall have been made and settled as aforesaid, for the Division of the County wherein such Land shall be wholly or in part situate (provided same shall not be held sooner than Thirty-one Days after the making of such Award), the Party appealing, if there be sufficient Time after such Award, having first given to the said Commissioners Twenty-one Days Notice at least of his Intention of bringing such Appeal, and of the Matter thereof; and if there shall not be Thirty-one Days between the making of such Award and the Day appointed for holding such Sessions, then such Appeal may be made at the Second Quarter Sessions which shall be holden for such Division of such County after such Award; and the Assistant Barrister at such First or Second Quarter Sessions, or any Adjournment thereof, upon due Proof of such Notice having been given, is hereby empowered and required to hear and finally determine the Matter of such Appeal, either by or without the Verdict of a Jury, as the Party appealing shall require, and may order such Sum to be paid for the Costs thereof to be paid wholly or in part by either of the Parties thereto, and may, by Warrant under his Hand, direct such Costs so awarded to be levied by Distress and Sale of the Goods and Chattels of the Party or Parties who shall refuse or neglect to pay the same: Provided always, that if no Notice of Appeal shall be served on the said Commissioners within Fourteen Days next after their Award shall be made the same shall be final, binding, and conclusive upon all Persons, and to all Intents and Purposes whatsoever.

XXXVII. And

Purchase of Lands.

Jurors to be summoned.

XXXVII. And be it enacted, That if in any Notice of Appeal to be served on said Commissioners as aforesaid the Party appealing shall require a Jury to be summoned for determining the Matter of such Appeal, then and in every such Case the said Commissioners shall issue their Warrant under their Hands and Seals to the Sheriff of the County where such Appeal is to be heard, commanding such Sheriff to impannel, summon, and return a Jury, and such Party shall also serve a Copy of such Notice of Appeal on such Sheriff; and the said Sheriff to whom the said Warrant shall be directed or such Notice given is hereby required accordingly to impannel, summon, and return a Jury of Twenty-four Men, qualified according to Law to be returned for Trials of Issues joined in Her Majesty's Courts in *Dublin*, to appear before the said Assistant Barrister at such Time and Place as in such Warrant or Warrants shall be appointed, not being less than Fourteen Days after such Warrant shall be served upon the said Sheriff, upon pain to forfeit for every Default in not making such Return Five Pounds, to be sued for and recovered in the Manner herein-after directed, and also to return in Issues upon every Person so impannelled and returned, who, contrary to the true Intent and Meaning of this Act, shall not appear, the Sum of Forty Shillings, which shall be levied by Distress and Sale of the Goods and Chattels of the Person not appearing as aforesaid, by Warrant under the Hand and Seal of the said Assistant Barrister; and in case a sufficient Number of Jurymen shall not appear at such Time and Place, the said Sheriff shall return other honest and indifferent Men that can speedily be procured to attend that Service, being qualified as aforesaid, to make up the said Jury to the Number of Twelve; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen; and the said Assistant Barrister is hereby empowered, by Warrant under his Hand and Seal, from Time to Time as Occasion shall require, to summon and call before him all and every such Person and Persons as shall be thought necessary to be examined as Witnesses touching the Matters in question; and the Assistant Barrister may order and authorize the said Jury, or any Six or more of them, to view the Place or Matter in question, which Jury (upon their Oaths, to be administered by the said Assistant Barrister, which Oaths, as also the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Assistant Barrister is hereby empowered to administer,) shall inquire of, assess, and ascertain the Sum of Money to be paid for the Purchase of such Land, or the Recompence or Satisfaction to be made for Damages that may or shall be sustained as aforesaid, and what Abatements (if any) are to be made to any Tenant or Occupier of such Land, and to settle and ascertain in what Proportions the Sums so assessed shall be paid to the several Persons interested in the Premises.

Jurors may be challenged.

Judgments of Assistant Barristers to be binding on all Parties.

XXXVIII. And be it enacted, That in all such Cases of Appeal as last aforesaid the Assistant Barrister shall give Judgment for such Purchase Monies or Recompence, whether the same shall have been assessed and ascertained by such Juries, or finally determined by such Assistant Barrister; and the Verdicts of such Juries, and the Judgments thereon, and the Judgments of said Assistant Barrister where no such Verdicts shall be given, shall be binding, final, and conclusive to all Intents and Purposes against all Parties, Corporations, and Persons whomsoever.

Jurymen refusing to be sworn or give Verdict to forfeit a Sum not exceeding 40*s*.

XXXIX. And be it enacted, That if any Person summoned as a Juryman as aforesaid shall after his Appearance refuse to be sworn, or being so sworn refuse to give or not give his Verdict, or in any other Manner wilfully neglect his Duty in the Premises, contrary to the true Intent and Meaning of this Act, every Person so offending, having no reasonable Excuse, to be allowed by the said Assistant Barrister, shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Forty Shillings, to be levied on the Goods and Chattels of the Person so offending, by Warrant under the Hand and Seal of the said Assistant Barrister, by Distress and Sale of the Offender's Goods, rendering the Overplus to the Owner thereof, after such Penalty, and the Charges of such Distress and Sale, are deducted.

Awards, Verdicts, and Judgments to be recorded.

XL. And be it enacted, That such of the aforesaid Awards of the said Commissioners as shall not be appealed from, and the Judgments and Verdicts so given as aforesaid, shall be respectively transmitted to and be kept by the respective Clerks of the Peace of the Counties in which the Land in respect of which such Awards, Judgments, or Verdicts shall have been respectively made shall be situate, and shall be deposited with the Records, and deemed Records of such Counties respectively, to all Intents and Purpose; and the same, or certified Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever, and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of Sixpence, or to have Copies thereof, paying for every Copy the Sum of Three Halfpence for every Seventy-two Words, and so in proportion for any greater or less Number of Words.

Application of Compensation Money when amounting to or exceeding 200*l*.

XLI. And be it enacted, That if any Money shall be adjudged or awarded to be paid for any Land purchased, taken, or used by virtue of the Powers of this Act, or as Compensation for any Damage or Injury to any Land, which shall belong to any Corporation, or to any Trustee or Feoffee, Executor, or Administrator, or any Husband, Guardian, or Committee, for or on behalf of any Feme Covert, Infant, Idiot, or Lunatic, or to a Tenant for Life, or any Person who shall have no Power to give a valid Receipt for the same, or to sell or convey the same Land, otherwise than by virtue of this Act, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the Court of Chancery or Exchequer, to be placed to his Account there *ex parte* the Commissioners for executing this Act, setting forth the Title hereof, and without Fee or Reward; and shall, when so paid in, there remain until the same shall, by Order of the said Court, made upon a Petition to be preferred to the said Court in a summary Way by the Person who would have been entitled to the Rents and Profits of the said Land, be applied in or towards the Discharge of any such Debt or other Incumbrance affecting the same Land, or any other Land or Property standing settled therewith to the same or the like Uses, Trusts,

Trusts, Intents, and Purposes, as the said Court of Chancery or Exchequer shall authorize to be paid, or such Part thereof as shall be necessary; or the same Money shall, upon the like Application in a summary Way, be laid out, by Order of the said Court, in the Purchase of other Land, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purpose, and in the same Manner, as the Land which shall be so purchased, taken, or used, or damaged or injured as aforesaid, stood settled or limited, or such of them as shall be then existing undetermined or capable of taking effect; and in the meantime and until such Order can be obtained the said Money may, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of any Stocks, Funds, or Annuities transferable at the Bank of *Ireland*; and in the meantime, and until the said Stocks, Funds, or Annuities shall be sold by Order of the said Court for the Purpose aforesaid, the Dividends or annual Produce thereof shall from Time to Time be paid to the Person who would for the Time being have been entitled to the Rents and Profits of such Land so to be purchased, conveyed, and settled.

Purchase of Lands.

XLII. Provided always, and be it enacted, That if any Money so adjudged or awarded to be paid for any Land purchased, taken, or used for the Purposes aforesaid, or damaged or injured as aforesaid, belonging to any Corporation, or to any Person as last aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person for the Time being entitled to the Rents and Profits of the Land so purchased, taken, or used, or damaged or injured, or of his Guardian or Committee, in case of Infancy, Lunacy, or other Incapacity, to be signed in Writing under their Common Seal or respective Hands (as the Case may require), be paid into the Bank of *Ireland* in the Name and with the Privity of the said Accountant General, and be placed to his Account as aforesaid, in order to be applied in the Manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two or more Trustees, to be nominated by the Person who for the Time being would be entitled to the Rents and Profits of the Land so to be purchased, taken, or used, or damaged or injured as aforesaid, such Nomination to be approved of by the said Commissioners, and such Nomination and Approbation to be signified in Writing under the Hands or Common Seal of the nominating and approving Parties; and the Monies so paid to such Trustees, and the Dividends and Produce arising thereon, may be applied by such Trustees in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank of *Ireland*, without being required to obtain any Order of the Court of Chancery or Exchequer touching the Application thereof.

When less than 200*l.* and amounting to or exceeding 20*l.*

XLIII. Provided also, and be it enacted, That if any Money so adjudged or awarded to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in every such Case the same shall be paid to the Person who would for the Time being have been entitled to the Rents and Profits of the Lands so purchased, taken, or used, or damaged or injured, for the Purposes of this Act, for his own Use and Benefit, or in case of Infancy or Lunacy or other Incapacity, then to the Person acting as Guardian, Committee, or Trustee of such Person, to and for the Use and Benefit of the Person entitled thereto.

When less than 20*l.*

XLIV. And be it enacted, That where by reason of any Disability or Incapacity of any Party entitled to any Land to be taken, purchased, or used, or in respect of which any Compensation or Satisfaction shall be payable, under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *Ireland*, to be applied in the Purchase of other Land, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all such Purchases, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners out of the Monies to be received by virtue of this Act; and the said Commissioners shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

The Court may order reasonable Expences of Purchases to be paid by the Commissioners.

XLV. And be it enacted, That if any Corporation or Person seised or possessed of or having any Estate or Interest in any such Land as aforesaid cannot be found, or shall not be known, or shall not prove a good Title to such Land to the Satisfaction of the said Commissioners or any Person authorized by them, or shall refuse to execute a Conveyance thereof, then and in every such Case it shall be lawful for the said Commissioners to pay such Sum of Money as shall have been contracted and agreed or shall have been adjudged in manner aforesaid to be paid for the Purchase or for the Value of such Land, into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the said Court of Chancery or Exchequer, to be placed to his Account to the Credit of the Party interested in the said Land (describing such Land), or if such Party shall not be known, then to the Credit of the then unknown Person interested in the said Land (describing the same), subject to the Order, Control, and Disposition of the said Court; which said Court, on the Application of any Corporation or Person making Claim to such Sum of Money or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem fit, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate, Title, or Interest of the Corporation or Person making claim thereto, and to make such Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier of the Bank of *Ireland* who shall receive such Sum of Money is hereby required to give a Receipt for such Sum of Money; and upon Payment of such Sum of Money into the Bank, as lastly herein-before is mentioned, the Land for the Purchase or for the Value of which the same shall have been agreed and awarded to be paid, and the Fee Simple and Inheritance thereof, or other the absolute Interest therein,

Premises to vest in the Commissioners, upon Payment into Bank of the Money agreed upon, or assessed, when Conveyances cannot be obtained.

Purchase of Lands.

therein, together with the yearly Profits thereof, and all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Corporation or Person, or unknown Person, to whose Credit such Money shall be paid, in, to, and out of the Land, shall vest in the said Commissioners, and they shall be deemed in Law to be in the actual Seisin or Possession thereof to all Intents and Purposes whatsoever, as fully and effectually as if every Corporation or Person having any Estate in such Land had actually conveyed the same; and such Payments shall not only bar all Right, Title, Interest, Claim, and Demand of the Corporation or Person, or unknown Person, of, in, or to the same Land, to whose Credit such Payment shall have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of such Person, and all Estates Tail and other Estates in possession, reversion, remainder, expectancy, or contingency, and the Issue of such Person, and every other Person whomsoever.

In Cases of questionable Title of Persons in possession.

XLVI. Provided always, and be it enacted, That where any Question shall arise touching the Title of any Person to any Money which shall be paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the said Court of Chancery or Exchequer, in pursuance of this Act, for the Purchase of any Land to be taken or purchased in pursuance of this Act, or to any Bank Annuities or Government or Real Securities, the Person who shall have been in possession of such Land at the Time of such Purchase, and all Persons claiming under such Person, or under the Possession of such Person, shall be deemed and taken to have been lawfully entitled to such Land until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful Possession, and that some other Person was lawfully entitled to such Land, or to some Estate therein.

Estate of Mortgagees to vest in Commissioners on Payment of Principal and Interest;

XLVII. And be it enacted, That if any Person shall have any Mortgage or be entitled to any Sum of Money charged on any Land taken or purchased under this Act, then, on Payment of the Principal and Interest due thereon, or in case a Part only of any Land subject to such Charge or Mortgage be so taken or purchased, then a proportionate Share of such Principal and Interest (to be ascertained, in case of Dispute, in the Manner herein-before provided for ascertaining the Value of Land taken or purchased for the Purposes of this Act), to such Mortgagee or Person entitled thereto, or into the Bank of *Ireland*, for the Use of the Mortgagee or other Person entitled thereto, all the Estate of the said Mortgagee or other Person, and of every Person in trust for him, in the Land or the Portion of Land so taken or purchased, shall vest in the Commissioners, and they shall be deemed to be in the actual Possession thereof, free from the same Mortgage or Charge, to all Intents and Purposes whatsoever: Provided always, that

or if such Principal and Interest exceed the Value of the Property, then on Payment of the Value.

if the Money and Interest due in respect of any Mortgage or Charge on any Land purchased or taken under this Act shall amount to more than the Value of the Premises charged therewith, or such of them or of such Part thereof as shall be purchased or taken under this Act, then, upon Payment to such Mortgagee or Person, or into the Bank, in manner herein-before mentioned, of the Sum to be ascertained as the Value of the Estate or Interest so mortgaged or charged on the Land, or Part thereof, so to be taken and purchased as aforesaid, all the Estate of the said Mortgagee or Person as aforesaid, and of every Person in trust for him, in the said Land or any Part thereof the Value whereof shall have been so ascertained and paid as aforesaid, shall vest in the Commissioners, and they shall be deemed to be in the actual Possession of the said Lands, to all Intents and Purposes whatsoever, freed from such Mortgage or Charge as aforesaid; and the Mortgagor or other Person entitled to redeem shall be and is hereby barred and foreclosed from all Right and Equity of Redemption of and in the same Land or Portion of Land.

Lien shall remain on Premises not conveyed in Proportions.

XLVIII. And be it enacted, That when any Rent, or any such Charge, Incumbrance, or Lien as aforesaid, shall also be payable out of or extend over and be a Charge, Incumbrance, or Lien on any Lands other than those which shall be taken or injured by or conveyed to or vested in the said Commissioners, then and in such Case neither this Act nor any Conveyance so made as aforesaid shall in any respect discharge, affect, or alter the Force, Validity, or Effect of such Charge, Rent, Incumbrance, or Lien, so far as relates to such other Lands, Tenements, or Hereditaments, but that as to all such the same shall respectively continue, be good, valid, and subsisting, subject nevertheless to such Reduction of Rent (if any) as may be made in respect of such Lands under the Provisions herein contained.

Power to enter and take possession of Land, &c. on Payment or Tender of Purchase Money.

XLIX. And be it enacted, That upon Payment into the Bank of *Ireland*, as herein directed, or upon Payment or legal Tender of any such Sum of Money as shall have been contracted for between the Parties, or adjudged in manner aforesaid, for the Purchase of any Land, or as a Recompence for the yearly Produce or Profits thereof, or as a Compensation for Damages, as herein mentioned, to the Proprietor of such Land, or to such Person as shall be entitled thereto under any of the Provisions herein contained, it shall be lawful for the said Commissioners, or their Agents, Workmen, or Servants, immediately to enter upon and use such Land.

Commissioners may forego the taking of any Land on serving a Notice, within Six Months from the Time of Contract or

L. Provided always, and be it enacted, That if it shall seem expedient to the said Commissioners, at any Time or Times within Six Months after any Adjudication or Contract shall be made, given, or entered into under the Provisions of this Act, not to take or injure the whole or any Part of any Land, or other Matters or Things named or described in such Adjudication or Contract, it shall be lawful for the said Commissioners to serve a Notice upon or cause the same to be left at the usual Place of Abode of the Person or Persons who are or appear by the said Adjudication or Contract to be interested in such Land or other Matters or Things, stating that the same, and what Part thereof, will not be taken for

or

or injured by any thing to be done under this Act; and the Adjudication or Contract mentioned in the said Notice, or such Part thereof as shall relate to the Part not required to be taken or injured as aforesaid, (at the Option of the said Commissioners,) shall be utterly void and of none Effect, to all Intents and Purposes whatsoever; and in case a Part only of any Adjudication or Contract shall become void as aforesaid, the said Commissioners shall fix and ascertain the Portion of the Sum mentioned in such Adjudication or Contract which should be deducted on account of the Part not required to be taken or injured, and if necessary apportion the Residue among the Persons entitled thereto; and the said Commissioners shall amend such Adjudication or Contract accordingly, and such amended Adjudication or Contract shall have all the Force and Effect and shall be subject to the like Appeal as any other Adjudication or Contract under this Act: Provided always, that in all Cases where the Commissioners shall serve Notice that it is not intended to take or injure the whole nor any Part of such Land, the Person or Persons interested in such Land, and incurring any Loss or Expence in consequence of the Commissioners having previously required the same, shall be entitled to Compensation for such Loss and Expences, and in case the Amount thereof cannot be agreed upon the same shall be recovered by Civil Bill before the Assistant Barrister of the County in which such Land shall be situate, and such Assistant Barrister is hereby authorized and required to hear and determine the same.

Adjudication, that the same will not be required.

Proviso.

LI. And be it enacted, That it shall be lawful for the said Commissioners to demise or lease to any Company, Corporation, or Person whatsoever, for ever, or for any Term that may be agreed upon, in such Lots or Divisions as to them may seem fit, any Lands of which they may become possessed under the Provisions of this Act, for the Purpose or as a Site for the Erection of any Market House, Drying Sheds, or other Building of a public Nature, or for the Erection of Curing Houses, or Stores for Salt and Materials used in the Trade of Fishing, or for Yards and Slips for the making and Repair of Vessels and Boats, or for Ropewalks, and any other public Purposes in the Opinion of the said Commissioners tending to promote and improve the Fisheries; and the said Commissioners shall reserve such Rent for all Lands so demised as to them shall seem fair and reasonable, and shall in every such Lease require a Covenant to be inserted, binding the Party or Person to whom such Lease shall be made to expend on such Land, within a Time to be in such Lease limited, such Sum in Building or Buildings, or otherwise, as to the said Commissioners shall seem fit, and to use the Lands so demised for the special Purpose for which it shall be demised, and no other, on pain of Forfeiture of such demised Premises: Provided always, that such Lands shall not be let or used for the Purpose of erecting thereon any Messuage or Dwelling House whatever, save and except such Messuage or Dwelling House as the Commissioners of the Treasury shall approve, for Collectors of Tolls, and the Keepers of such Market Houses, Stores, or Yards as aforesaid, or for Police, Revenue, or Coastguard Barracks, or other such Objects of a public Nature.

Commissioners may demise or lease Lands purchased for any Purposes calculated to improve the Fisheries.

Security for Loans and Repayment.

LII. And be it enacted, That as soon as conveniently may be after any Work for the Purposes of this Act shall have been completed the said Commissioners shall draw up or cause to be drawn up a final Award or Instrument in Writing, which shall describe the Work or Works which shall have been so completed, and such final Award shall also specify the Amount of the Sums which shall have been expended in and about the Works which shall have been executed, and all Expences incident thereto (including the Interest of all borrowed Monies), and the Proportions of such Sums which shall have been advanced by way of Grant and by way of Loan towards Payment of the total Amount of the Costs, Charges, and Expences of such Works or incidental thereto, and whether the Monies advanced by way of Loan, with Interest, shall be repaid in One Sum or by Instalments, and if by Instalments then said Award shall also specify the several Instalments, and the Manner by and in which such Proportions shall be paid, and, regard being had to the Circumstances of each particular Case, and the final Declaration made as before directed in respect thereof, the said Award shall also specify the Amount of such Money advanced by way of Loan, which shall be charged, with Interest, upon the County or Counties, or District, or the Lands of any Proprietor or Proprietors, or proportionally on such County, District, or Lands, or either or any Two of them, as the Case may be, and describing such County, District, or Lands respectively; and the said Commissioners shall also cause to be inserted in every such final Award all such other Determinations, Matters, and Things as the said Commissioners shall think necessary and proper, and the said Commissioners shall sign such Award under their Hands.

Commissioners to make an Award upon Completion of any of the Works.

LIII. And be it enacted, That every such final Award, when settled and signed by the said Commissioners, shall be enrolled in the Rolls Office of Her Majesty's Court of Chancery in *Ireland* within Three Months after the same shall have been finally settled, and a Copy thereof shall be deposited with the Clerk of the Peace of each County in or near which such Works shall be situate, who is hereby authorized and required to receive and deposit the same amongst the Records of the County; and such Award, when so finally settled and enrolled, shall be binding and conclusive on all Parties and Persons whomsoever, and a Copy thereof, certified by the proper Officer of Her Majesty's Rolls Office, shall be Evidence that it was duly made, and that all the Requisitions of this Act in relation thereto were complied with; and the said Commissioners shall, within One Month after the said Award shall be finally settled, cause such Award to be printed, and kept for Sale at a Price not exceeding Sixpence for each printed Copy thereof.

Award, when finally settled, to be deposited in the Court of Chancery.

LIV. And be it enacted, That any Sum of Money which under the final Award of the said Commissioners shall be payable by any County in respect of Monies advanced by way of Loan for or in respect of any Work under the Provisions of this Act shall be payable by the Grand Jury of such County, and the Secretary of the said Commissioners shall certify to the Secretary of such Grand Jury the Amount of such Sum of Money, and the Instalments and Manner by and in which the same is payable under the Award of the said Commissioners, and such Grand Jury is hereby required, without Application to Presentment

Repayment of Loan when payable by a County, to be raised by Presentment.

Security for Loans and Repayment.

Presentment Session, to make Presentment of the Amount of such Costs, Charges, and Expences, or of the Instalments from Time to Time payable in respect thereof, as stated in such Certificate, together with Interest thereon respectively at a Rate not exceeding Five Pounds *per Centum per Annum* from the Date of such Award, to be raised off the County at large; and in default of such Presentment the Court at such Assizes shall order such Amount or Instalments, with Interest as aforesaid, to be raised off such County, and such Order shall have the Force of a Presentment, and the Treasurer of such County shall insert such Amount or Instalments, with the Interest thereon, as same shall be from Time to Time payable, in his Warrant or Warrants, and same shall be applotted, raised, and levied as if the same had been duly presented; and when and so soon as such Amount or Instalments as aforesaid, with the Interest thereon, shall be raised and received by the Treasurer of the County, such Treasurer shall immediately pay the same to the said Commissioners, and the same shall be by them paid over and applied as hereinbefore directed in case of Repayment of Loans.

Repayment of Loan when assessed upon a District.

LV. And be it enacted, That any Sum of Money which under such final Award as aforesaid shall be payable as aforesaid by any District in respect of Monies advanced by way of Loan for or in respect of any Work under the Provisions of this Act, together with Interest on such Sum at a Rate not exceeding Five Pounds *per Centum per Annum* from the Date of such Award, shall be charged upon the Occupiers of and other Persons rateable in respect of Lands and Hereditaments within such District, and rated under the then last preceding Rate or Rates made or from Time to Time made in respect of the same under the Provisions of an Act of the First and Second Years of Her present Majesty, intituled *An Act for the more effectual Relief of the Destitute Poor in* Ireland, and any Act amending the same, and shall be payable either in One Sum or by Instalments, as specified in such Award, by the respective Rate-payers who under the said last preceding Rate or Rates shall have paid or contributed or been liable to pay or contribute Rate in respect of Property in such District, according to the several Valuations according to which respectively such last preceding Rate or Rates shall have been so made charged upon and payable by the Rate-payers in respect of such Lands or Hereditaments respectively: Provided always, that any such Sum of Money or Instalment thereof, with Interest as aforesaid, shall be assessed and levied by the said Commissioners as a Poundage Assessment equally upon the net annual Value of the several Lands and Hereditaments within such District, rated as aforesaid, as such net annual Value shall have been stated in such last preceding Rate as aforesaid.

1 & 2 Vict. c. 56.

Copies of Rate may be taken by the said Commissioners for Purposes of this Act.

LVI. And be it enacted, That for the Purpose of ascertaining the rateable Property and the Rate-payers within any such District as aforesaid it shall and may be lawful for the said Commissioners to apply to the Guardians of the Union or respective Unions within which the respective Lands forming such District as aforesaid shall be situate; and such respective Guardians are hereby required to permit and suffer any Person authorized by the said Commissioners to take a Copy or Copies of so much of any such last preceding Rate or Rates as aforesaid as relates to any of such Lands or Hereditaments within any such District; and in case any Person or Persons having the Custody of any such Rate or Rates refuse to permit or shall not permit such Person so authorized by the said Commissioners to take such Copy or Copies thereof or Extracts therefrom respectively as aforesaid, the Person or Persons refusing or not permitting such Copy or Extract to be made shall for each and every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Commissioners, by Warrant to appoint Collectors, and recover Assessment from District.

LVII. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time, by any Warrant or Warrants under their Hands and Seals, to appoint any Person or Persons whom they may think fit to collect the several and respective Sums of Money payable as such Assessment under the Provisions aforesaid in respect of the rateable Property in any such District, which Warrant or Warrants shall specify the Amount of Money to be levied for the Purposes of this Act on the several and respective Lands and Hereditaments within such District, and the Portion thereof to be paid by each Occupier of rateable Lands and Hereditaments, or other Persons liable to pay the same, according to such then last preceding Rate, and on Receipt of such Warrant such Collector is hereby authorized and required to levy the Money therein mentioned according thereto; and such Money shall and may be collected and levied, sued for and recovered, by such and the same Ways and Means as any Grand Jury Cess, or the Money applotted on the several Persons liable to pay any Grand Jury Cess, may be collected and levied.

Proportion of Assessment to be deducted from Rent.

LVIII. And be it enacted, That when any Person occupying such Lands or Hereditaments within any such District shall be liable to pay a Rent in respect of the same, he may deduct from such Rent, for each Pound of the Rent which he shall be liable so to pay, One Half of the Sum which he shall have paid as such Assessment in respect of each Pound of the net annual Value (whether such Rent shall be greater or less than such net annual Value), and so in proportion for any less Sum than a Pound.

Where more than One Rent is paid.

LIX. And be it enacted, That where any Person receiving Rent in respect of any such rateable Property within such District shall also pay a Rent in respect of the same, he shall be entitled to deduct from the Rent so paid by him a Sum bearing such a Proportion to the Amount of such Assessment deducted from the Rent received by him as the Rent paid by him bears to the Rent received by him: Provided always, that every Lessor assessed instead of any Occupier of rateable Property shall be entitled to deduct from any Rent paid by him in respect of such Property a Sum bearing such a Proportion to One Half of the Assessment on such Property as the Rent paid by him bears to the net annual Value of such Property.

Repayment of Loan when charged upon

LX. And be it enacted, That any Sum of Money which under any such final Award shall be payable as aforesaid by any Proprietor of Lands in respect of Monies advanced by way of Loan for or in respect of any Works under the Provisions of this Act, together with Interest for such Sum at a Rate not exceeding

exceeding Five Pounds *per Centum per Annum* from the Date of such Award, shall, from the Date of the final Declaration herein directed to be made, be charged upon the Lands of such Proprietor or Proprietors as specified in such final Declaration and Award, and that in preference to and with Priority over all Charges and Incumbrances on such Lands, except Quit Rent and Rent-charge in lieu of Tithe; and if any Sum of Money so charged as aforesaid, or any Instalment thereof, or any Interest in respect thereof, shall remain unpaid for the Space of Three Calendar Months next after the Time appointed for Payment of the same by the said Award, then it shall be lawful for the said Commissioners, or any Person authorized by them, to enter upon the Land charged with or liable to the Payment of the Sum of Money or Interest so in arrear, or any Part thereof, but subject nevertheless to such Quit Rent or Rent-charge in lieu of Tithes (if any) as foresaid, and the Rents and Profits of such Land to receive and take until thereby or otherwise the Sum and Interest so due (together with all Costs and Expences attending or occasioned by such Entry, and Receipt of the Rents, Profits, and Issues of such Land,) shall be fully paid and satisfied; and it shall be lawful for the Court of Chancery or Exchequer in *Ireland*, upon the Application by Petition of the said Commissioners, to appoint a Receiver of the Rents, Profits, and Issues of such Land, which Receiver shall have full Power to receive the same Rents, Profits, and Issues, and apply the same, after Deduction of the necessary Expences of the Application to the said Court, and of such Quit Rent or Rent-charge in lieu of Tithe issuing out of such Lands and Premises (if any), in Payment of the Sum and Interest so due, until the same shall be fully paid; and it shall also be lawful for the said Commissioners, if they shall so think fit, to raise such Sum and Interest, and all Costs and Expences attendant thereon, by Mortgage of such Land or a competent Part thereof; and every such Mortgage, and every Receipt given for the Consideration Money, shall be valid and effectual to all Intents and Purposes whatsoever; and no Mortgagee shall be bound to see to the Application of his Mortgage Money, or to inquire whether the Mortgage made by the said Commissioners is hereby authorized.

Lands of Proprietors.

In case of Non-payment of Money so charged, Commissioners may enter into Receipt of Rents, and mortgage the Land.

LXI. And be it enacted, That in any Case where the Lands of any Proprietor shall be charged by such final Award with any Sum of Money in respect of any Loan as aforesaid, then, in addition to all and every the Sums and Interest so charged by such final Award of the said Commissioners upon such Lands under the Provisions of this Act, there shall be paid to the said Commissioners One Shilling in the Pound on the total Amount of the same respectively, as and for Receiver's Fees thereon to be charged, payable and recoverable in like Manner as such Sums and Interest aforesaid: Provided always, that no Party or Person, or the Lands or Property of such Party or Person, shall be liable to such additional Charge of One Shilling in the Pound who shall within Thirty-one Days next after the Time appointed by any such Award for the Payment of any such Sum and Interest as aforesaid pay the Amount to the Credit of the said Commissioners into the Bank of *Ireland*, or into such other Bank as the said Commissioners shall for that Purpose appoint.

Persons making default in repaying Principal and Interest for Thirty-one Days, to pay 1*s.* in the Pound as Receiver's Fees.

LXII. And be it enacted, That in any Case where the Lands of any Proprietor shall be charged by such final Award with any Sum of Money in respect of any Loan as aforesaid, every Occupier of any such Land who, not being a Proprietor thereof within the Meaning of this Act, shall pay for the Land in his Occupation, on account of his Landlord, any Sum of Money charged thereupon under and by virtue of the Provisions of this Act, shall and he is hereby authorized to deduct and retain out of his Rent the Amount of the Sum of Money which he shall so pay as aforesaid, and the next immediate Landlord of such Occupier, if not himself a Proprietor of such Land within the Meaning of this Act, shall and he is hereby authorized to make the like Deduction from the Rent payable by him, and so on, each Sub-lessee and Sub-lessor of such Land, not being a Proprietor thereof within the Meaning of this Act, being entitled to deduct the Sum so charged upon such Land under or by virtue of this Act from the Rent payable to his next immediate Landlord, until such Deduction shall be made from the Rent payable to a Person being a Proprietor within the Meaning of this Act who shall not be entitled to make any such Deduction from the Rent (if any) payable by him; and every such Occupier, Sub-lessee, or Sub-lessor paying any such Sum of Money shall be acquitted and discharged of the Sum so paid by him as fully and effectually as if the same had been actually paid to his Landlord (except where there shall or may be any Lease or Agreement to the contrary); but nothing herein contained shall extend or be construed to enable any Occupier or Lessee to deduct from his Rent any Costs or Expences incurred by Nonpayment of the Monies hereby imposed or authorized to be levied.

Tenants paying Monies on account of Landlord to deduct them from Rent.

Maintenance of Works.

LXIII. And be it enacted, That all Works constructed, altered, repaired, or improved under the Provisions of this Act shall be vested in the said Commissioners and their Successors, and shall be maintained, sustained, upheld, and repaired by said Commissioners out of any Tolls, Rates, or Rents which under the Provisions of this Act shall accrue to the said Commissioners for or in respect of such Works, or the Lands purchased by or vested in said Commissioners.

Works vested in Commissioners to be maintained out of Tolls, &c.

LXIV. And be it enacted, That all such Harbours, Piers, Quays, Landing Places, and other Works on the Sea Coast of *Ireland* which have been heretofore within Forty-five Years made wholly or in part with public Money advanced for the Purposes of the Improvement of the Fisheries, and which are not now private Property, as the said Commissioners shall deem fit, and still useful for the Purposes of the Sea Fisheries, and with respect to which the said Commissioners shall give and publish such Notice as herein-after provided, shall, together with all Ways, Rights, Members, and Appurtenances thereto belonging, be and the same are hereby declared to be public Property, and the same shall, from and after the Expiration of Twelve Calendar Months from the passing of this Act, be vested in the said Commissioners and their Successors; and all the Provisions in this Act contained with reference to the making of Grants and Loans for the Construction of new Works, or with reference to such Works, and the several

Certain existin Harbours, Piers, Quays, Works, &c. vested in Commissioners.

Maintenance of Works.

Proceedings, Matters, and Things in any Manner relating thereto, shall be deemed and construed to apply and be applied, so far as the same may be applicable, to the first Repair, Alteration, or Improvement of such Harbours, Piers, Quays, Landing Places, and other Works as aforesaid; and after such first Repair, Alteration, or Improvement (if any) the same shall be maintained as any other Work under this Act: Provided always, that the said Commissioners shall as soon as conveniently may be, and within Twelve Calendar Months from the passing of this Act, by a Notice or Instrument in Writing under their Hands, declare and describe the several Harbours, Piers, Quays, Landing Places, and other Works which they shall so deem fit and useful for the Purposes of the Sea Fisheries, and to be vested in the said Commissioners; and that a Copy of such Notice or Instrument shall be published within such Period of Twelve Months in the "*Dublin Gazette*," and in some One or more Newspapers circulating in the Neighbourhood of each such Harbour, Pier, Quay, Landing Place, or other Work respectively, and also, if the said Commissioners deem fit, be posted at some public Place at or near such Harbour, Pier, Quay, Landing Place, or other Work as aforesaid.

Power to levy Tolls and Rates.

LXV. And be it enacted, That when and so often as any Pier, Harbour, Quay, Landing Place, Engine, or other Work shall have been constructed, either wholly or in part, under the Provisions of this Act, or become vested in the said Commissioners under this Act, it shall and may be lawful for the said Commissioners and they are hereby authorized to levy or cause to be levied and paid, for the Use of such Pier, Harbour, Quay, Landing Place, Engine, or other Work, such Tolls and Rates as the Commissioners of Her Majesty's Treasury shall from Time to Time approve of: Provided always, that the Amount of such Tolls and Rates shall not exceed the probable average annual Expence of maintaining and repairing such Pier, Harbour, Quay, Landing Place, Engine, or other Work, and of the contingent Expences to be incurred by the said Commissioners in relation thereto, and of the Amount of Interest at the Rate of not less than Five Pounds *per Centum per Annum* on the Capital, whether public or private, expended on such Work: And provided further, that in case it shall appear to the said Commissioners that it would promote the public Advantage that a less Amount of Tolls or Rates should be levied, under the Provisions of this Act, for the Use of any such Pier, Harbour, Quay, Landing Place, Engine, or other Work, or that such Tolls or Rates should be at any Time increased with a view of thereby creating a Fund for the Improvement of such Pier, Harbour, Quay, Landing Place, Engine, or other Work, it shall be lawful for the said Commissioners and they are hereby authorized to increase or to lower such Tolls or Rates to such Extent and for such Period as the said Commissioners shall from Time to Time direct, with the Approbation of the Commissioners of Her Majesty's Treasury.

Amount of Tolls.

Power to lower or increase the Tolls or Rates for Improvements.

A List of the Rates, Tolls, &c. to be affixed in conspicuous Places.

LXVI. And be it enacted, That the said Commissioners shall cause an Account or List, printed or painted in large legible Characters, of the several Rates and Tolls which the said Commissioners shall from Time to Time direct and appoint to be taken, and which shall be payable by virtue of this Act, to be affixed on Boards in some conspicuous Place, and continued and renewed as often as the same shall be obliterated or defaced, to, upon, or near every Work or Building at which any such Rates or Tolls shall be collected or received.

Power to let the Tolls and Rates.

LXVII. And be it enacted, That it shall be lawful for the said Commissioners, if they shall so think fit, by public Bidding, from Time to Time to let, and from Time to Time to re-let, all or any of the Tolls or Rates payable under the Provisions of this Act, for Terms not exceeding Ten nor less than Five Years, on such Conditions, and with such Security for Payment of the Rent reserved on such Lease, as the said Commissioners shall think fit, and the Commissioners of Her Majesty's Treasury shall from Time to Time approve: Provided always, that every such Lease shall contain a Covenant on the Part of the Lessee or Lessees to keep such Work in repair (so far as the ordinary Wear and Tear of such Work may render necessary), and shall also contain a Power of Re-entry on the Nonpayment of such Rent, or Nonperformance of such Covenant for Repairs, within Three Calendar Months after the same shall become due, or after any Breach of any such Covenant, and a Power to such Commissioners at any Time to put an end thereto on giving Three Calendar Months Notice to the Lessees or Lessee thereof of an Intention so to do: Provided always, that nothing in this Act contained shall be construed to extend to or affect any Tolls already raiseable and payable, or which shall hereafter be made raiseable or payable, by virtue of the Provisions of any Act passed before the passing of this Act.

Covenant in Leases.

Application of Tolls and Rents of Lands.

LXVIII. And be it enacted, That the Tolls payable under the Provisions of this Act, or the Rent payable upon any Lease thereof, or the Rents payable in respect of any Lands let or leased by the said Commissioners under the Provisions herein-before contained, shall be applied in manner following; (that is to say,) first, in repairing and maintaining the Pier, Harbour, Quay, or other Work in respect of which, or in respect of Lands adjacent and in connexion with which, such Tolls or Rents shall be payable; and in the next place in defraying all the contingent Expences of the said Commissioners in relation to such Work; and the Surplus of such Tolls or Rents shall be in the meantime invested in Public or Government Securities, and suffered to accumulate so as to form a Fund for the Repair, Reconstruction, or future Improvement of such Work; and such Fund shall be applied for such Purpose, at such Time, and in such Manner as the said Commissioners shall from Time to Time direct, and the Commissioners of Her Majesty's Treasury shall from Time to Time appoint.

Power of enforcing Payment of Tolls.

LXIX. And be it enacted, That it shall be lawful for the said Commissioners, in Cases in which such Tolls or Rates shall not be leased or let, and for the Lessees or Lessee of such Tolls or Rates, if leased or let, from Time to Time to appoint sufficient Collectors and Officers or Agents for the Purpose of receiving the Tolls and Rates payable under this Act; and in case any Person liable to pay such Tolls or Rates shall refuse or neglect to pay the same, it shall be lawful for the said Commissioners, or for the Lessees or Lessee

Lessee of the said Tolls and Rates, or their Officer or Agent, or other Person to whom such Toll or Rate ought to have been paid, to seize the Vessel, Goods, Articles, and Things in respect of which such Tolls or Rates ought to have been paid wherever the same may be found, and to detain the same until such Tolls or Rates, together with the reasonable Costs and Expences of such Seizure and Detention, shall be paid; and if such Vessels, Goods, Articles, and Things shall not be redeemed within Twenty-one Days after the Seizure thereof, the same shall be appraised and sold, and, after deducting the Costs of such Seizure, Detention, and Sale, all such Sums as shall be due in respect of such Toll or Rates shall be satisfied thereout, and the Overplus paid to the Owner, in like Manner as the Law directs in Cases of Distress for Rent in Arrear. *Maintenance of Works.*

LXX. And be it enacted, That it shall and may be lawful for the said Commissioners and they are hereby authorized and empowered from Time to Time to make such Bye Laws, Rules, Orders, and Regulations, not being contrary to any Law or Statute in force in *Ireland*, as to them shall seem meet and proper, according to the Circumstances of every Case, for better carrying into effect the Purposes of this Act, or in any Manner relating thereto, and from Time to Time to alter or repeal all or any of such Bye Laws, Rules, Orders, or Regulations, and to make others, and to impose such Fines and Penalties, not exceeding the Sum of Five Pounds, upon all Persons offending against any of such Bye Laws, Rules, Orders, or Regulations, as to the said Commissioners shall seem reasonable; and all such Bye Laws, Rules, Orders, and Regulations shall be reduced into Writing, and signed by the said Commissioners or any Two or more of them; and a Copy thereof, signed by the said Commissioners shall be deposited with the Clerk of the Peace of every County in or near to which any Work to which such Bye Laws shall relate shall be situate, and the same shall be kept with the Records of the County; and a printed or painted Copy of such of the said Bye Laws, Rules, Orders, or Regulations as shall subject any Person, not being an Officer or Servant of the said Commissioners, to any Fine or Penalty, shall be exhibited, on Boards or otherwise, at or near each Work, and in such other Places as to the said Commissioners shall seem fit, and shall from Time to Time be renewed as often as the same or any Part thereof shall be obliterated or destroyed; and such Bye Laws, Rules, and Orders shall be binding upon and shall be observed by all Persons whomsoever; provided that all such Bye Laws, Rules, Orders, and Regulations be approved of and confirmed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* in Council, by Writing under his or their Hands. Commissioners to make Bye Laws.

LXXI. Provided always, and be it enacted, That in all Cases of Prosecution for any Offence or Offences against any of the Bye Laws, Rules, Orders, and Regulations of the said Commissioners, the Production of a Book or Document purporting to contain the Bye Laws, Rules, Orders, or Regulations of the said Commissioners, and authenticated by the Signatures of any Two or more of the said Commissioners, shall be Evidence of the Existence of such Bye Laws, Rules, Orders, or Regulations: Provided always, that in every such Prosecution it shall be proved that such printed or painted Copy as aforesaid of such Bye Laws, Rules, Orders, or Regulations was duly exhibited in manner herein-before directed. Copy of Bye Laws to be Evidence.

LXXII. And be it enacted, That all and every Person or Persons whomsoever who shall at any Time hereafter wilfully and maliciously cut, break down, destroy, or damage any Work, Engine, or Building, or any Part thereof, which shall be erected and made for the Purposes of this Act, or shall become vested in the said Commissioners, shall be guilty of Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of Seven Years, or to be imprisoned for any Term not exceeding Two Years. Persons destroying Works guilty of Misdemeanor.

LXXIII. And be it enacted, That if any Person shall throw or deposit any Ballast, Gravel, or other Matter or Thing into any Harbour or Precincts of any Pier, Quay, Landing Place, or other Work, so as to interrupt or obstruct the free Navigation to or from any Work which shall have been constructed or improved by the said Commissioners under this Act, or shall, without the Consent of the said Commissioners, lay any Ballast, Gravel, Stones, Dirt, Rubbish, Lime, Timbers, or Clay on any of the Banks, Wharfs, or Landing Places of any of the Works aforesaid, or if any Person shall maliciously open any Lock, Sluice, Dam, Gate, or Watercourse belonging to the said Commissioners, or shall so leave any of the same open, or shall raise any Wall, Building, or other Obstruction within or on such Works, or the Lands of said Commissioners, without the Consent in Writing of the Commissioners, such Person, being convicted of any of the Offences aforesaid before any Justice or Justices of the Peace of the County where such Offence shall be committed, or of any adjoining County, by the Oath of One or more credible Witness or Witnesses, shall be fined by such Justice or Justices a Sum not exceeding Ten Pounds, to be levied in such Manner as is herein-after directed with respect to the levying any Fine imposed by any Justice or Justices; and all such Walls, Buildings, or other Obstructions may be forthwith pulled down and removed by the said Commissioners, or any Person or Persons duly authorized by them, and the Materials of such Walls, Buildings, or Obstructions may be sold by Order of the said Commissioners to defray the Costs of their Removal. Penalty on Persons depositing Ballast, &c. so as to obstruct Navigation, &c.

Miscellaneous.

LXXIV. And be it enacted, That if any Person or Persons shall wilfully prevent or assault any of the Commissioners for the Execution of this Act, or any Engineer, or other Officer, Servant, or Workman, acting in aid or under the Orders of any such Commissioners in the Execution of any of the Powers given by this Act, or shall wilfully destroy or injure any of the Instruments, Tools, Engines, or Implements or Materials kept or used by the said Commissioners or any of them, or by any Person or Persons employed by them or any of them, for or in the Execution, Maintenance, or Repairs of any of the Works under this Act, any Person so offending shall, in addition to any other Punishment to which by Law he may be subject for such Offence, forfeit and pay for every such Offence, upon Conviction thereof Penalty on Persons assaulting Commissioners and others engaged on the Works.

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thereof by the Oaths of One or more credible Witness or Witnesses before any Justice of the Peace, such Sum not exceeding Five Pounds as such Justice shall think fit.

Proceedings by Summons for the Recovery of Penalties.

LXXV. And be it enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable, by Information or otherwise, before a Justice of the Peace, it shall be lawful for the Justice of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof or Admission of the Offence to commit the Offender, and adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information in Writing shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing had been exhibited.

Form of Conviction.

LXXVI. And be it enacted, That any Justice of the Peace before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the following Form of Words, or in Words to the same Effect:

'{BE it remembered, That on the Day of *A.B.* is convicted
' to wit. before Her Majesty's Justices or Justice of the Peace for the County of
' by virtue of the Act passed in the Ninth Year of the Reign of Her Majesty Queen Victoria, intituled
' [*here insert the Title of this Act, specify the Offence, and the Time and Place when and where the*
' *same was committed, as the Case shall be*], and we do adjudge that the said *A.B.* shall for the said
' Offence . Given under our Hands and Seals [*or* my Hand and Seal] the
' Day and Year aforesaid.'

Recovery and Application of Penalties.

LXXVII. And be it enacted, That all Penalties and Forfeitures inflicted or imposed by this Act, or incurred under the Provisions or Directions thereof, and all Sums payable for Compensation or Damage, the Manner of levying and recovering whereof is not herein-before otherwise particularly directed, may be recovered in a summary Way by the Order and Adjudication of some Justice of the Peace of the County in or adjacent to which such Offence shall have been committed, on Complaint to him for that Purpose exhibited by the Oath or Affirmation of any Person, or on the Confession of the Party offending, which Oath or Affirmation such Justice is hereby authorized to administer; and in default of Payment of such Penalties or Forfeitures, or Sums for Compensation or Damage, the same shall be levied by Distress and Sale of the Goods and Chattels of the Party making such Default, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any), on demand, to the Party whose Goods and Chattels shall be so distrained, the reasonable Charges of such Distress and Sale being deducted; and in case such Penalties or Forfeitures shall be not forthwith paid off, it shall be lawful for such Justice and he is hereby authorized and required to order the Offender so convicted to be detained and kept in safe Custody until Return can be conveniently made of such Warrant of Distress, unless the Offender can give sufficient Security, to the Satisfaction of such Justice, for his Appearance before such Justice, or before some other Justice of the Peace for the County in or adjacent to which such Offence shall have been committed as aforesaid, on such Day or Days as shall be appointed for the Return of the Warrant or Warrants of Distress, such Day or Days not being more than Eight Days from the taking any such Security, and which Security any Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the Penalty and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justice upon the Confession of the Offender or otherwise, that he has no sufficient Goods and Chattels whereupon such Penalty, Forfeitures, Costs, and Expences could be levied (if a Warrant of Distress should be issued), such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justice and he is hereby authorized and required by Warrant under his Hand and Seal, to commit such Offender to any Common Gaol or House of Correction, there to remain for any Time not exceeding Three Calendar Months, unless such Penalties or Forfeitures, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice, shall be sooner paid and satisfied, or shall otherwise be discharged by due Course of Law; and such Penalties and Forfeitures, when received, shall be paid to the Commissioners aforesaid, and be by them applied to the Purposes of this Act.

Provision as to Petty Sessions Districts and Counties.

LXXVIII. And be it enacted, That wheresoever throughout this Act any Act, Matter, or Thing may be directed to be done at the Petty Sessions for the District, or by any Justice of the Peace for the County wherein any Place may be situate, or Offence may be committed respectively, the same shall and may be done at the Petty Sessions for the next adjoining District, or by any Justice of the Peace for the next adjoining County, in any Case where such Place shall not be included or Offence committed in any District or County respectively; and whenever any Work constructed or repaired by, or any Work or Lands vested in the said Commissioners, under the Provisions of this Act, shall not be situate in any County, such Work or Lands shall for the Purposes of this Act be deemed and taken to be a Part of the County to which or any Part of which such Work or Land is next adjacent.

Proceedings not to be quashed for Want of Form.

LXXIX. And be it enacted, That any Orders, Convictions, or other Proceedings to be had or made by or before any Justice of the Peace by virtue of the Powers granted by this Act, or any Orders or Proceedings to be had or made by, before, or on behalf of the said Commissioners, or, in case of Appeal, by or before the Assistant Barrister, shall not be quashed or vacated for Want of Form only.

No Action to be brought against

LXXX. And be it enacted, That no Action, Suit, or Information shall be brought, commenced, or prosecuted by any Person for any thing done in pursuance of this Act, or in execution of the Powers or Authorities

Authorities herein contained, unless Notice in Writing of such Action, Suit, or Information, specifying the Ground or Cause thereof, and signed by the Attorney for the Plaintiff, shall be given to the said Commissioners or Persons against whom Proceedings are intended to be commenced at least Twenty-one Days before such Action, Suit, or Information shall be commenced. Person acting in execution of this Act until after Notice, &c.

LXXXI. And be it enacted, That no Plaintiff shall recover in any Action to be brought against any Commissioners or any other Person for any thing done in execution of the Powers vested in them or him under this Act, if Tender of sufficient Amends shall be made by or on behalf of the Commissioners or Person before such Action is brought; and in case no Tender shall have been made it shall be lawful for the Defendant in any Action, by Leave of the Court in which such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as they or he shall think fit, whereupon such Proceedings, Order, and Adjudication shall be had and given in and by such Court as in Actions where the Defendant is allowed to pay Money into the Court. No Action to be brought after Tender of sufficient Amends, &c.

LXXXII. And be it enacted, That if any Action shall be brought against any Person or Persons as aforesaid for any Act, Matter, or Thing done by virtue of this Act, such Person or Persons may plead the General Issue, and give the special Matter in Evidence. General Issue.

LXXXIII. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to adjourn any of the Meetings to be held by them under this Act to such Time and Place as they may think proper. Commissioners may adjourn Meetings.

LXXXIV. And be it enacted, That it shall be lawful for the said Commissioners, upon any Inquiry or Proceeding to be had before them under any of the Provisions of this Act, to summon or examine upon Oath or Affirmation (which Oath or Affirmation the Commissioners are hereby empowered to administer) any Person whomsoever; and if any Person, having been so summoned before the said Commissioners to give Evidence touching any Matter to be inquired into under this Act, and having been paid or tendered a sufficient Sum of Money, to be ascertained by the said Commissioners, to defray the Charges of his Attendance, shall not appear before the said Commissioners pursuant to such Summons, without assigning some reasonable Excuse for not appearing, or shall refuse to be sworn or to be examined and give Evidence touching the Premises, the said Commissioners, upon Proof thereof upon Oath, shall and they are hereby authorized, by Warrant under their Hands and Seals, to direct any Person whomsoever to cause any Sum of Money, not exceeding Five Pounds, to be levied by Distress and Sale of the Goods and Chattels of the Person so neglecting or refusing to appear, or to be sworn and give Evidence, rendering the Overplus (if any), upon demand, to the Person whose Goods and Chattels shall have been so distrained and sold, after deducting the Costs and Charges attending such Distress and Sale; and the Monies so to be levied as aforesaid shall be considered as Part of the Monies directed to be raised for carrying this Act into execution, and shall be applied accordingly; and all Persons who shall wilfully give false Evidence, or otherwise forswear themselves in any such Examination, may be prosecuted for same, and upon Conviction thereof shall be liable to the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are now liable to by Law. Persons summoned by Commissioners and refusing to give Evidence to be punished.

LXXXV. Provided always, and be it enacted, That it shall not be lawful for the said Commissioners to execute or alter any Work below High-water Mark of Spring Tides without the previous Consent of the Lord High Admiral, or of the Commissioners for executing the Office of Lord High Admiral, to be signified in Writing under the Hand of the Secretary of the Admiralty for the Time being. Certain Works not to be executed without Consent of the Admiralty.

LXXXVI. And be it enacted, That the said Commissioners shall cause detailed Accounts in Writing of their Proceedings under this Act, and of the several Sums received by them as such Commissioners, and of the Sums expended by them, and the Mode of such Expenditure, and of the several Works made or in progress under this Act, to be made up to the Thirty-first Day of *December* in each Year; and such Account shall be laid before both Houses of Parliament within Thirty Days thereafter, if Parliament be then sitting, or within Thirty Days after the first Meeting of Parliament subsequent to the Thirty-first Day of *December*; and the said Commissioners shall, as often as they shall be required so to do by the Commissioners of Her Majesty's Treasury, transmit to the said Commissioners of the Treasury like Accounts made up to such Period as the said Commissioners of the Treasury shall direct. Accounts of Proceedings to be laid before Parliament.

LXXXVII. And be it enacted, That in the Construction of this Act (except where the Nature of the Provision or the Context of the Act shall exclude such Construction) the Word "Land" shall extend to all Arable, Pasture, or otherwise profitable, and to all waste uncultivated Land, whether Bog Land or Land covered with Water, and shall also extend to Messuages, Tenements, and other Hereditaments, corporeal or incorporeal, and any Estate or Interest therein, and any undivided Part thereof, and any Charge or Incumbrance thereon; and the Words "Sea" or "Sea Coast" shall extend to all Places where the Tide ebbs and flows; and the Expression "Commissioners of Her Majesty's Treasury," or "Commissioners of the Treasury," shall mean the said last-mentioned Commissioners, or any Three or more of them; and the Expression "the said Commissioners" shall mean the Commissioners for the Execution of this Act, or any Two or more of them (except where otherwise provided); and the Word "Works" shall extend to or include all or any of the Works by this Act authorized to be executed; and the Words "Person or Persons," and the Words "Proprietor or Proprietors," shall extend to all Bodies Politic, Corporate, or Collegiate, and also all Bishops, Parsons, and other Ecclesiastical Persons, as to Lands held by them in those respective Characters, and to any Number of Persons associated together as a Company or Partnership; and the Word "County" shall extend and be applied to all Counties, Counties of Cities, and Counties of Towns; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing; and Definition of Terms in this Act.

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every Word importing the Plural Number shall extend and be applied to one Person or Thing as well as several Persons or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male.

Act may be amended, &c.

LXXXVIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

CAP. IV.

An Act to amend the Acts for promoting the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in *Ireland;* and to afford Facilities for increased Employment for the labouring Classes in Works of Drainage during the present Year. [5th *March* 1846.]

5 & 6 Vict. c. 89.

8 & 9 Vict. c. 69.

'WHEREAS an Act was passed in the Sixth Year of the Reign of Her present Majesty, intituled '*An Act to promote the Drainage of Lands, and Improvement of Navigation and Water Power* '*in connexion with such Drainage, in* Ireland: And whereas a certain other Act was passed in the Ninth 'Year of the Reign of Her said present Majesty, intituled *An Act to amend an Act of the Sixth Year* '*of Her present Majesty, for promoting the Drainage of Lands, and Improvement of Navigation and* '*Water Power in connexion with such Drainage, in* Ireland: And whereas it is expedient further to 'promote the Execution of Works under the said recited Acts, and, by altering the Security for Monies to 'be borrowed for the Purposes of the said recited Acts and this Act, to expedite and facilitate the Proceed-'ings thereunder, and to amend the said Acts in the several respects herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Commissioners. *Security for Money, and Repayment.*

That the Commissioners for the Time being acting in the Execution of the said recited Acts shall be Commissioners for the Execution of this Act; and that in all Cases of Declarations to be made and Monies to be borrowed by the said Commissioners, under the Provisions of the said recited Acts or this Act, from and after the First Day of *January* in this present Year, the respective Sums of Money which by the final Award to be made by the said Commissioners shall be specified as the Proportions or Contributions payable in respect of the several Parcels or Portions of the Land drained or improved by Drainage, or by any Works under the said Acts or this Act, with Interest for such respective Sums of Money at a Rate not exceeding Five Pounds *per Centum per Annum*, as also all Sums to be rated and assessed under the Provisions of the said first-recited Act or this Act, for the maintaining, sustaining, supporting, and upholding of any of the Works executed or to be executed under the said Acts or this Act, shall from the Date of such Declaration be charged on such several Parcels or Portions of the Land so drained or improved as aforesaid, and that in preference to and with Priority over all Charges and Incumbrances on such Land (except Quit Rent and Rent-charge in lieu of Tithe); and the same respective Sums of Money, with such Interest for the same as aforesaid, shall also be charged upon so much of any other Land situate within One Mile of any Part of the Lands so drained or improved, and settled, with the Lands so drained or improved, to the same Uses, Intents, and Purposes, by virtue of Limitations contained in the same Instrument or the same Set of Instruments, and also upon so much of any other Land belonging to the same Proprietor as the Land drained or improved, and situate within One Mile of any Part of the same, for all his Estate and Interest existing at the Time of such Declaration, as the said Commissioners shall by their said Award, or any Instrument under their Hands and Seals, and enrolled in the Rolls Office, direct, limit, and appoint, having regard to the Sufficiency of the said Lands to satisfy and secure the Charge thereon, but subject as to such other Land as aforesaid, not being Part of the Lands so drained or improved as aforesaid, to the full Amount of all Incumbrances affecting the same prior to the Registry of the Memorandum of such Declaration: Provided always, that it shall be lawful for the said Commissioners, and they are hereby required, in making their final Award after the Execution of any of the Works by the said Acts or this Act authorized, to specify and state therein that the Repayments of all Sums expended in or about any such Works as aforesaid shall be made either by One Payment or by Instalments, half-yearly or otherwise, so that in case of One Payment the Amount of the same, or in the Case of Instalments the Amount of each Instalment, with Interest in either Case, shall not exceed the Amount of the estimated Increase in the Value of the Land to be drained or improved, as in such Award stated by the said Commissioners, for the Period allowed for such One Payment, or for the several Periods, in the Case of Instalments, allowed for the Repayment of such Instalments respectively.

Monies borrowed for Purposes of this Act, and Monies levied for Maintenance, to be a first Charge on Lands drained or improved; and a Charge in the Order of its Date, upon all Lands within One Mile, settled to the same Uses as the Lands drained or improved, or belonging to the same Proprietor.

Such Time for Repayment to be allowed that the Amount of any Payment for a Period shall not exceed the estimated Increase in the Value for that Period.

Interest to accrue during Period of Repayment may be divided into equal Instalments.

II. And be it enacted, That in all Cases of the Repayment by Instalments of any Sums to be awarded by the said Commissioners in respect of the Expenditure in or about the Works for any District under the said recited Acts or this Act, it shall and may be lawful for the said Commissioners (if they shall so think fit) to add to the Amount of said Sums so to be awarded the total Amount of Interest which would accrue thereon from the Date of such Award, for and during the whole Period to be allowed for Repayment of the entire Sum to be awarded, and in and by said Award to direct that the Repayment of such Interest shall be made by equal Instalments; and such equal Instalments of Interest shall be payable, together with, and in like Manner, and at like Periods, and with the like Remedies for Recovery, and subject to the same Provisions, as the Instalments of the said Sums to be awarded by the said Commissioners.

Any Proprietor may pay off Principal, &c.

III. And be it enacted, That it shall and may be lawful for the Proprietor of any Part of the Lands so drained or improved to pay off the Amount of Principal and Interest charged or remaining due on his

Portion of the said Lands, at any Time within the Period mentioned in any such Award, on giving to the said Commissioners Twelve Months previous Notice of his Intention so to do.

Persons making Default in repaying Principal and Interest for 31 Days to pay 1s. in the Pound as Receivers Fees.

IV. And be it enacted, That in addition to all and every the Sums which by any final Award of the said Commissioners shall be fixed and determined as the Proportions of the Sums payable in respect of the Lands drained or improved by Drainage, or any other Work, under the Provisions of the said recited Acts or this Act, or any of them, and the Interest on such Sums, there shall be paid to the said Commissioners One Shilling in the Pound on the total Amount of the same respectively as and for Receivers Fees thereon, to be charged, payable, and recoverable in like Manner as such Sums and Interest aforesaid: Provided always, that no Party or Person on the Lands or Property of such Party or Person shall be liable to such additional Charge of One Shilling in the Pound who shall, within Thirty-one Days next after the Time appointed by any such Award for Payment of any such Sum and Interest as aforesaid, pay the Amount thereof, to the Credit of the said Commissioners, into the Bank of *Ireland*, or into such other Bank as the said Commissioners may for that Purpose appoint. Proviso.

Power to recover small Sums by Civil Bill.

V. And be it enacted, That if any Sum of Money charged under the said recited Acts or this Act, or any Instalment or Part thereof, (not exceeding in Amount the Sum of Fifty Pounds,) shall remain unpaid for the Space of Thirty-one Days next after the Time appointed for Payment of the same by the Award of the said Commissioners, then, in addition to the other Powers in and by the said recited Acts or either of them, or this Act, given for the Recovery thereof, it shall be lawful for the said Commissioners to recover the same by Civil Bill against the Party or Person liable to pay the same in all such Cases as aforesaid.

Commissioners to grant Debentures to Lenders for Principal and Interest.

VI. And be it enacted, That from and after the passing of this Act, in all Cases of Monies to be borrowed and taken up at Interest by the said Commissioners under the Provisions of the said recited Acts and this Act, it shall and may be lawful for the said Commissioners from Time to Time to grant a Security in the Form of Debenture for such Monies, under the Hands and Seals of the said Commissioners, to every Person who shall advance any Sum of Money for the Purposes of the said recited Acts or this Act, every such Debenture being numbered in the Order of its Execution by the Commissioners, and setting forth the Amount of the Sum for which each such Debenture is issued, and the Rate of Interest payable for the same, and the Period to expire before the same shall upon Notice become payable, with a Reference to the Land for the Drainage or Improvement of which, or River for the Navigation of which, or the Reservoir or other Work for the Construction of which, such Sum shall have been so borrowed or taken up, and the District within which the same, or any of them, may be situate; and that every such Debenture shall be made in the following Words, or as near thereto as the Circumstances of the Case will admit:

Form of Debenture.

'No.

'Debenture to Lender of Money.

'Amount £

'Drainage, Navigation, and Water Power, in Ireland, 5 and 6 Victoria, c. 89, 8 and 9 Victoria, c. 69, and 9 Victoria, c.

'District
'in the County of } No.

'BY virtue of an Act passed in the Sixth Year of the Reign of Her Majesty Queen Victoria, intituled "An Act to promote the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in Ireland," and also of Two other Acts passed in the Ninth Year of the Reign of Her said Majesty, amending the same, we, the undersigned, being Two of the Commissioners for the Execution of the said Acts, in consideration of the Sum of Sterling to us lent and paid by do hereby certify, and it is hereby witnessed, that the Monies to become payable to the said Commissioners for the Execution of the said Acts under their final Award, for and in respect of the Drainage, Improvement, Navigation, Construction of Reservoir, [*or other Work, et cætera, et cætera, as the Case may be,*] in the District of in the County of particularly mentioned, described, and referred to in the Declaration [*or* final Notice, *as the Case may be,*] made on the Day of by of the said Commissioners, [*or* issued and published, *in the Case of final Notice, as the Case may be,*] and deposited and registered, pursuant to the said Acts or this Act, are hereby charged with the Repayment of said Sum of such Repayment to be made to the said or other the Person entitled thereto, by Endorsement hereon, in One Payment, at such Time after the Expiration of Years from the Date hereof as may be appointed by the said Commissioners pursuant to Notice to be given for that Purpose, with Interest at and after the Rate of per Centum per Annum, such Interest to commence and to be computed from the Day of the Date hereof, and be payable half-yearly, on each First Day of January and First Day of July, until the Principal Sum shall be repaid, or be repayable pursuant to Notice as aforesaid, which Sum so lent and advanced by the said was taken up and borrowed by us for the Purposes of said Acts. In witness whereof we have hereunto set our Hands and Seals, this Day of

'Office of Public Works,
'Dublin. } Commissioners.

'Entered .'

Security for Money, and Repayment.

And the Monies mentioned in each such Debenture, with the Interest thereon, shall be charged upon and repayable and paid by the said Commissioners out of the Monies which shall come to their Hands under the final Award to be made by the said Commissioners in respect of the Lands or District for or in respect of which such Monies shall have been borrowed; and any such Debenture may be transferred by Endorsement thereon, in like Manner and subject to like Provisions and Regulations as by the said secondly-recited Act any Certificate of Loan may be transferred; and all Persons to whom such Securities shall be so given, or other Person entitled thereto by Endorsement thereon as aforesaid, shall be entitled to the Monies accruing and payable under such final Award, according to and in the Order of the Number of each such Debenture as aforesaid, any thing in the said recited Acts, or any of them, to the contrary notwithstanding: Provided always, that all the Provisions in the said recited Acts contained with respect to Certificates of Loan thereunder shall, save so far as the same are altered or varied by this Act, and subject to such Alteration or Variation, be deemed and construed to extend and shall be applied to any such Debentures as aforesaid: Provided also, that nothing herein contained shall be deemed, construed, or taken to extend to make the said Commissioners, or any of them, personally, or their respective Lands or Tenements, Goods and Chattels, liable to the Repayment of any of the Monies to be borrowed or secured in pursuance of this Act.

Debentures may be transferred.

Commissioners to pay off Debentures on Notice after Period limited for such Purpose.

VII. And be it enacted, That in all Cases of Debentures issued as herein-before provided it shall be lawful for the said Commissioners, at any Time after the Expiration of the Period when, under the Provisions aforesaid, any such Debenture may, upon Notice as aforesaid, become payable, to publish a Notice in the *Dublin Gazette*, and in such other Newspapers as they shall deem fit, fixing a Time, not sooner than Two Calendar Months from the Date of such last-mentioned Notice, when the Principal Money secured by any such Debenture shall be paid or payable, having regard to the numerical Order in which the several Debentures for the District shall have been executed by the said Commissioners; and in such Notice the Debenture to become payable shall be described by the Name of such District in respect of the Works within which such Debenture shall have been so issued, and by the Number or other Mark fixed by the said Commissioners on such Debenture; and it shall be lawful for the said Commissioners, at the Expiration of the Time in such Notice stated, to pay off the Monies due on account of any such Debenture mentioned in such Notice; and from and after the Expiration of the Time appointed by the said Notice the Interest on the Principal Monies secured by any such Debenture shall cease and determine.

Preliminary Proceedings.

Definition of what Surveys and Proceedings shall be requisite under this Act.

VIII. 'And whereas under the Provisions of the said first-recited Act much Expence and Delay are 'caused in the Proceedings preliminary to the issuing of the final Notice to be published by the said 'Commissioners, and to the Commencement of the Works by said Act authorized, and many of such 'Proceedings may, under the Provisions herein contained, be dispensed with or postponed;' be it therefore enacted, That for the Purpose of all such preliminary Proceedings, and to authorize the said Commissioners to hold the Meeting by the said first-recited Act directed previously to taking the Assents of Proprietors to the Execution of any Work under said Acts or this Act, and making the Declaration aforesaid by said Acts or this Act directed to be made, as also issuing the final Notice by the said first-recited Act directed to be given previously to proceeding with the Execution of any of the Works by said Acts or this Act authorized, it shall not be necessary for the said Commissioners to obtain in detail a Survey or Valuation of the several Plots or Portions of Land proposed to be drained or improved, or to make more than One Survey of any such Land, or to inquire into Particulars of Titles or Tenures of the respective Proprietors, Lessees, or Occupiers of such Lands, or to state in detail the Proportions in which such Lands shall be liable to the Costs of the Execution of the proposed Works, or the Lands or other Property to be purchased for the Execution of the Works, or the Owners, Lessees, or Occupiers of such Land, but, as regards all such Matters and Things as aforesaid, and for the Purpose of enabling the said Commissioners to take the Assents of Proprietors, and to make the Declaration in and by the said recited Acts or this Act authorized, and to issue such final Notice as aforesaid, it shall be deemed sufficient to have prepared and deposited such Plans, Sections, and Estimates as the said Commissioners may consider sufficient for the Purpose of showing the Works to be executed, with the estimated Costs thereof, including all Expences incidental thereto, showing also the District or Limits within which it is proposed to put the Powers of the said Acts or this Act into execution, as well as the Extent of Land or River to be drained or improved, together with a general Statement of the average present Value of the Lands to be drained or improved, and of the Increase in such average Value estimated to arise from the Execution of the proposed Works, and a List of the reputed Proprietors of such Lands, with a Return of the Quantity of Land within such District held by such Proprietors respectively, so far as the same may have been ascertained by such general Survey as aforesaid, any thing in the said recited Acts or either of them, requiring any further or other Schedules, Maps, Plans, Matters, or Things whatsoever, to the contrary thereof notwithstanding.

Grand Jury may present Memorial for Drainage, and deposit Funds, to be repaid in case the Works are undertaken.

IX. And be it enacted, That it shall and may be lawful for the Grand Jury, at the Assizes of any County within which any River or Stream capable of being deepened, widened, altered, or improved, for the Purpose of Drainage of any Lands which may be situate along or near such River, to make, if they shall so think fit, a Presentment, directing their Secretary to apply by Memorial to the said Commissioners for the Drainage or Improvement of any Lands along or near such River or Stream, and which may be flooded or injured by Water, or are capable of being drained, or the Drainage whereof may be capable of being improved, and to present (without Application to Presentment Sessions) any Sums which

Preliminary Proceedings.

which may be required for or towards defraying the Expences of the preliminary Inquiries for the Purpose of any such Drainage; and all and every the Powers, Authorities, and Provisions in and by the said first-recited Act given and contained for or in respect of the Memorial of any Grand Jury to the said Commissioners, and the Notice in respect thereof for the making or improving any Navigation under the Provisions of the said first-recited Act, as well as the Recovery and Payment of all Expences incurred in consequence of such Memorial, shall be deemed to apply to any such Memorial under this Act, and the Proceedings relating thereto for the Drainage of Lands as aforesaid, and the Recovery and Payment of all Expences incurred in consequence of such last-mentioned Memorial: Provided always, that in all Cases where under any such Memorial as aforesaid the necessary Works shall be undertaken and carried out by the said Commissioners, the Amount which shall have been so presented and paid to the said Commissioners shall, out of the first Monies borrowed for the Execution of such Works, be repaid to the Treasurer of such County, and be by him brought to the Credit of the County at large, or the Barony, Half Barony, or Townland, on or from which the same shall have been levied.

Treasury may advance Money by way of Loan to the Commissioners of Drainage in aid of Deposits to pay preliminary Expences, to be repaid out of Monies borrowed for Execution of Works, or, in case no Works are undertaken, to be repaid by Memorialists.

X. 'And whereas it has been found in many Cases that by reason of the Insufficiency of the Sums 'deposited or required to be deposited for defraying the Expence of preliminary Proceedings, and from 'the Difficulty experienced in procuring additional Funds until such preliminary Proceedings have been 'completed, great Delay has been caused, and the Commencement of many useful Works retarded;' be it therefore enacted, That, with a view to expedite the Proceedings preliminary to the Execution of any of the Works under the said recited Acts or this Act, it shall and may be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, on the Application of the Commissioners for the Execution of the said recited Acts and this Act, to direct that any Sum or Sums of Money, not exceeding in the whole the Sum of Five thousand Pounds in any One Year, required for the Purposes of any such preliminary Investigation and Proceedings as aforesaid by the said last-mentioned Commissioners, shall be advanced and paid to the said last-mentioned Commissioners out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and applied by the said last-mentioned Commissioners, along with the Sum which shall have been deposited or secured by any Grand Jury, Party, or Person, under the Provisions of the said first-recited Act or this Act, in making the necessary Survey, Valuation, and Investigation, and in taking all other Proceedings preliminary to the Execution of any of the Works by the said Acts or this Act authorized; and the Accounts of the Receipt, Application, and Expenditure, as well of all Monies so to be advanced and paid to the said Commissioners, as of the Sum so deposited and secured as aforesaid, shall be transmitted to the Commissioners for auditing and examining the Public Accounts of the Kingdom, for the Purpose of Examination and final Audit; and in examining, trying, and auditing each and every of the said Accounts the said Commissioners shall have all the Powers which are vested in them under an Act of the Twenty-fifth Year of the Reign of King *George* the Third, intituled *An Act for better examining and auditing the Public Accounts of this Kingdom*, and under any other Act now in force, or any Law, Usage, or Custom, or otherwise howsoever; and all and every Sums or Sum of Money so to be advanced and paid out of the Consolidated Fund aforesaid shall be repaid to the Consolidated Fund out of the first Monies to be borrowed by the said Commissioners for the Execution of the said recited Acts and this Act, for the Purpose of executing the Works towards the preliminary Expences of which the same shall have been applied as aforesaid; and in Cases where the Execution of the necessary Works shall not be proceeded with, either in consequence of the said last-mentioned Commissioners not approving the same, or from the Want of the proper Number of Assents of Proprietors for such Purposes, the said Monies shall be repaid to the said last-mentioned Commissioners by the Party or Person who, or by the Grand Jury of the County which, shall have made Application by Memorial for the Execution of any such Works, and shall be recovered by the said last-mentioned Commissioners in such Manner as by said first-recited Act directed, and be by them paid over to the Consolidated Fund in such Manner as the Commissioners of Her Majesty's Treasury shall direct.

25 G. 3. c. 52.

Assents of Proprietors for more than One Half in Extent of the Lands to be drained and improved to be deemed sufficient to bring this Act into operation.

XI. 'And whereas it is in and by the said first-recited Act enacted, that no Works shall be commenced 'for the Drainage of any Land, under and by virtue of the said Act, unless the Proprietors of Two 'Thirds or more in Extent of the Land proposed to be drained or improved by such Drainage shall 'assent to the Execution thereof, in Writing under their Hands respectively, within such Time as the 'said Commissioners shall appoint: And whereas by reason of the Absence of many Proprietors, as well 'as the Omission of others to sign the necessary Assent, even in Cases where they have not expressed 'Dissent, and from other Causes, it has been found difficult to obtain the written Assents of so many 'Proprietors as heretofore required, and thereby the Execution of many important and useful Works of 'Improvement have been and are injuriously delayed;' be it therefore enacted, That all or any of the Works for the Drainage of Land under and by virtue of the said recited Acts or this Act, whether in connexion with Works for the Improvement of Water Power, Navigation, or otherwise, may be commenced, in case the Proprietors of any Quantity exceeding One Half in Extent of the Lands proposed to be drained or improved by such Drainage shall, with the Consent of the Tenants (if any) of such Lands, as in and by said first-recited Act required, assent, or shall have heretofore assented, to the Execution of the proposed Works, in Writing under their Hands respectively, within such Time as the said Commissioners shall appoint, any thing in the said recited Act to the contrary thereof notwithstanding.

If One Moiety and less than Two Thirds of Lands to be drained belong

XII. Provided always, and be it enacted, That in any Case where One Moiety or any Portion exceeding One Moiety and not amounting to Two Thirds in Extent of the Land proposed to be drained or improved shall belong to a single Proprietor, then such Works may be commenced, if the Proprietor or all the

to a single Proprietor, the Assent of the Remainder shall be sufficient for such Drainage in certain Cases.

Proprietors (if more than One) of the Residue of such Lands shall, with such Consent as aforesaid, assent as aforesaid to the Execution of such proposed Works, and if it shall be made out to the Satisfaction of the said Commissioners, by competent Evidence, accompanied by the Report of a skilful Engineer or Surveyor, approved of by the said Commissioners, that such Drainage or Improvement, when completed, will increase the average Value of the whole of such Land in the Proportion of at least Ten *per Centum per Annum* on the estimated Cost of the Works necessary for such Drainage or Improvement, and all Expences incidental thereto.

The Commissioners may take Security instead of Deposit from Tenants having certain Interests in Lands who may desire to qualify as Proprietors for the Purpose of assenting, by paying the Proportion of the whole Expence of the Works to be charged upon the Lands held by them.

XIII. 'And whereas under the Provisions of the said first-recited Act Persons having certain Interests 'as therein specified) in any Portion of the Lands proposed to be drained or improved, who shall 'deposit with the said Commissioners such Sum of Money as shall be deemed sufficient for the Payment 'of the Sum with which such Portion of the Land may become chargeable for or in respect of the Costs 'and Expences of the Works proposed to be executed, may be deemed Proprietors of such Land, and 'the Persons entitled to assent to such Works, for the Purpose of the said recited Act;' be it enacted, That it may be lawful for the said Commissioners, if they shall so think fit, in any such Case, in lieu of any such Deposit of a Sum of Money as aforesaid, to accept, in addition to the Security of the Lands of which any such Person may be seised or possessed within the Limits of the District, and to become chargeable under the Award of the said Commissioners, such Security as the said Commissioners shall deem sufficient for the due Payment of the Sum of Money with which such Portion of Land may become chargeable for or in respect of the Costs and Expences of the Works proposed to be executed under the Provisions of the said recited Acts or this Act; and any such Person having such Interest, and making or having heretofore made such Deposit, or giving such Security as aforesaid, shall, for all the Purposes of the said recited Acts or this Act, be deemed the Proprietor of the Land in respect of which he shall have made such Deposit or given such Security; and such Lands shall thenceforth be and remain charged with and liable to the Sums payable in respect of the Costs and Expences of the Works, and the Maintenance and upholding of the same, in like Manner as the Lands of any Proprietor under the Provisions of the said recited Acts and this Act: Provided always, that any Person having such Interest, and making such Deposit or giving such Security as aforesaid, shall not be liable, under the Provisions of the said recited Acts or this Act, to have the Rent of such Lands increased by any Order or Determination of the said Commissioners.

Proviso.

Form and Substance of Declaration and final Award required by former Act may be varied to suit this Act.

XIV. And be it enacted, That in making the Declaration or final Award in and by the said recited Acts mentioned or required to be made with reference to any Works under the said recited Acts or this Act, it shall and may be lawful for the said Commissioners to alter and vary such Declaration or final Award, and the Form and Matter thereof respectively, in the several Particulars, Matters, and Things as to which the Provisions of the said recited Acts are altered and varied by this Act, and to make the same conformable in all such Matters to the Provisions of this Act, any thing in the said recited Acts, or either of them, to the contrary notwithstanding.

Appeal to Assistant Barrister against Declaration.

XV. And be it enacted, That it shall not be lawful for any Persons to appeal to the Assistant Barrister against or in respect of any Declaration to be made by the said Commissioners under the Provisions of the said recited Acts or this Act, save only in respect of any Mill or Factory pursuant to the Provisions of the said first-recited Act, or as to any Assents to be given in respect of the Construction of any Reservoir, or the increased or more constant Supply of Water, under the Provisions of the said recited Acts or this Act, and save also as to the Matter or Fact whether or not Assents of the Proprietors of the Extent of the Land to be drained or improved required under the Provisions of this Act shall have been given to the Execution of the proposed Works: Provided always, that no Appeal against any such Declaration in respect to any Mill or Factory shall stay the Execution of the Works proposed to be executed, except as regards the Execution of such Works or Alterations as may be proposed to be made in any such Mill or Factory, or the Works appertaining thereto.

The Length of Time required by former Acts for giving Notices or depositing Maps, &c. may be reduced, except in certain Cases.

XVI. And be it enacted, That in all Cases where Notices are required to be given, or Maps, Plans, Sections, Schedules, Estimates, or other Matters and Things are required to be deposited, by the said Commissioners, for any limited Period, under the recited Acts or either of them, or this Act, (save as herein-after specially provided,) it shall not be necessary for the said Commissioners to give any longer Notice, or to deposit any such Maps, Plans, Sections, Schedules, Estimates, or other Matters or Things as aforesaid, for any longer Period than for Three Weeks from the Date of such Notice or Deposit, as the Case may be: Provided always, that nothing herein contained shall authorize the said Commissioners to give Notice of paying off any Certificates of Loans issued under the said recited Acts, or either of them, within a shorter Period than that in and by the said secondly recited Act is provided in that Behalf.

Commissioners may affix a Name to Districts.

XVII. And be it enacted, That it may be lawful for the said Commissioners to affix a Name to each District within which it may be proposed to put the Powers of the said recited Act or this Act into operation, and by which Name such Districts shall for all and every the Purposes of the said recited Acts and this Act be thereafter known, called, and described.

Errors, Omissions, Mis-statements, or Misnomers in Proceedings or Documents previous to and

XVIII. And be it enacted, That no Error, Misdescription, Misnomer, Mis-statement, or Omission in any of the Schedules, Maps, Plans, Sections, Estimates, Declarations or Memorandum of Declaration, or Notices, by the said recited Acts or this Act required to be prepared, lodged, registered, or given by the said Commissioners, shall invalidate the same, or any of them, or any of the Proceedings under the said recited Acts or this Act; and from and after the Publication of the final Notice in and by the said first-recited Act or this Act directed to be given previously to the Commencement of any Works

by

by the said Commissioners no Error or Omission whatever in any of the Proceedings preliminary to the issuing of such final Notice shall be deemed to affect or invalidate any such Proceedings, or the Powers and Authorities of the said Commissioners, or prevent them from proceeding with the Execution of the Works in their Opinion necessary, and for that Purpose effecting any Purchases, and doing all Matters and Things requisite for carrying fully into effect any such Works, or the Provisions of said recited Acts or this Act in relation thereto, nor to affect or invalidate any Award to be made by the said Commissioners in respect of any of the Lands drained or improved or affected by such Works, nor the Extent of Land or other Property to become liable for the Repayment of the Costs of the Works, and all Expences incidental thereto, nor any other Matter or Thing done or omitted to be done by the said Commissioners previously or subsequently to the publishing of such final Notice; and the Assent which shall have been received by the said Commissioners from any Proprietor of the Lands to be drained or improved shall be conclusive and binding upon such Proprietor of and all Persons interested in the Lands of such Proprietor in respect of which such Assent may have been given, and also upon and against the same Lands respectively; and it shall not be lawful for any Person whatever in any Manner to question or appeal against or in respect of any thing whatsoever done or omitted to be done by the said Commissioners under the Provisions of the said recited Acts or this Act (save only by such Petition to the Court of Chancery or Exchequer as by the said first-recited Act is allowed in case of Appeals respecting Mills or Factories only), nor shall any Proceedings to be had or taken by or on behalf of the said Commissioners for the Purpose of the said recited Acts or this Act be removed or removable by Certiorari into any of Her Majesty's Courts of Record.

inclusive of the Publication of the final Notice, shall not invalidate any of the Proceedings under this Act or the recited Acts.

Reservoirs and Navigation.

Companies may be formed under this Act to provide Funds and receive Profits (not exceeding 10 per Cent.) from Reservoirs or Navigations constructed by the Commissioners under Provisions of recited Acts and this Act.

XIX. 'And whereas the Construction of Reservoirs for the Prevention of sudden Floods, and maintaining a constant Supply of Water for Mills, Factories, Navigation, Irrigation, or Warping of Lands, the Supply of Towns, and other such Purposes, and also the Construction or Improvement of Navigation in connexion with Drainage, under the Provisions of the said recited Act or this Act, may be promoted or encouraged by the permanent Investment of the Money expended in the Construction of same, and by allowing the Parties investing their Money for such Purpose to receive and apply to their own Use the Profit, not exceeding Ten *per Centum* on the original Outlay, arising out of the Rates, Taxes, and Tolls to be levied by the said Commissioners under the Provisions of the said recited Acts or this Act: And whereas an Act was passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for the Registration, Incorporation, and Regulation of Joint Stock Companies*, and it is expedient to apply the Provisions of the said last-mentioned Act to the Formation of Joint Stock Companies for providing Funds to be permanently invested in, and receiving the Profits to arise from, the Construction of such Reservoirs, and the Construction or Improvement of such Navigations as aforesaid, by the said Commissioners, under the Provisions of said last-recited Acts or this Act;' be it therefore enacted, That it shall and may be lawful from Time to Time for any Number of Persons, with the Consent and Approbation in Writing of the said Commissioners, to form themselves into a Company for the Purpose of raising and providing Funds to be permanently invested, by or under the Control or Superintendence of the said Commissioners, in the Formation or Construction of any such Reservoir or Embankment for any of the Purposes aforesaid, or the making or improving any Navigation under the Provisions of said recited Acts or this Act; and every such Company shall be subject to the several Provisions and Regulations, so far as the same are applicable, contained in the said recited Act of the Seventh and Eighth Years of the Reign of Her present Majesty, and shall and may, subject to the Terms and Provisions of the said Act, be incorporated and have a Common Seal, and sue or be sued by their registered Name, and possess and enjoy the Powers and Privileges in the said Act given, as and subject to the Regulations in the said Act respectively provided and mentioned: Provided always, that no Shareholder in any such Company shall be liable for or charged with the Payment of any Debt or Demand due by or from any such Company beyond the Extent of his Share in the Capital of such Company not then paid up.

The Commissioners shall pay to Companies providing Funds the surplus Income, not exceeding 10 per Cent. on original Outlay.

XX. And be it enacted, That when any Company of Persons as aforesaid formed for any of the Purposes aforesaid shall have provided and supplied to the said Commissioners Funds to defray the Costs and Expences of the making or constructing of any such Reservoir or Embankment, or the making or improving any such Navigation, under the Provisions of the said recited Acts or this Act, and when such Works shall have been completed, and the Costs and Expences thereof shall have been fully paid and satisfied to the said Commissioners, it shall and may be lawful for the said Commissioners and they are hereby required, after defraying the Cost of supporting, maintaining, and upholding the several Works of such Reservoir or Navigation, as the Case may be, which, under the Provisions of the said first-recited Act and this Act, the said Commissioners are authorized and required to maintain, support, and uphold, to pay to the Company, or authorized Officer thereof, which shall have provided such Funds, the whole of the surplus Income which shall arise out of the Assessment, Rates, Taxes, Tolls, or Rents imposed or to be imposed by the said Commissioners from Time to Time on account of the original Construction or the maintaining the Works of such Reservoirs or Navigations respectively: Provided always, that when the Amount of such surplus Income shall exceed Ten Pounds *per Centum per Annum* on the total Amount declared by the Award of the said Commissioners to have been expended in or about the Construction of such Reservoir or Works, the Amount of such Assessment, Rates, Taxes, or Tolls shall be so reduced by the said Commissioners that the Amount of such surplus Income arising therefrom shall not exceed Ten Pounds *per Centum per Annum* as aforesaid.

XXI. And

Reservoirs.

Commissioners may authorize Officers of Company formed under this Act to receive and collect Rates and Taxes.

XXI. And be it enacted, That it shall and may be lawful for the said Commissioners, if they shall so think fit, from Time to Time, or for any stated Time, to depute the duly authorized Officers of any Company as aforesaid formed for providing Funds for the Construction of any Reservoir or Embankment under the Provisions of this Act to receive, collect, and recover the Assessment, Rate, or Tax imposed by the said Commissioners, either for or on account of the Cost of the Construction of such Reservoir or Embankment, or for or on account of the Cost and Expences of maintaining, supporting, and upholding the same respectively; and it shall be lawful for such Company as aforesaid, for the Purpose of collecting or recovering any such Assessment, Rate, or Tax, during the Time they shall be so authorized as aforesaid, to have, use, and exercise, subject to like Regulations, all the Powers, Authorities, and Privileges in and by the said first-recited Act vested in the said Commissioners for the Collection or Recovery of any such Assessment, Rate, or Tax as aforesaid.

Any Person liable to Rate for original Cost of Construction may purchase Exemption by paying Twenty Times such Rate.

XXII. Provided always, and be it enacted, That in case any Person, Party, or Company liable to pay any Rate or Tax for or on account of the Cost and Expences of the original Construction of any such Reservoir or Embankment as aforesaid shall desire to be exempt from the future Payment thereof, by purchasing from the said Commissioners the Portion of such Rate or Tax to which such Person, Party, or Company shall be liable, it shall and may be lawful for the said Commissioners, upon receiving from such Person, Party, or Company a Sum of Money equal to Twenty Times the Amount of such Rate or Tax, by any Instrument in Writing under the Hands and Seals of the said Commissioners, to exempt such Person, Party, or Company, and the Mills, Lands, and Property of such Person, Party, or Company respectively, from any future Payment of or Charge for or in respect of such Rate or Tax; and the said Commissioners shall pay over to the Company formed under the Provisions of this Act, and which shall have provided Funds for the Construction of such Reservoir or Embankment as aforesaid, the Amount of Consideration Money for such Exemption so received from such Person, Party, or Company as aforesaid: Provided always, that nothing herein contained shall be construed to exempt any such Person, Party, or Company, or the Lands or Property thereof respectively, from any Payment of or Charge for or in respect of any Rate or Tax to be imposed, under the Provisions of the said recited Acts or this Act, for the Maintenance and Support of all the Works of said Reservoir or Embankment and other Works which the Commissioners are by said first-recited Act required to maintain and support, with all Expences incidental thereto.

Same Power given for the Purchase of Lands for the Formation of Reservoirs as for all the other Purposes of recited Acts and this Act.

XXIII. 'And whereas in and by the said first-recited Act the said Commissioners are authorized and 'empowered to make Reservoirs and Embankments for the Purpose of maintaining a constant Supply of 'Water for Mills or Factories on any River or Stream, or preventing sudden Floods therein, but for 'Want of sufficient Powers as to the Purchase of Lands and Hereditaments necessary for such Purpose 'it has been found impracticable to carry into execution such Works, and it is expedient to supply such 'Powers;' be it therefore enacted, That it shall and may be lawful for the said Commissioners to purchase and take any Lands, Tenements, or Hereditaments which they may consider necessary or proper to purchase for the Purpose of making such Reservoir or Embankment, and that all and every the Provisions, Powers, and Authorities in and by the said recited Acts or either of them, or this Act, contained or given for the Purpose of or relating to entering upon, occupying, using, or purchasing any Lands required for the Works for Drainage or Navigation, or for compensating any Parties or Person for any Injury done to any Lands in and by the said recited Acts or this Act authorized, or relating to the Purchase Money of Lands, or to any Matter or Thing concerning such Lands, shall extend and apply, and shall and may be used, exercised, and applied by the said Commissioners, with respect to any Lands which they may deem necessary to enter upon, use, occupy, or purchase for the Purpose of making any such Reservoir or Embankment as herein-before mentioned, or which may be injured by means of the Construction of any such Work, or by reason of the Exercise of the Powers aforesaid, any thing in the said first-recited Act to the contrary notwithstanding.

Power to rate all Parties deriving Benefit by Supply of Water from Reservoirs.

XXIV. 'And whereas the Construction of such Reservoirs or Embankments will not only increase 'and maintain a constant Supply of Water for the Purpose of Mills and Factories, but may also afford 'or increase a Supply for the Purpose of Navigation, Irrigation, and Warping of Lands, the Supply of 'Towns, and for other Purposes; and it is expedient and just that all Parties and Persons deriving 'Benefit from the Construction of such Works shall contribute towards the Expence of constructing and 'maintaining the same in proportion to the Benefit conferred on the Property or Interest of each 'respectively;' be it therefore enacted, That in all Cases where the said Commissioners shall, under the Provisions of the said recited Acts or this Act, make or construct any such Reservoir or Embankment as aforesaid, it shall and may be lawful for the said Commissioners, for the Purpose of defraying the Expence of constructing or maintaining such Reservoir or Embankment, to impose a Tax or Rate, annual or otherwise, not only on the Mills and Factories along or upon any such River or Stream, but also upon the Property of all and every Party or Person who, or Company which, shall derive Benefit from the making or constructing of any such Reservoir or Embankment, by taking or using, or agreeing to take or use, a Supply of Water, or an increased or more constant Supply of the same, having regard to the Benefit conferred or to be conferred on each respectively.

Increased Supply of Water.

Power to rate Mills and Facto-

XXV. And be it enacted, That in all Cases of Drainage, or of making or improving any Navigation in connexion with any such Drainage, under the said recited Acts or this Act, in which it shall be found by the said Commissioners practicable to improve the working Water Power of any Mills or Factories situate within the District to be defined by the said Commissioners, and where the Proprietors of such

Mills

Mills or Factories possessing more than One Half of the Value of the working Water Power of all such Mills or Factories which may derive Benefit from such Works shall signify their Assent in Writing to the Execution of the proposed Works, it shall and may be lawful for the said Commissioners to execute all such Works as may be necessary for the Improvement of such Water Power, and that all and every the Powers, Authorities, and Provisions in the said recited Acts given and contained for the Execution of any Works thereunder shall be held and deemed to be applicable to the Execution of the Works which the Commissioners may deem necessary for the Improvement of such Water Power, and for the Purpose of Contributions towards the Repayment of the Costs and Expences of the Works to be executed in the District within which any such Mill or Factory may be situate; and it shall and may be lawful for the said Commissioners, in and by the Award or any Instrument or Instruments under their Hands and Seals, to assess and rate all the Mills and Factories which in the Opinion of the said Commissioners are or shall be benefited by any of the Works executed within such District, and to fix and determine the Amount of such Rate or Contribution which shall be paid by the Proprietors of each such Mill or Factory for the Improvement which shall be so effected, and also to fix and determine the Proportion in which each such Mill or Factory shall in future be rated for the Maintenance of the Works within any such District, regard being had, in fixing such Assessment and Rate and Proportion of Rate respectively aforesaid, to the Degree of Benefit conferred upon each such Mill or Factory.

ries for increased Supply of Water from Works for Drainage, or Drainage and Navigation, with Assent of Owners of Mills and Factories possessing more than Half the working Water Power.

XXVI. 'And whereas, after the Construction of any Reservoir, or the Execution of Works of 'Drainage, or Drainage and Navigation combined, under the Provisions of the said recited Acts or this 'Act, and after the making and Publication of the final Award by the said first-recited Act directed to 'be made and published upon the Completion of any such Works, it may be found that by means of the 'Construction of such Reservoir or Works a Supply of Water can or may be afforded for working any Mill 'or Factory, or for the Purpose of Navigation, Irrigation, or the Warping of Lands, or for the Supply 'of Towns, or for other Purposes, and it is just and right that all Persons deriving Benefit from such 'Supply of Water should pay for the same;' be it therefore enacted, That it shall and may be lawful for the said Commissioners, from Time to Time, in addition to the final Award before mentioned, and subject to the Provisions in said first-recited Act contained with reference to such final Award (so far as same may be applicable), to make such separate Award or Instrument, in Writing under their Hands and Seals, as they shall from Time to Time find necessary, and, having regard to the Benefit conferred by such Reservoir or Works, and to the Payment of a due and fair Proportion of the Expence of the Construction and Maintenance thereof, to assess for the Amount to be contributed, or to impose a Rate or Tax on any Mill, Factory, Navigation, Lands, or Property, or any Company, Person, or Party, which or who, after the Publication of such final Award as aforesaid, shall derive Benefit from the Supply of Water afforded by any such Reservoir or Embankment, or Works for Drainage, or for Drainage and Navigation combined, under the Provisions of said recited Acts or this Act; and the Sum or Sums of Money which shall be so assessed, rated, or taxed by any such subsequent Award or Instrument in Writing as aforesaid shall be charged and recovered in like Manner in every respect as any Sum or Sums assessed, rated, or taxed by any such final Award made as aforesaid is, are, or shall be charged or recoverable under the Provisions of the said recited Acts and this Act.

Reservoirs, and Supply of Water from other Works.

Rates may be imposed for Supply of Water from Reservoirs or other Works afforded after the Publication of the final Award.

XXVII. And be it enacted, That in all Cases of Monies to be borrowed from and after the First Day of *January* in the present Year, for the Construction of any Reservoir or Embankment, or for the Improvement of any Water Power of any Mill or Factory, under the Provisions of the said recited Acts or this Act, the respective Sums of Money which by the Award to be made by the said Commissioners shall be specified as the Assessments, Rates, or Taxes to be imposed for the Construction or Maintenance of any such Reservoir or Embankment, or for the Contribution payable in respect of any Mill or Factory towards the Costs and Expences of the Works executed in any District as aforesaid, also for the Maintenance of such Works, shall be charged, with Interest (in Cases where under any such Award Interest shall be payable) at a Rate not exceeding Five Pounds *per Centum per Annum*, upon the Mills, Factories, Lands, or Properties which the said Commissioners by their Award shall declare to be benefited by the Construction of any such Reservoir, Embankment, or Works aforesaid, in like Manner and with like Priority, and with and subject to the like Provisions, as by this Act given and provided in respect of Monies charged on Lands in respect of Drainage under the said recited Acts or this Act; and the same respective Sums of Money, with such Interest for the same as aforesaid (where such Interest is payable), shall also be charged upon so much of any other Land situate within One Mile of any Part of any such Mill, Factory, Land, or Property to be declared by the said Commissioners benefited as aforesaid, and settled with the Mill, Factory, Land, or Property so declared to be benefited as aforesaid, to the same Uses, Intents, and Purposes, by virtue of Limitations contained in the same Instrument or the same Set of Instruments, and also upon so much of any other Land belonging to the same Proprietor, as the Mill, Factory, Land, or Property so declared to be benefited, and situate within One Mile of any Part of the same, for all his Estate and Interest existing at the Time of the Declaration required to be made by the said Commissioners previously to the Execution of any of such Works, as the said Commissioners shall, by their Award, or any Instrument under their Hands and Seals, and enrolled in the Rolls Office, direct, limit, and appoint, having regard to the Sufficiency of the said Lands to satisfy and secure the Charge thereon, but subject, as to such other Land as aforesaid, to the full Amount of all other Incumbrances thereon affecting the same prior to the Registry of the Memorandum of such Declaration; and all the Powers, Authorities, and Provisions in the said recited Acts or either of them, or this Act, contained or provided for or relating to the Recovery and enforcing Payment of the Monies charged on Lands

Reservoirs or improved Water Power; Security for Money and Repayment.

Same Security for Monies as in Cases of Lands drained or improved.

Lands under the Provisions of the said Acts or either of them, or this Act, shall extend and apply to the Recovery and enforcing Payment of the Monies charged on Mills, Factories, Lands, or Property under the Provisions of this Act.

Navigation.

The surplus Income from Tolls to be paid in certain Cases to Counties, Baronies, Persons, or Companies securing, either separately or conjointly, the Cost of the original Construction of Navigation.

XXVIII. 'And whereas by the said first-recited Act certain Provision is made with regard to the Application of surplus Income from Tolls in respect of Navigations constructed or improved under the said Act; and with a view to encourage the Formation and making of such Navigations it is expedient to amend such Provision;' be it therefore enacted, That in all Cases where the Costs of constructing or improving any such Navigation, with all Expences incidental thereto (including Interest on borrowed Monies), shall have been secured by any Presentment passed by the Grand Jury of any County or Counties, or by the Guarantee of any Person, Party, or Company, or partly by such Presentment and partly by such Guarantee, under said first-recited Act or this Act, and such Costs, Expences, and Interest shall have been paid to the said Commissioners under and by virtue of such Security, the said Commissioners shall apply and pay to the Use and Benefit of the Party, Person, or Company who shall have guaranteed and paid the whole or the Part (as the Case may be) of such Costs and Expences and Interest the whole or the proportionate Part (as the Case may be) of the surplus Income which shall arise from or in respect of any Tolls, Rates, or Rents to be imposed or levied in respect of any such Navigation, after defraying all Expences incidental to the Maintenance of the Works, and the several other Matters and Things, as in said Act mentioned; and in Cases where such Costs, Expences, and Interest, or any Part thereof, shall have been secured by Grand Jury Presentment, such surplus Income, or such proportionate Part thereof, shall be paid to the Treasurer of the County or Counties respectively which shall have secured or become liable for such Costs and Expences, in the Proportions in which such County or Counties, or Part thereof, shall have contributed towards the Expence and Costs of such Navigation, and be by every such Treasurer brought to the Credit of the County, Barony, Half Barony, or Townlands which shall have so secured and become liable to such Costs as aforesaid, in the Proportions in which the same shall have contributed or paid as aforesaid:

If surplus Income exceed Ten per Cent. on original Outlay, Tolls to be reduced.

Provided always, that when and so soon as the Amount of such surplus annual Income arising from such Tolls, Rents, or Rates of any such Navigation shall exceed the Rate of Ten Pounds *per Centum per Annum* on the original Costs of Construction thereof, and the Expences incidental thereto, including all Interest paid on Monies borrowed for such Purposes, such Rates and Tolls shall be reduced by the said Commissioners so that the Amount of such surplus annual Income arising from such Tolls, Rents, and Rates shall not exceed Ten Pounds *per Centum per Annum* upon the original Costs of Construction as aforesaid; provided also, that nothing herein contained shall be construed to affect the Powers of the said Commissioners under the said first-recited Act, with the Approbation of the Commissioners of Her Majesty's Treasury, to reduce all or any of the Rates or Tolls to be imposed or levied in respect of any such Navigation, and afterwards, from Time to Time, with the like Approbation, to raise the same, as in said Act provided.

Grand Jury or Person or Company may secure a Portion of the Cost of any Navigation, instead of the whole.

XXIX. And be it enacted, That in all Cases where under the said first-recited Act Provision is made for securing by Grand Jury Presentment, or by the Guarantee of any Party, Person, or Company, the full estimated Expence of any Navigation, it shall and may be lawful for any Grand Jury to secure by Presentment, or for any Party, Person, or Company to secure by Guarantee, a Portion of any such Expences as aforesaid; and it shall be lawful for the said Commissioners, if they shall so think fit, to accept such Security for a Portion of such Expences; and all and every the Powers, Authorities, and Provisions in the said first-recited Act contained for securing the full estimated Expences of the Construction or Improvement of any Navigation, or relating thereto, shall be deemed and taken to extend and shall be applied to any such Security taken for a Portion of such Expences as aforesaid.

In Cases where Money can be borrowed on the Security of Tolls to be imposed, the Commissioners may, if they think fit, make or improve any Navigation in connexion with Drainage.

XXX. And be it enacted, That in all Cases where it shall appear to the said Commissioners that any River or Part of a River may be made navigable or the Navigation thereof improved in connexion with Drainage under the Provisions of the said first-recited Act or this Act, and the said Commissioners shall receive such Memorial as in said first-recited Act provided, and shall receive the Assents of the Proprietors of any Portion exceeding One Half in Extent of the Land proposed to be drained or improved in connexion with the Navigation of any such River, and if they shall so deem fit, and find that the Advantages to be derived from any such Navigation would be commensurate with the Costs of the Works necessary for making such Navigation, or improving the same, and if the said Commissioners can obtain, on the Security of the Tolls and Rates to be levied in respect of such Navigation, a Loan or Advance of Money for defraying the Costs and Expences of making or improving the same, it shall and may be lawful for said Commissioners to make any such River navigable, or improve the Navigation thereof, either without the Costs of such Works being secured by any Presentment of a Grand Jury, or by any Guarantee to be given by any Party, Person, or Company, as in the said first-recited Act required, or without requiring more than a Portion of such Costs to be so secured; and that all the Powers, Authorities, and Provisions in the said first-recited Act contained or given for or relating to the making or improving of any Navigation, or the levying or collecting or enforcing any Tolls or Rates on or in respect of the same, or to any other Matter or Thing whatsoever connected with such Navigation, or such Tolls or Rates, under the said first-recited Act or this Act, shall be held, construed, deemed, and taken to apply and extend to any such Navigation to be made or improved under this Act, or to any Tolls or Rates in respect thereof, or other Matters or Things whatsoever connected therewith.

Commissioners of Public

XXXI. And be it enacted, That in either or any such Case of Navigation as last aforesaid it shall and may be lawful for the Commissioners of Public Works in *Ireland* acting in execution of an Act made and passed

passed in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in* Ireland, and the several Acts amending the same, or for the Commissioners appointed and acting under an Act passed in the Fifth Year of the Reign of Her present Majesty, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund to a limited Amount, for the carrying on of Public Works and Fisheries and Employment of the Poor; and to amend the Acts authorizing the Issue of Exchequer Bills for the like Purposes*, or any Act or Acts for amending the same respectively, and they are hereby respectively empowered, if they shall think fit, from Time to Time, out of any Funds at their Disposal, to lend and advance any Sum which may be necessary for the Purpose of making any such River navigable, or improving the Navigation thereof in connexion with Drainage, upon the Credit of the Rates, Tolls, and Duties to be imposed, raised, collected, and received for and in respect of any such Navigation, together with such other Security (if any) as the Commissioners of Her Majesty's Treasury shall deem fit or require: Provided nevertheless, that no Advance of Money shall be made for any of the Purposes aforesaid unless with the Consent of the Commissioners of Her Majesty's Treasury, or any Three or more of them; and that all such Monies so lent and advanced as aforesaid shall be repaid, with Interest thereon, as the said Commissioners of the Treasury shall direct, from and out of the Monies accruing to the Commissioners for the Execution of the said first-recited Acts and this Act out of the Tolls, Rents, and Rates to be levied and collected out of or in respect of any such Navigation.

Works, and Commissioners for Execution of Act 5 & 6 Vict. c. 9. may lend Money on Security of Tolls to be imposed on any Navigation.

No Advance without Consent of Treasury.

Monies lent to be repaid with Interest.

XXXII. 'And whereas after the Commencement or Completion of Works for Drainage by the 'Improvement of any River or Stream in any District under the Provisions of said recited 'Acts or this Act it may be found that by the Construction of some additional Works a useful 'Navigation may be made, and the Counties or Baronies or any Persons interested may be desirous 'of having such additional Works constructed, and such Navigation made or improved, under the 'Provisions of the said recited Acts or this Act;' be it therefore enacted, That in case any such Navigation may be made or improved after the Commencement or Completion of any Works for Drainage, by the Improvement of any River or Stream in any District, all the Powers, Provisions, Restrictions, and Authorities in or by the said recited Acts or this Act contained and given for the making, improving, and maintaining any Navigation in connexion with Works for Drainage, or in any Manner relating thereto, shall extend and apply, so far as the same are applicable, to the making, improving, and maintaining any such Navigation, and to all Matters and Things in relation thereto, after the Works for Drainage in any District shall have been commenced or completed.

Navigations may be made in Districts where Works for Drainage have been commenced or completed.

XXXIII. And be it enacted, That in all Cases where, for the Purposes of Navigation connected with Drainage, a free Grant of a Moiety or more of the Expence of making or improving any such Navigation shall or may be made under the Authority of Parliament, and the other Moiety or Residue of the Expence of making or improving such Navigation shall or may be raised or advanced by way of Loan under the Provisions of the said recited Acts or this Act, then such Moiety or Residue so raised or advanced shall, with Interest from the Date of such Loan, be charged upon the District which by the Declaration to be made in such Case by the said Commissioners under the Provisions of the said first-recited Act it shall be declared will be benefited by the making or improving of such Navigation, and the several Baronies, Half Baronies, and Townlands in such District, and shall be repaid by and levied from such Baronies, Half Baronies, and Townlands in the Proportions in which it shall be so declared that such Baronies, Half Baronies, and Townlands will be respectively benefited, in One Sum or by Instalments, under and subject to the several Provisions and Regulations in said recited Acts or this Act contained in relation to the Levy and Recovery of any Sums which under the final Award of the said Commissioners shall be payable by the Grand Jury of any County in respect of the Improvement of the Navigation of any River: Provided always, that in any Case where any such Grant shall be made as aforesaid no greater Amount of Tolls or Rates shall be imposed or levied in respect of such Navigation than shall be sufficient to defray the Expence of maintaining and upholding such Navigation and the Works thereof, with all Expences incident thereto.

In case of Grants in aid of Navigation, the Residue of Costs to be repaid by the District, and Tolls to be levied for Maintenance only.

Miscellaneous.

XXXIV. And be it enacted, That it shall and may be lawful that any Meeting by the said recited Acts or this Act authorized to be held by the said Commissioners shall or may be held by One of the said Commissioners; and all Acts, Matters, Things, and Proceedings had or done at any such Meeting, or for the Purposes thereof or relating thereto, shall be as valid and effectual as if such Meeting had been held and attended by the said Commissioners or any Two of them, anything in the said recited Acts or either of them to the contrary thereof notwithstanding; and such of the Officers of the Board of Public Works as the Commissioners for the Execution of this Act shall deem fit, and by their Order direct, shall be Officers for the Purposes of the said firstly-recited Acts and this Act.

One Commissioner may hold Meetings.

XXXV. And be it enacted, That if any Weir, Dam, or other Work or Obstruction belonging to or connected with any Mill or Factory, shall cause the flooding or prevent the draining of any Lands included in any District, so as thereby to injure such Lands, or prevent their Improvement, to an Extent in Value equivalent to or exceeding an Amount double the then present Value of such Mill or Factory, it shall be lawful for the said Commissioners, in case they shall not agree for the Purchase of such Mill or Factory, Weir, Dam, or other Work, to purchase and take the same and to award Compensation for the Value thereof in like Manner and subject to the like Appeal as by the said recited Acts and this Act provided in reference to any Land to be taken by the said Commissioners for the Purpose of any Works to be executed under the said Acts or this Act, any thing in the said recited Act to the contrary notwithstanding.

When Mills or Factories injure Lands to an Extent in Value equal to or exceeding Twice the Value of such Mill or Factory, same may be purchased.

Commissioners may improve Rivers, &c. passing through Parks, &c., without Consent, making Compensation for Damage.

XXXVI. And be it enacted, That it shall and may be lawful for the said Commissioners to deepen, widen, cleanse, scour, or otherwise improve any River or Stream which they may consider necessary for the proper Execution of any of the Works by said recited Acts or this Act, or any of them, authorized, notwithstanding any such River or Stream shall pass in, through, or by any Park, Garden, or Demesne, without the Consent in Writing of the Owner thereof, any thing in the said first-recited Act to the contrary thereof notwithstanding, making Compensation for all Damage in the Execution of such Works, in like Manner as in Cases of Damage under the said first-recited Act.

Provisions as to Drainage to extend to Lands of One or more Proprietors.

XXXVII. And be it declared and enacted, That the Provisions of the said recited Acts and this Act for or in respect of the Drainage or Improvement by Drainage of Lands, or any Matter or Thing relating thereto, shall be deemed and construed to extend and apply to the Drainage or Improvement by Drainage of the Lands of one Proprietor as well as to the Lands of several Proprietors.

In default of Repayment of Expenditure in draining Bog, Moor, or Waste Lands, a competent Portion thereof may be demised by the Commissioners for Ninety-nine Years, at a Fine for raising the Sum due.

XXXVIII. 'And whereas under the Provisions of the said recited Acts or this Act the Commissioners 'may be called upon to drain Bog, Waste, or Moor Lands, or Lands to be embanked from the Sea or 'Tideway, and the Security for the Money expended in draining such Lands may mainly or in part 'depend upon the Cultivation or Reclamation thereof after such Drainage shall have been effected;' be it therefore enacted, That in case of the Drainage or Embankment of any such Lands as last aforesaid, if Default shall be made in the Repayment of any Sum of Money charged upon any such Lands under the final Award of the said Commissioners for any Period exceeding Six Months, it shall be lawful for the said Commissioners, if they shall so think fit, to lease or demise to any Persons or Person, in One or more Lots or Divisions, such Lands, or a competent Portion thereof, for any Term not exceeding Ninety-nine Years, reserving thereout to the said Commissioners such annual Rent as they shall think fit, not being less than the annual Value of such Lands before the Works of such Drainage or Embankment were commenced; and in making any such Lease or Demise it shall and may be lawful for the said Commissioners to accept and receive such Sum of Money by way of Fine or Premium as can or may be had for the making or granting such Lease or Demise; and every such Lease or Demise shall be good, valid, and effectual in the Law for the Purpose aforesaid, and shall be binding and conclusive upon all and every Persons or Person whatsoever, and shall take Priority of all Charges and Incumbrances whatsoever and wheresoever made, except Quit Rent, and Rent-charge in lieu of Tithe, and Chief Rent, as in said first-recited Act construed or defined, if any such shall be payable thereout.

Monies received for such Fine, &c. to be applied in making Repayment.

XXXIX. And be it enacted, That any such Sum of Money which shall be received by the said Commissioners for or on account of such Fine or Premium, or for such Rent of such demised Premises, from Time to Time, shall be applied by the said Commissioners in discharge of the Loans or Monies borrowed for the Execution of such Works, with all Interest due thereon; and when the Amount of such Loans or borrowed Monies, with all Interest thereon, and the Costs and Expences of the Proceedings incidental to the Recovery of Monies expended in and about such Works, and the making of such Lease or Demise as aforesaid, shall have been fully paid and satisfied, the said Commissioners shall and they are hereby required, by any Deed under their Hands and Seals, to convey and release all their Right, Title, and Interest in such demised Premises, subject to such Lease as aforesaid, and in the Rent reserved thereout, to the Person or Persons respectively who shall be then entitled to the Reversion expectant upon the said Lease.

In default of Payment for 12 Months of Money secured upon Bog, Moor, or Waste Lands, Commissioners may levy Amount by Sale of the Lands or a competent Part thereof.

XL. And be it enacted, That if default shall be made in the Repayment of any Sum of Money charged upon any such Lands as last aforesaid under the final Award of the said Commissioners, for any Period exceeding Twelve Months, and that the same cannot, in the Opinion of the said Commissioners, be raised by any such Demand as aforesaid, it shall and may be lawful for the said Commissioners, or such Person or Persons as shall be nominated and authorized by any Two or more of them, without any other Process or Writ, to enter upon and to take possession of all or any Parts or Part of such Lands, and by Sale of the same or a competent Part thereof to raise and levy such Sum or Sums of Money as shall be sufficient to repay all Monies so due and in arrear upon or in respect of such Lands, and all Costs as between Attorney and Client, and other Charges whatever attending such Proceedings; and the Monies so recovered (the Costs and Charges aforesaid excepted) shall be paid and applied in and towards the Reimbursement and Satisfaction of the Sum so due upon and in arrear in respect of such Lands; and the Receipt of such Person or Persons as the said Commissioners shall nominate and appoint as aforesaid shall alone be a full and sufficient Discharge to all and every Person and Persons whatsoever, and by whatever Title claiming, or howsoever entitled or deriving, for the Purchase Money or Purchase Monies of the respective Interest or Property so sold; and such Purchaser or Purchasers, or other Person or Persons, shall not be bound to see to the Application thereof, nor shall be liable or in any Manner accountable for the Misapplication or Nonapplication of such Money or Monies by the Person or Persons appointed by the said Commissioners as aforesaid or any of them; and every such Sale shall be good, valid, and effectual in the Law for the Purposes aforesaid, and to convey a good and valid Title to the Purchaser or Purchasers of any such Lands, free from and in Priority to all Charges or Incumbrances thereon whatsoever, and shall be binding and conclusive upon all and every Person or Persons whatsoever; and all the Estate, Right, Title, or Interest of or in the said Lands so sold shall and may be conveyed and assured to the Purchaser or Purchasers thereof by any Deed or Deeds of Conveyance to be executed under the Hands and Seals of the said Commissioners or any Two of them, subject nevertheless to any Quit Rent, Rent-charge in lieu of Tithe, or Chief Rent, as in said first-recited Act construed or defined, which shall have been reserved or payable thereout previous to the Registry of the

Memorandum

Memorandum of the Declaration with respect to such Lands, as by the said secondly-recited Act provided, and the Estate or Estates to which such Chief Rent or Chief Rents shall be incident. *Miscellaneous.*

Powers of Entr on Lands.

XLI. And be it enacted, That for the Purposes of the said recited Acts and this Act it shall be lawful for the said Commissioners, or any Engineer, Workman, or other Person authorized by them, after Three Days previous Notice, to enter upon and into any Land for the Purpose of executing any Works by the said Acts or this Act authorized, or procuring any Materials therefrom, or doing any other Act, Matter, or Thing requisite, in the Opinion of the said Commissioners, for carrying fully into effect the Purposes of the said Acts and this Act, making such Compensation for the temporary or Surface Damage done to said Land, or paying such Amount, in the Case of Purchase, for the Purchase of the same, in such Manner and subject to the like Provisions and Regulations relating to the same respectively (save as by this Act altered or varied) as by said first-recited Act is directed in Cases of Lands injured or required to be purchased: Provided always, that after the Service of such Notice as last aforesaid, and after having offered to any Proprietor or Proprietors and Occupier or Occupiers of any Lands such Sum of Money as the said Commissioners shall think reasonable, it shall and may be lawful for the said Commissioners, or the Engineers, Workmen, or Persons authorized by them as aforesaid, without further Delay, to enter into and upon such Lands, and proceed with such Works thereon, or use such Lands for any such Purposes as aforesaid, pending the Proceedings required under the Provisions of the said first-recited Act to be taken for determining the Amount of such Compensation or effecting such Purchase as aforesaid.

Aqueducts, Culverts, and Tunnels under Canals to be kept thoroughly cleansed.

XLII. 'And whereas many Aqueducts, Culverts, and Tunnels under Canals in *Ireland* are, either by 'reason of their original Construction, or from Neglect to cleanse and scour the same, insufficient to 'discharge the Flood Waters of the Streams or Drains upon which they are constructed at a sufficiently 'low Level for the Purposes of draining the Lands lying above such Aqueducts, Culverts, and Tunnels, 'whereby much Injury is done and Improvement prevented in such Lands, and it is expedient, just, and 'right to provide Means whereby such Evil may be prevented;' be it therefore enacted, That in all Cases when such Insufficiency as aforesaid is caused by reason of Neglect to scour or cleanse, or by the Accumulation of Matter in such Aqueducts, Culverts, or Tunnels as aforesaid, the Canal Company to whom such Aqueducts, Culverts, or Tunnels belong, after Fourteen Days Notice in that Behalf served upon the Secretary, Treasurer, or known Engineer of such Company, shall cause, and they are hereby required to cause, such Aqueducts, Culverts, or Tunnels to be thoroughly scoured and cleansed out, and all such accumulated Matter to be removed; and in case any such Company shall neglect, for the Space of Ten Days after the Expiration of said Fourteen Days, or refuse, to cleanse, scour out, or remove such accumulated Matter, it shall be lawful for the Magistrates at Petty Sessions for the District in which such Aqueduct, Culvert, or Tunnel shall be situate, upon the Complaint of the Party or Parties injured, to summon before them the said Canal Company, and such other Person or Persons as to such Justices may seem fit, and to hear and investigate the Matter of such Complaint, and determine the same, and, in case the said Justices shall deem the said Complaint to be well founded, to order and direct any Person or Persons, to be named in and by a Warrant to be by them issued in that Behalf under their Hands and Seals, to enter upon, cleanse, scour out, and remove such accumulated Matter from such Aqueduct, Culvert, or Tunnel; and the Cost and Expence of so doing, and all Expences incidental thereto, shall and may be recovered from such Canal Company by Civil Bill; and in all Cases where such Insufficiency as aforesaid shall be caused by reason of the original Construction of such Aqueduct, Culvert, or Tunnel, and the Canal Company to which the same shall belong shall neglect, for the Space of One Month after the Expiration of Fourteen Days from the Service of a Notice in that Behalf, or refuse, to enter into an Agreement for the effectual Alteration of such Aqueduct, Culvert, or Tunnel, so as to make them in every respect sufficient for the Discharge of Flood Waters at so low a Level as will not be injurious to such Lands as aforesaid, it shall be lawful for any Proprietor or Proprietors of such Lands to apply by Memorial to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, stating the Nature of the Case, and praying that Relief may be afforded, and undertaking to pay such Portion of the Costs of altering such Aqueduct, Culvert, or Tunnel as, under the Provision herein contained, he or they shall be deemed liable to pay; and it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to direct that the Commissioners for the Execution of this Act shall cause such Aqueduct, Culvert, or Tunnel to be altered in such Manner as to them shall seem sufficient for the free Discharge of the Flood Waters at so low a Level as will prevent Injury to the Lands above them, and, for the Purpose of executing such Works, to apply any Funds which may be at their Disposal for the Time being under the Provisions of the said recited Acts or this Act; and the Costs and Expences of making such Alteration, with all Expences incidental thereto, shall be recovered by the said Commissioners in equal Moieties from the Company to which such Aqueduct, Culvert, or Tunnel shall belong, and from the Proprietor or Proprietors of such Lands as aforesaid, by Civil Bill in the County where such Lands shall be situate, or by Action or Suit in any of the Superior Courts in *Dublin*; and Service of such Notice, Summons, or Civil Bill at the Office of such Company in *Dublin*, or on any known Agent or Officer of such Company in the County where any Lands the Subject of such Complaint are situate, shall be deemed good Service of the same on the said Company.

Proceedings in case of Neglect.

Proceedings where Proprietors unanimously desire to have their Lands drained.

XLIII. 'And whereas it is expedient to allow Proprietors of Land, when unanimous, to execute 'certain Works instead of the Commissioners;' be it enacted, That in any Case in which all the Proprietors of any Lands proposed to be drained shall unanimously apply by Memorial to the said Commissioners pursuant to the Provisions of the said recited Acts or of this Act, and shall, together with such

Miscellaneous.

Memorial, furnish to the said Commissioners a Consent in Writing, signed by themselves, and by all the Occupiers of the Lands proposed to be drained or improved, and shall furnish to the said Commissioners the Funds requisite for defraying all the preliminary Expences necessary to be incurred under the Provisions of the said recited Acts or of this Act, it shall be lawful for the said Commissioners to cause to be made such Survey, Inquiries, Examinations, Maps, Plans, Sections, and Estimates respecting such Works, and such Report thereon, as by the said recited Acts and by this Act are directed to be made, and shall cause the same respectively to be deposited for Inspection, pursuant to the Provisions of the said recited Acts and of this Act; and in case all such Proprietors and Occupiers shall thereupon unanimously assent in Writing to the Execution of the proposed Work, and the Declaration and all other Proceedings thereon shall have been made and concluded, and the final Notice shall be given, pursuant to the Provisions of the said recited Acts and of this Act respectively, it shall be lawful for all the said Proprietors, or for any One or more of them, having first obtained the Consent in Writing of all the others in that Behalf, to undertake the Execution of the said Work, and to make and complete the same out of his or their own proper Funds, according to and in conformity with the Plans, Sections, and Specifications so approved of by the said Commissioners; and when all such Works shall have been fully executed and completed to the Satisfaction of the said Commissioners, in conformity with the said Plans, Sections, and Specifications, it shall be lawful for the said Commissioners to draw up and make their Award in like Manner as if the said Works had been executed by the said Commissioners under the said recited Acts and this Act; and all the Provisions of the said recited Acts and of this Act, in relation to an Award to be made in Cases where the said Commissioners shall have caused any Work to be executed, shall apply to such last-mentioned Award, so far as the same may be applicable thereto; and the respective Sums of Money which by such Award shall be specified as the Proportions or Contributions payable in respect of the several Parcels or Portions of the Land drained or improved by Drainage, or by any Works executed in the Manner last aforesaid, conformable to the said Plans, Estimates, and Specifications, and not exceeding the Sum mentioned in such Estimates, or such further Sum or Sums as the said Commissioners shall direct or approve of, in or about such Drainage or Improvements as aforesaid, with Interest for such respective Sums, at a Rate not exceeding Five Pounds *per Centum per Annum*, to be specified in such Award, to be payable and computed from the Time or Times for that Purpose to be specified therein, shall be charged in favour of the Person or Persons who shall by such Award be declared entitled thereto, and shall be secured, recovered, and raised or levied, in like Manner, and with the like Remedies, and by the like Means and Proceedings, as are given or provided by the said Acts and this Act in relation to the charging, securing, recovering, raising, or levying of the respective Sums of Money to be specified in any Award to be made under the said recited Acts or this Act, and, when received, recovered, raised, or levied, shall, after deducting all such Costs and Charges of the said Commissioners as shall not be recovered from the Lands or Persons liable thereto, be paid to the Person or Persons entitled thereto, or to his or their Executors or Administrators, according to the Proportions specified in such Award: Provided also, that it shall be lawful for the Proprietor or Proprietors who shall so execute such Works pursuant to the Provisions last aforesaid, or his or their Executors or Administrators, to proceed in the Names of the Commissioners, or of the Secretary of the said Commissioners, but with the Consent of the Commissioners first to be obtained in Writing for that Purpose, and upon full Indemnity to them, and at the Costs of such Proprietor or Proprietors, or his or their Executors or Administrators, for Recovery of the several Sums to which he or they shall and may be entitled under such Award: Provided always, that in any Case or Cases wherein any Mill or Factory is to be altered, removed, or injuriously affected, or where any existing Navigation is to be affected or altered, or any new Navigation created, it shall not be lawful for any Person or Persons, save the said Commissioners, to make or execute any such Drainage as last aforesaid, or any Works for that Purpose, or any Part thereof, although all the Proprietors of the Lands to be drained or improved by such Works as last aforesaid shall have unanimously consented that the same shall be executed by them or One of them: Provided also, that no Portion of any Work or Works the Expences of making or executing whereof shall be charged upon or payable out of the Funds of any County or Counties, or be raised or levied by Presentment of any Grand Jury in *Ireland*, shall be made or executed by any such Proprietor or Proprietors under the Powers last aforesaid.

Interpretation.

XLIV. And be it enacted, That the said recited Acts shall continue and be in full Force and Effect, save and except so far as the same are or either of them is altered by or inconsistent with this Act; and that the said recited Acts and this Act shall be construed together as One Act, and the Provisions of the said recited Acts shall, subject to the Variations made by this Act, and all Powers and Authorities of every Nature and Kind, and all Punishments imposed for the Commission or Omission of any Act done or forbidden to be done in and by the said recited Acts, be applied to this Act, so far as the same are applicable and not inconsistent with the Provisions of this Act; and that in the Construction of this Act, except where the Nature of the Provision or the Context of this Act shall exclude such Construction, the Words "Lands," "River," "Person" or "Persons," "Proprietor" or "Proprietors," and "Counties," shall be construed to extend and be applied as in said recited Acts respectively directed and provided; and the Word "Declaration" in this Act shall mean the Declaration required to be made by the said Commissioners previously to the Commencement of any Works under the Provisions of the said recited Acts or this Act; and the Words "final Award" in this Act shall mean the Award required to be made by the said Commissioners after the Completion of any such Works; and every Word importing the Singular Number only shall extend and be applied to several Persons and Things as well as one Person

or

or Thing; and every Word importing the Plural Number shall extend and be applied to one Person or Thing as well as several Persons or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male; the Words "said Commissioners" shall mean the Commissioners, or (save where otherwise provided) any Two of them, acting in execution of the said recited Acts and this Act.

Provisions for summary Proceedings.

No Works shall be undertaken under following Provisions, unless Assents be obtained before 1st August 1847.

XLV. 'And whereas by reason of the Failure or Destruction of a Portion of the Potato Crop of the 'last Season in *Ireland* there is Reason to apprehend that in certain Districts great Distress may, during 'the ensuing Spring and Summer, prevail among the labouring Classes of the Population; and it is 'expedient, with a view to alleviate such Distress, by Provisions of a more summary Nature than 'herein-before contained, to give for Part of the present Year increased Facilities and Powers for com- 'mencing without Delay and carrying on various Works of Utility connected with the Drainage and Improve- 'ment of Lands in such Districts, whereby remunerative Employment may be afforded to the labouring 'Classes;' be it therefore enacted and declared, That the Provisions herein-after contained shall be called and deemed to be "Provisions for summary Proceedings" under this Act, and that no Work shall be undertaken or commenced under such Provisions for summary Proceedings as to the Execution of which Work the Assents of the Proprietors of Lands, as required by the Provisions of this Act herein-before contained, shall not have been given or obtained before the First Day of *August* in the Year One thousand eight hundred and forty-seven.

Any Proprietors of Lands may apply to the Commissioners to have such Lands drained or improved under this Act.

XLVI. And be it enacted, That for the Purpose of such summary Proceedings it shall be lawful for any Proprietor or Proprietors of any Land or Part of any Land liable to be flooded or injured by Water, or capable of being drained, or the Drainage whereof may be capable of being improved, to apply by Memorial to the said Commissioners, stating the Nature and Extent of such Land, and praying that the same may be drained, or the Drainage thereof may be improved, under the Provisions of this Act, and by such Memorial undertaking to pay to the said Commissioners the Costs and Expences of the preliminary Inquiries, under the Provisions for summary Proceedings under this Act, as to the Works for such Drainage or Improvement, in the event of such Works not being proceeded with by the said Commissioners.

The Commissioners may cause a preliminary Investigation to be made in a summary Way, and obtain a Report.

XLVII. And be it enacted, That for the Purpose of such summary Proceedings, when any such Memorial as last aforesaid shall be presented, or any Memorial for any such Purposes, under the said first-recited Act, shall, before the passing of this Act, have been presented to the said Commissioners, it shall be lawful for the said Commissioners to cause such preliminary Examination and Inquiry as they shall think fit to be made by some Engineer, Surveyor, or other competent Person, or to examine and adopt any Survey or Report which shall have been made, and cause to be ascertained in a summary Way the Extent of the Lands to be drained or improved, the probable Costs and Expences of such Drainage or Improvement, and the probable Benefit to result therefrom, together with the Names of the reputed Proprietors of the Lands to be so drained or improved; and if upon any such Report it shall appear to the Satisfaction of the said Commissioners that the Benefit to result from such Works would be commensurate with the Amount of the estimated Cost of the Works, and incidental Expences connected therewith, they shall cause a Copy or Copies of such Report, with their Opinion thereon, to be lodged at some Place in or near such Lands for public Inspection for the Space of Two Weeks, and cause Notice thereof, and of the Place or Places at which such Copy or Copies of such Report shall have been lodged, to be given in any Newspaper circulating in the County or Place in which such Lands shall be situate, and to be posted on the usual Places for posting Grand Jury Notices in or near the said Lands, and otherwise as they shall think fit.

A Copy of the Report of their Opinion thereon to be lodged for Inspection, and Notice thereof to be given.

Such Notice shall require the Proprietors of Lands to be drained to furnish their Assent or Dissent.

If the Proprietors of more than Half of the Lands assent, a final Notice may be given.

XLVIII. And be it enacted, That in and by such Notice as last aforesaid all Proprietors (as defined under the said first-recited Act) of such Lands so to be drained or improved shall be called upon to furnish in Writing, either by themselves or their known Agents, to the said Commissioners at their Office in *Dublin*, or to some Person by the said Commissioners authorized, their Assent to or Dissent from the proposed Drainage or Improvement on or before a Day to be named in such Notice, not less than Three Weeks from the Day on which such Report shall have been lodged as aforesaid; and if before or at the Expiration of the said Period the said Commissioners shall ascertain that the Assent in Writing of the Proprietors (as defined in the said first-recited Act, with the Consent of the Tenants, if any, as by the said Act required in that Behalf,) of more than One Half in Extent of the Lands so to be drained or improved shall have been given to the said proposed Works, the said Commissioners, if they shall so think fit, shall cause to be published in the *Dublin Gazette*, and also in the Manner herein as to such Notice last aforesaid directed, a final Notice, stating that all the Preliminaries required by the Provisions for summary Proceedings under this Act have been complied with, which Proceedings shall be binding and conclusive upon all Parties and Persons whomsoever; and Proof of the Publication of such final Notice as aforesaid shall be sufficient Evidence that such final Notice was duly given, and that all the Requisitions of this Act in relation thereto were complied with: Provided always, that in any Case in which the said Commissioners shall be of opinion that such Period of Three Weeks last aforesaid limited for furnishing the Assents or Dissents of Parties as to any such Works is, under the particular Circumstances of such Case, insufficient, it shall be lawful for the said Commissioners, if they shall so think fit, to extend such Period for an additional Period of Two Weeks, so that such additional Period shall not in any Case extend beyond the First Day of *August* in the Year One thousand eight hundred and forty-seven.

After such final Notice the Powers and

XLIX. And be it enacted, That from and after the Publication of any such last-mentioned final Notice in manner aforesaid the said Commissioners may, in case it shall seem to them expedient, commence and proceed

Provisions of the Drainage Acts may be applied for the Purposes of this Act.

proceed with the Works which they may consider necessary for the Drainage, or Improvement by Drainage, of the Lands or District to which such final Notice shall relate; and all and every the Powers, Authorities, and Privileges vested in or given to the said Commissioners by the said recited Acts or this Act, and the several Provisions in the said Acts or this Act contained, shall and may be used and exercised by the said Commissioners, and applied, as far as the same are or shall be respectively applicable, to and for the Purposes of the Provisions for summary Proceedings under this Act, and to and for the borrowing and securing of Money, the charging of Lands, the Execution of the Works, the Repayment and Recovery of the Costs and Expences thereof, the providing for, sustaining, upholding, and maintaining the Works, and all other Proceedings whatsoever in relation thereto respectively, and to any other Matter or Thing authorized and empowered to be done under the Provisions of the said recited Acts or this Act, and necessary in the Opinion of the said Commissioners for carrying into full Effect the Purposes of this Act: Provided always, that nothing herein contained shall be construed to require the said Commissioners, for the Purposes of the Provisions for summary Proceedings under this Act, to take any other Proceedings, or do any other Act previous to the issuing of any such last-mentioned final Notice, than by the said Provisions for summary Proceedings under this Act are required: Provided also, that the Period from which any such Charge of Money on Lands shall take effect or have Priority in respect of Works undertaken under the Provisions for summary Proceedings under this Act shall be the Period of the Date of such last-mentioned final Notice in respect of such Lands, and instead of the Date of the Declaration or the Registry of the Memorandum of such Declaration as in this Act before provided in respect of Lands to become chargeable.

No greater Amount than at the Rate of 3*l.* per Acre to be expended under Provisions for summary Proceedings.

The Works may be afterwards carried on according to the general Provisions of the Drainage Acts.

L. Provided always, and be it enacted, That in the Case of any Works commenced, undertaken, and carried on under the Provisions for summary Proceedings under this Act, no greater Amount of Money shall be expended on the said Works than a total Sum equal to an Amount calculated at the average Rate of Three Pounds Sterling for each and every Statute Acre of Land so to be drained or improved by such Works as aforesaid, until and unless all the Assents which by this Act are herein-before required in relation to Works carried on under the Provisions of the said recited Acts or this Act shall have been again given or obtained to and for the further Execution or final Completion of the Works necessary in the Opinion of the said Commissioners for such Drainage or Improvement as aforesaid; but if at any Time all such Assents as last aforesaid shall have been again given or obtained, such Works commenced, undertaken, and carried on under the Provisions for summary Proceedings under this Act may be further carried on, executed, and completed, at such further Cost and Expence as shall be necessary in the Opinion of the said Commissioners, as in other Cases under the Provisions of the said recited Acts or this Act.

The Commissioners of the Treasury may make temporary Advances to the Commissioners under this Act for the Expences of preliminary Inquiries, &c. under the Provisions for summary Proceedings.

LI. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, to cause to be issued as a temporary Advance, from Time to Time during the present Year, as they may find necessary, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not exceeding in the whole the Sum of Ten thousand Pounds, by way of Imprest, to the said Commissioners for the Execution of this Act, to be by them applied in providing for the Expences of procuring and prosecuting any such preliminary Examinations or Inquiries under the Provisions for summary Proceedings under this Act, and in procuring a sufficient Supply of Tools for executing any Works to be carried on under the last-mentioned Provisions; and in every such Case in which any Portion of such Monies so advanced and issued shall be so applied by the said Commissioners, such Sum of Money so applied in respect of any such Work shall be repaid to the Consolidated Fund by the said Commissioners, in such Manner as the Commissioners of Her Majesty's Treasury may direct, from and out of any Funds or Monies to be borrowed or raised by them for defraying the Costs, Charges, and Expences incurred or to be incurred in the Execution of such Work: Provided always, that in any Case where the Expences of any such preliminary Investigation and Inquiry as last aforesaid as to the Works for any proposed Drainage or Improvement shall have been defrayed out of the Monies so advanced and issued as last aforesaid by the Commissioners of Her Majesty's Treasury, and the Assents of the Proprietors as to such Works, as required by the Provisions for summary Proceedings under this Act, shall not have been obtained within the Time limited by the said Commissioners for that Purpose, the Amount of such Expences shall be paid to the said Commissioners for the Execution of this Act by the Person or Parties who shall have applied by Memorial in such Case, and by said last-mentioned Commissioners be paid over to the Consolidated Fund; and in default of Payment by such Person or Party who shall have applied by Memorial as aforesaid, the Amount of such Expences shall be recovered from such Person or Party in such Manner as by said first-recited Act is directed for the Recovery of unpaid Balances of preliminary Expences under the Provisions of said first-recited Act.

Alteration of Act.

LII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. V.

An Act to amend an Act for regulating the Construction and Use of Buildings in the Metropolis and its Neighbourhood. [24th *March* 1846.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Seventh and Eighth 'Years of the Reign of Her present Majesty, intituled *An Act for regulating the Construction* 7 & 8 Vict. c. 84.
'*and the Use of Buildings in the Metropolis and its Neighbourhood*, whereby, amongst other Provisions, 'One of Her Majesty's Principal Secretaries of State was empowered to appoint Two Persons, being of 'the Profession of an Architect or Surveyor, to be Official Referees of Metropolitan Buildings for the 'Purposes of the said Act, and from Time to Time, as he should think proper, to remove such Official 'Referees, and in their Place to appoint other Persons so qualified; and the Commissioners of Her 'Majesty's Woods, Forests, Land Revenues, Works, and Buildings were authorized to appoint a 'Registrar of Metropolitan Buildings, who should hold his Office during the Pleasure of the said 'Commissioners; and it was enacted, that the Determination of such Two Official Referees, or of One 'of them with the Assent of the said Registrar, as to all or any Matters referred to them, should be 'binding on all Parties to such Reference, and that any Matter required or permitted to be done by the 'Official Referees might be done by either of them with the Assent of the said Registrar, unless express 'Provision to the contrary should be made, and if done by any one of them with such Assent should be 'as valid and effectual as if done by both of them; and by the said Act the said Official Referees were 'prohibited from acting as Surveyors, and every Person being or becoming Commissioner, Receiver, 'Steward, or Agent of any Owner of Houses within the Limits of the Act was disqualified from holding 'the Office either of Official Referee or of Registrar under the said Act: And whereas the Duties and 'Qualifications for Office of the Registrar of Metropolitan Buildings are of a Character wholly distinct 'from the Duties and Qualifications for Office of the Official Referees, and it would conduce to the 'more satisfactory Execution of the recited Act if there were Three Official Referees (all of them 'being of the Profession of a Surveyor or Architect), and the Acts and Awards of such Three Official 'Referees, or of any Two of them, were made as valid and binding as if the same had been done or 'made under the Authority of the recited Act by the Two Official Referees thereby authorized 'to be appointed, or by One of them with the Assent of the said Registrar; and for the Purpose 'of obtaining Persons duly qualified to discharge the Functions of Official Referees without Increase of 'Charge to the Public, or the Localities comprised within the Limits of the recited Act, it is expedient 'to relax in manner herein-after mentioned the Prohibitions and Disqualifications appertaining to the 'Office of Official Referees under the said recited Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for One of Her Majesty's Principal Secretaries of State, and he is hereby empowered, at any Time after the passing of this Act, and from Time to Time, to appoint a Person, being of the Profession of an Architect or Surveyor, to be an Official Referee of Metropolitan Buildings, in addition to the Official Referees authorized to be appointed by the recited Act, and from Time to Time, as he shall think proper, to remove such additional Official Referee, and to appoint any other Person, qualified as aforesaid, in his Place; and every Official Referee to be appointed under the Authority of this Act shall make the same Declaration of official Fidelity, and have the same Duties, Powers, Authority, and Jurisdiction, and be subject to the same Rules and Regulations (save as herein-after varied or relaxed), as if the said recited Act had authorized the Appointment of Three Official Referees, and the Official Referee appointed under the Authority of this Act had been appointed Official Referee under the Authority of the recited Act.

Appointment of an additional Referee.

II. And be it enacted, That all Acts, Matters, and Things by the said recited Act required, directed, or permitted to be done by the Official Referees of Metropolitan Buildings, or by One of such Official Referees, with the Assent of the Registrar, may be done by the Official Referees appointed and to be appointed under the Authority of the recited Act and of this Act, or by any Two of them; and that the Acts, Certificates, Awards, Orders, and Determinations of any Two of the said Official Referees shall be as valid, binding, and effectual as if the same had been done, signed, made, or determined by all the said Official Referees; and the Assent of the said Registrar of Metropolitan Buildings shall not be required to give Effect to the same; and the Assent of the said Registrar shall not render valid any Act, Certificate, Award, Order, or Determination done, signed, or made by One only of the said Official Referees which would not be valid without such Assent.

Two Official Referees may act.

III. And be it enacted, That, notwithstanding any thing in the said recited Act to the contrary contained, it shall be lawful for One of Her Majesty's Principal Secretaries of State, if and so long only as he shall think proper, by any Writing under his Hand, to permit and authorize any One or more of the Persons who for the Time being may hold the Office of Official Referee to act as Surveyor, either alone or with any Partner, or by an Agent; and no Person shall be ineligible or disqualified from holding the Office of Official Referee by reason of his continuing to act as a Surveyor with such Permission as aforesaid, or by reason of his being or becoming Commissioner, Receiver, Steward, or Agent for or on behalf of any Owner of Houses or Land within the Limits of the said recited Act, provided the Fact of such Person being or becoming such Commissioner, Receiver, Steward, or Agent be notified to One of Her Majesty's Principal Secretaries of State, and licensed by him in Writing, before such Person be appointed

Official Referees may act as Surveyors with Permission of Secretary of State, and Disqualifications may be relaxed.

appointed or continue to act as Official Referee; but it shall not be lawful for any Person holding the said Office to act as Official Referee in the Case of any Building or Matter in which he shall be employed as Architect or Surveyor, or where he shall be the Commissioner, Receiver, Steward, or Agent of any Person interested in such Building or Matter; and if it shall happen that more than One of the said Official Referees shall be employed as Architect or Surveyor as to the same Building or Matter, or shall be the Commissioner, Receiver, Steward, or Agent of any Person interested therein, or if any Disagreement or Difference of Opinion shall arise between any Two Official Referees who shall act as to such Building or Matter, not being employed as Architect or Surveyor, or as Commissioner, Receiver, Steward, or Agent of any Person interested therein, it shall be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, from Time to Time, upon the Report of the Official Referees or any one of them, or upon the Application of any Person interested in the Matter in dispute, to authorize One or more competent Persons, being of the Profession of an Architect or Surveyor, to be Special Referees in respect of such particular Building or Matter, either in conjunction with the acting Official Referee or Referees, or alone, as the Case may require; and every Special Referee authorized by the said Commissioners shall, as to the particular Building or Matter for which he is authorized, have the same Power, Authority, and Duties as if he had been appointed an Official Referee under the Authority and for the general Purposes of the said recited Act; and it shall be lawful for the said Commissioners to assign to every such Special Referee such Part of the Remuneration of the Official Referee or Referees who shall be disqualified as aforesaid from acting as to such particular Building or Matter, or otherwise to remunerate him as the said Commissioners shall think fit.

Special Referees to be appointed in certain Cases.

Offices vacant.

IV. And be it enacted, That if any Official Referee shall act as Surveyor, either alone or with any Partner, or by an Agent, or as Commissioner, Receiver, Steward, or Agent for or on behalf of any Owner of Houses or Land within the Limits of the said recited Act, without the Licence and Consent in Writing of One of Her Majesty's Principal Secretaries of State, or shall continue to act as Surveyor, either alone or with any Partner, or by an Agent, or to act as such Commissioner, Receiver, Steward, or Agent as aforesaid, after such Licence and Consent shall have been withdrawn or shall have expired, then he shall cease to be qualified to hold the Office of Official Referee, and thereupon such Office shall be vacant, without prejudice nevertheless to any Acts done by him in his Capacity of Official Referee so far as other Persons are affected thereby.

Salaries of Official Referees.

V. And be it enacted, That it shall be lawful for Her Majesty from Time to Time to grant such Salaries for the Remuneration of the said Official Referees respectively as Her Majesty shall, as to each of them, be pleased to appoint, not exceeding in the whole for the Three Referees the Sum of Two thousand Pounds *per Annum*.

Contributions to be paid to the Consolidated Fund, and Salaries paid thereout.

VI. 'And whereas, for the Purpose of providing for the Payment of a Portion of the Salaries of the 'Official Referees and Registrar under the said recited Act, it was by the said Act enacted, that the Lord 'Mayor and Aldermen of the City of *London* should direct the Chamberlain of the said City, and the 'Justices of the Peace for the several Counties of *Middlesex*, *Surrey*, and *Kent* should direct the Treasurer 'of such respective Counties, to pay, by Two half-yearly Payments in the Months of *June* and *December* 'in every Year, to or into the Hands of the Cashier of the Commissioners of Works and Buildings, on 'account of the said Official Referees and of the said Registrar, the several Sums of Money therein 'mentioned as and by way of Contribution to such Salaries, and it was enacted, that the Balance of such 'Salaries should be payable and paid out of the Consolidated Fund of the United Kingdom: And 'whereas such Salaries are by the said Act directed to be paid quarterly, and the Contributions towards 'Payment of the same being payable half-yearly it has not been practicable to pay such Salaries as 'directed by the said Act, and it has been found inconvenient to pay the same in part out of Monies 'contributed by the said City and Counties respectively, and in part out of the Consolidated Fund of the 'United Kingdom;' be it therefore enacted, That the several Sums of Money which under the said recited Act are payable by the Chamberlain of the City of *London*, and the Treasurer of the Counties of *Middlesex*, *Surrey*, and *Kent* respectively, to the Cashier of the Commissioners of Works and Buildings on account of the said Official Referees and of the said Registrar, and all Arrears and future Payments thereof, shall, instead of being paid to such Cashier on such Account as aforesaid, be payable and paid into the Receipt of Her Majesty's Exchequer, and carried to the Account of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; and the Salaries of the Official Referees and Registrar of Metropolitan Buildings for the Time being, and all Arrears thereof, shall be paid wholly out of the said Consolidated Fund by the Lord High Treasurer or the Commissioners of Her Majesty's Treasury for the Time being; and such Salaries shall accrue from Day to Day, and be paid quarterly on the First Day of *January*, the First Day of *April*, the First Day of *July*, and the First Day of *October* in every Year; and every Official Referee and Registrar shall be entitled to a proportionate Part of his Salary from the Day of his Appointment to the next succeeding Quarter Day of Payment, and from the last Quarter Day of Payment preceding his Death, Discharge from or ceasing to hold the Office of Official Referee or Registrar, (as the Case may be,) to the Day of his Death, Discharge, or ceasing to hold such Office.

Public Act.

VII. And be it enacted, That this Act shall be deemed to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Act may be amended, &c.

VIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

CAP. VI.

An Act to make Provision, until the First Day of *September* One thousand eight hundred and forty-seven, for the Treatment of poor Persons afflicted with Fever in *Ireland*.

[24th *March* 1846.]

'WHEREAS it is expedient to make more effectual Provision for the Treatment of poor Persons afflicted with Fever and other epidemic Diseases in *Ireland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Lord Lieutenant of *Ireland*, by his Warrant, to appoint so many Persons as he may think fit, not being more in Number than Five, as Commissioners of Health in *Ireland*; and such Commissioners shall serve without any Salary, Fee, or Reward; and the said Lord Lieutenant may from Time to Time, as he may see fit, remove any such Commissioner, and may in the Stead of any Commissioner so removed, or who may refuse or decline to act, or become incapable of acting, appoint such other Person as the said Lord Lieutenant may think proper; and the Commissioners so appointed shall act as a Board of Health for carrying into execution the Provisions and Purposes of this Act, in such Manner and under such Regulations as the Lord Lieutenant or his Chief or Under Secretary may from Time to Time appoint.

A Central Board of Health to be appointed by the Lord Lieutenant.

II. And be it enacted, That it shall be lawful for the said Lord Lieutenant from Time to Time, as he may see fit, to appoint, during the Pleasure of the said Lord Lieutenant, for each and every Union for the Relief of the destitute Poor, a Medical Officer or Medical Officers, at such Salary as he may direct.

Lord Lieutenant may appoint Medical Officers for Unions.

III. And be it enacted, That the Expences incident to the Performance of the Duties of such Board of Health, and the Salary of every Medical Officer appointed as aforesaid by the Lord Lieutenant, shall be paid by the Commissioners of Her Majesty's Treasury, out of any Funds which may be voted for that Purpose, upon Application to them by the said Lord Lieutenant in that Behalf.

Expences, &c. to be paid by Commissioners of the Treasury.

IV. And be it enacted, That it shall be lawful for the said Board of Health, by Writing under the Hands of any Two or more of them, from Time to Time to require the Board of Guardians of any Union for the Relief of the destitute Poor to rent, hire, or procure a fitting House, Building, or Rooms, other than the Workhouse of such Union, to be used as a Hospital for the Purpose of receiving and accommodating so many poor Persons affected with Fever or any other epidemic Disease as the said Board of Health may from Time to Time think necessary, and to provide such Nourishment, Bedding, Clothing, Medicines, and Medical Appliances, and other Necessaries, as may be requisite for the due Care and Treatment of every poor Person so affected as aforesaid in every such Hospital, and also such a Number of competent Nurses and Attendants as the said Board of Health may think necessary for each such Hospital, and also to rent, hire, or procure a House, Building, or Room, to be used as a Dispensary or Office for the said Medical Officer of such Union, and to provide such other Medicines and Medical Appliances, including Nutriment, if necessary for their Cure, in Cases where the poor Persons diseased are destitute, as such Medical Officer may require to be supplied to poor Persons affected as aforesaid, who may not be received in any such House, Building, or Room, and generally to do or cause to be done all such Acts, Matters, and Things as shall from Time to Time be necessary for the Purpose of carrying out the Provisions of this Act.

Board of Health may direct Guardians of Unions to provide Fever Hospitals and Dispensaries, with Medicines and all other Necessaries for the Care and Treatment of Persons therein, and also Medicines and Nutriment, if necessary, for Out-patients.

V. And be it enacted, That, subject to the Superintendence of the said Board of Health, every Hospital and Dispensary procured as aforesaid by the Guardians of any Union shall be managed by such Board of Guardians, and that poor Persons affected with Fever or other epidemic Disease may be admitted into such Hospital under the Authority of such Board of Guardians, or their Officers duly authorized by them, and not otherwise, and that the Medical Officer appointed as aforesaid shall be the Medical Officer of such Guardians for the Purposes of this Act.

The Fever Hospitals and Dispensaries to be under Control of the Guardians of the Poor.

VI. And be it enacted, That the Poor Law Guardians of any Union for which a Medical Officer may have been appointed under the Provisions of this Act shall pay, out of the Rates raised or to be raised off such Union generally under the Authority of an Act passed in the Second Year of the Reign of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in* Ireland, or of any Act or Acts to amend the same, the Cost of all Medicine, Nourishment, Clothes, Bedding, and other Necessaries, and the Rent of any Hospital respectively provided as aforesaid, as well as the Expence incurred in conveying any poor Person from his or her Dwelling, or from elsewhere within such Union, to any such Hospital, and in the Maintenance of any such poor Person in such Hospital, and all other Expences of whatsoever Kind (the Salary of the Medical Officer or Officers excepted) necessarily incurred in or incidental to the carrying out of the Provisions of this Act within such Union.

Expences incurred under this Act, except the Salary of Medical Officers, to be paid out of the Poor's Rate.

VII. And be it enacted, That the said Board of Health shall, as and when the Lord Lieutenant may require, make a Report in Writing to the said Lord Lieutenant, and shall transmit the same to the Office of the said Chief Secretary, and shall, in each such Report, give a full and particular Account of all the Proceedings of the said Board subsequent to the Date of their last Report, in such Form as may be from Time to Time directed by the said Lord Lieutenant, or by the said Chief or Under Secretary; and that whenever it shall, by any such Report or by any other Means, appear to the Satisfaction of the said Lord Lieutenant that any Medical Officer appointed or Hospital or Dispensary provided for any Union under the Provisions hereof is no longer required in such Union, it shall be lawful for the said Lord Lieutenant, or for the said Chief or Under Secretary, by any Letter under his respective Hand, to signify to such

Board of Health to report to the Lord Lieutenant;

and their Powers shall cease upon his Order to that Effect.

Board of Health, and to the Guardians and the said Medical Officer of such Union, that they are no longer to exercise within such Union the Powers given to them by this Act, and thereupon all such Powers shall cease and determine, and the Salary of the said Medical Officer shall thenceforth cease.

Interpretation Clause.

VIII. And be it enacted, That in the Construction of this Act all Words importing the Singular Number or the Masculine Gender only shall be understood to include several Matters as well as one Matter, and several Persons as well as one Person, and Females as well as Males; and that the Words "Lord Lieutenant" shall apply to and include any Chief Governor or Chief Governors of *Ireland* for the Time being; unless it be otherwise and specially provided, or there be something in the Subject or Context repugnant to such Construction.

Duration and Extent of Act.

IX. And be it enacted, That this Act shall continue and be in force until the First Day of the Month of *September* in the Year One thousand eight hundred and forty-seven, and no longer, and that it shall extend only to *Ireland*.

Act may be amended, &c.

X. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

CAP. VII.

An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and forty-six. [30th *March* 1846.]

CAP. VIII.

An Act to make further Provisions as to unclaimed Stock and Dividends of the *South Sea* Company. [30th *March* 1846.]

7 & 8 Vict. c. 80.

'WHEREAS by an Act passed in the Seventh and Eighth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for completing the Guarantee Fund of the* South Sea *Company, for advancing for the Public Service Part of the unclaimed Stock and Dividends in the Hands of the said Company, and for regulating the Allowance to be paid for the Management of the* South Sea *Stock and Annuities*, Provision is made for transferring all Capital Stock of the Old and New *South Sea* Annuities, and of the Annuities created under the Provisions of an Act passed in the

24 G. 2. c. 2.

Twenty-fourth Year of the Reign of King *George* the Second, intituled *An Act for granting to His Majesty the Sum of Two million one hundred thousand Pounds, to be raised by Annuities and a Lottery, and charged on the Sinking Fund, redeemable by Parliament*, and managed by the said Company, upon which no Dividends shall have been demanded for the Period of Ten Years or upwards, and the Balances of Sums issued for paying the Dividends and Principal Sums invested in such Annuities which shall not have been demanded for the same Period to the Commissioners for the Reduction of the National Debt, and by the said Act Provision is made for enabling Parties entitled thereto to procure a Re-transfer of such Stock and Payment of the Dividends due thereon; and it is necessary to make further Provisions in relation thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Re-transfer of any Capital Stock exceeding the Sum of Twenty Pounds shall be made from the Account of the said Commissioners, under the Authority of the said first-recited Act, to any Persons or Person, nor shall Payment be made, under the Authority of the said first-recited Act or of this Act, of any Dividends or Dividend exceeding Twenty Pounds in the whole, until Three Calendar Months after Application shall have been made for the same, nor until such Notice shall have been given thereof as the said Governor, Sub-Governor, or Deputy Governor of the said Company is herein-after authorized to require; and it shall be lawful for the said Governor, Sub-Governor, or Deputy Governor to require the Person or Persons making such Application to give such public Notice, by Advertisements in One or more Newspapers circulating in *London* and elsewhere, as the said Governor, Sub-Governor, or Deputy Governor shall think fit; and every such Notice shall state the Name, Description, and Addition of the Person in whose Name the unclaimed Stock or Dividends stood when transferred to the said Commissioners, and the Amount thereof, and the Name of the Claimant, and the Time at which such Re-transfer or Payment will be made, if no other Claimant shall sooner appear and make out his Claim; and when and so often as any such Stock shall be directed to be transferred or such Dividends to be paid by any Order of the High Court of Chancery, such Notice shall also state the Purport or Effect of such Order.

Notice to be given by Advertisement before Re-transfer of Stock or Payment of Dividends exceeding 20*l.* is made to any Claimants.

Contents of Notice.

Court of Chancery may rescind Order for Transfer or Payment.

II. And be it enacted, That it shall be lawful for any Persons or Person at any Time before the actual Re-transfer of any such Capital Stock or Annuities, or before Payment of any such Dividends to any such Claimant as aforesaid, to apply to the Court of Chancery, by Motion or Petition, to rescind, alter, or vary any Order made for such Transfer or Payment.

Lords of Treasury may authorize Inquiries into the Circumstances of unclaimed Stock and Dividends.

III. And be it enacted, That it shall and may be lawful to and for the Lord High Treasurer or the Commissioners of Her Majesty's Treasury for the Time being, from Time to Time and at any Time, to authorize and empower the said Governor, Sub-Governor, or Deputy Governor to inquire into and investigate the Circumstances of any Stocks or Dividends remaining unclaimed for the Time being, with a view to ascertain the Owners thereof, and to allow to the said Governor, Sub-Governor, or Deputy Governor such Compensation as to the said Lord High Treasurer or the Commissioners of Her Majesty's Treasury

Treasury shall seem just, for their Trouble and Expences to be incurred in and about such Inquiries and Investigation, and also from Time to Time to allow to the said Governor, Sub-Governor, or Deputy Governor a reasonable Compensation for all Costs and Expences to be incurred by him in and about the Notices and Advertisements hereby directed, and other the Services required or authorized by this Act, which Compensation may be deducted rateably from the Stocks and Dividends to be from Time to Time re-transferred or paid, and with reference to which such Trouble, Costs, and Expences shall have been incurred and such Services performed respectively, or the same may be paid by the said Commissioners for the Reduction of the National Debt out of the Stocks and Dividends to be received by them under and by virtue of the said first-recited Act or this Act, and which shall not be claimed. Payment of Expences, &c.

IV. And be it enacted, That the Dividends payable to the said Commissioners in respect of any such Capital Stock as aforesaid, transferred under the Authority of the said first-recited Act, shall not, from and after the passing of this Act, be subject or liable to any Taxes, Charges, or Impositions whatever. Dividends payable to Commissioners not liable to Taxes.

V. And be it enacted, That, except where the Sense or Context is repugnant to such Construction, the Plural Number in this Act shall be construed to include the Singular, and the Masculine Gender to include the Feminine. Interpretation Clause.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament. Act may be amended, &c.

CAP. IX.

An Act for amending the Act for rendering effective the Services of the *Chelsea* Out-Pensioners, and extending it to the Out-Pensioners of *Greenwich* Hospital. [2d *April* 1846.]

'WHEREAS by an Act passed in the Seventh Year of the Reign of Her Majesty, intituled *An Act for rendering more effective the Services of such Out-Pensioners of* Chelsea *Hospital as shall be called out to assist in preserving the public Peace*, it is among other things enacted, that it shall be lawful for Her Majesty from Time to Time, by Warrant under the Royal Sign Manual, to order that such and so many of the Out-Pensioners of the Royal Hospital at *Chelsea* resident within any County or other District specified in such Warrant as to Her Majesty shall seem fit, shall be enrolled as a local Force for the Preservation of the Peace; provided that the whole Number of Pensioners so to be enrolled in the United Kingdom should not at any One Time exceed Ten thousand Men: And whereas it is expedient that the Provisions of the said Act should be extended to the Out-Pensioners of *Greenwich* Hospital, and that the Number of Men authorized to be enrolled should be increased for that Purpose, and the Period of Exercise extended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall apply to such of the Out-Pensioners of *Greenwich* Hospital as may have served in the Royal Marines, in like Manner as if they were Out-Pensioners of *Chelsea* Hospital; and that the whole Number of Pensioners of *Chelsea* and *Greenwich* Hospitals so to be enrolled in the United Kingdom at any One Time may be any Number not exceeding Twenty thousand Men, and that they may be called out for Inspection or Exercise on any Number of Days not exceeding Twelve in each Year; but that in the event of any of the Out-Pensioners of *Greenwich* Hospital, enrolled as aforesaid, volunteering their Services to be kept on Duty and Pay for any Period not exceeding Six Calendar Months as specified in the said Act, they shall only be liable to be employed within the United Kingdom or along the Sea Coasts thereof, whether on shore or afloat, in such Manner as the Lords Commissioners of the Admiralty may be pleased to direct. 6 & 7 Vict. c. 95. Provisions of 6 & 7 Vict. c. 95. extended to Greenwich Pensioners, and amended.

II. 'And whereas it is expedient that the same Power should be vested in the Lord Lieutenant of *Ireland* for the Time being as is by the said Act vested in any One of Her Majesty's Principal Secretaries of State, so far as regards calling out the enrolled Pensioners resident in that Part of the United Kingdom to assist the Civil Power;' be it enacted, That it shall be lawful for the said Lord Lieutenant, or in case of Emergency any Person or Persons bearing his Warrant for that Purpose, to call out such and so many of the said enrolled Pensioners resident in *Ireland* as he or they may deem necessary, to aid the Civil Power in the Preservation of the public Peace within the District in which the said enrolled Pensioners reside, or within any adjoining District. Lord Lieutenant of Ireland may call out Irish Pensioners.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

CAP. X.

An Act for regulating the Payment of the Out-Pensioners of *Greenwich* and *Chelsea* Hospitals. [2d *April* 1846.]

'WHEREAS by an Act passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act to amend the Laws relating to the Payment of the Out-Pensioners of* Chelsea *Hospital*, it is amongst other things enacted, that in every Part or District of the United Kingdom for which the Secretary at War, with the Consent of the Lords Commissioners of Her Majesty's Treasury, shall have appointed any Officer on Half Pay, or other Person, to pay the said Pensioners, the Payment of all Pensions, Allowances, and Relief granted or to be granted to disabled, invalid, and discharged Soldiers shall be made by the Officer or other Person so appointed, but that elsewhere the Payment of such 5 & 6 Vict. c. 70.

'Pensions should take place and be accounted for in all respects as if the said Act had not been passed: 'And whereas it is now considered expedient, with the view of introducing one uniform System of 'Payment and accounting, that the whole of the Out-Pensioners of the said Hospital, wherever resident, 'should be paid, by and under the Authority of the Secretary at War, either by Staff Officers or such 'other Persons as he, with the Consent of the Lords Commissioners of Her Majesty's Treasury, may 'nominate or appoint to perform that Duty, and that these Officers and others should in like Manner 'be employed to pay the Out-Pensioners of *Greenwich* Hospital:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Act as restricts the Payments to be made by Staff Officers and others acting under the Authority of the Secretary at War to *Chelsea* Out-Pensioners resident in the United Kingdom, also so much of the said Act as relates to the Money for the Payment of the said Out-Pensioners being obtained on Certificate by the Secretary at War, and as regards the Audit thereof by the Commissioners for auditing the Public Accounts, and also so much of an Act passed in the Seventh Year of the Reign of King *George* the Fourth, intituled *An Act to consolidate and amend several Acts relating to the Royal Hospitals for Soldiers at* Chelsea *and* Kilmainham, as relates to the Payment and Management of the Out-Pensioners thereof, and also so much of Two Acts passed respectively in the Tenth and Eleventh Years of the Reign of King *George* the Fourth, the former intituled *An Act for transferring the Management of* Greenwich *Out-Pensions, and certain Duties in Matters of Prize, to the Treasurer of the Navy,* and the latter *An Act to amend and consolidate the Laws relating to the Pay of the Royal Navy,* as relates to the Payment and Management of *Greenwich* Out-Pensions, and also so much of an Act passed in the Sixth Year of the Reign of King *William* the Fourth, intituled *An Act for consolidating the Offices of Paymaster General, Paymaster and Treasurer of* Chelsea *Hospital, Treasurer of the Navy, and Treasurer of the Ordnance,* as relates to the Payment and Management of *Greenwich* Out-Pensioners by Her Majesty's Paymaster General, shall be repealed.

Repeal of Part of 5 & 6 Vict. c. 70. and of 7 G. 4. c. 16.

Repeal of Part of 10 G. 4. c. 26. and 11 G. 4. & 1 W. 4. c. 20.

Repeal of Part of 5 & 6 W. 4. c. 35.

Repeal of Part of 2 & 3 Vict. c. 51. as to Repayment of Relief granted to Chelsea and Greenwich Out-Pensioners.

II. 'And whereas it is expedient that Provision should be made for the more easy Recovery of Relief 'given or Money advanced to Pensioners by Guardians and other Officers concerned in the Administration of Relief to the Poor;' be it enacted, That from and after the passing of this Act so much of an Act passed in the Third Year of the Reign of Her Majesty, intituled *An Act to regulate the Payment and Assignment, in certain Cases, of Pensions granted for Service in Her Majesty's Army, Navy, Royal Marines, and Ordnance,* as relates to the Repayment of Relief administered to *Chelsea* or *Greenwich* Out-pensioners, shall be repealed.

Secretary at War to regulate Payment of Out-Pensioners.

III. And be it enacted, That from and after the passing of this Act it shall be lawful for the Secretary at War for the Time being to make such Rules and Regulations for the Management and Payment of the *Chelsea* and *Greenwich* Out-Pensioners, whether residing in the United Kingdom or elsewhere, and for paying them, either weekly, monthly, or quarterly, in advance, in the Case of the *Chelsea* Pensioners, and weekly, monthly, or quarterly in arrear, in the Case of the *Greenwich* Pensioners, as shall appear to him best calculated for their and the public Advantage, and either by means of Staff Officers appointed or to be appointed by him for that Purpose under the existing Regulations, or by means of such other Person or Persons as may be approved and sanctioned by the Commissioners of the Treasury, and upon the Production of such Proof of Title to Pension as he, with the Consent aforesaid, may consider necessary.

Accounts to be audited as Army Effective Services.

IV. And be it enacted, That from and after the passing of this Act all Payments made by the Secretary at War to or on account of the Pensioners aforesaid, and the Expences of every Description connected with their Management and Payment, shall be audited and passed by him in the same Manner as the Accounts of the Army Effective Services are now audited and passed.

Saving of Powers of Commissioners of the Admiralty and Chelsea Hospital.

V. And be it enacted, That nothing in this Act contained shall be held to interfere with the Powers possessed by the Lord High Admiral or the Commissioners of the Admiralty and the Commissioners of *Chelsea* Hospital respectively in regard to granting, increasing, reducing, suspending, taking away, or restoring of Pension under the Authority of existing Acts of Parliament and of the present Regulations, or for the Purpose of abridging, taking away, or interfering with any Power, Authority, or Duty of the said Lord High Admiral or Commissioners, other than by this Act is expressly provided.

Penalty for Frauds respecting Pensions.

VI. And be it enacted, That any Person or Persons guilty of fraudulently receiving or endeavouring to receive Pension Money, or Money in the Nature of Pension, from the Secretary at War, or from any Officer or other Person employed or authorized by him to pay Pensions, shall upon Conviction be subjected to the same Pains and Penalties as are prescribed by the several Acts herein-before recited, or any of them, in the Cases of Frauds committed or attempted to be committed upon the Commissioners of *Chelsea* Hospital, the Lord High Admiral or the Commissioners of the Admiralty, the Treasurer of the Navy, and the Paymaster General.

Greenwich Pensioners convicted of Felony may be restored to Pension.

VII. And be it enacted, That it shall be lawful for the Secretary at War, with the Concurrence of the Lord High Admiral or Commissioners of the Admiralty, in all Cases in which it may be deemed expedient, to restore any *Greenwich* Pensioner who shall have been convicted of Felony, and thereby shall have forfeited his Pension, either to his original Pension or to any less Rate of Pension.

Pensions may be paid to the Wives, &c. of Pensioners out

VIII. And be it enacted, That it shall be lawful for the Secretary at War, with the Consent of any *Greenwich* or *Chelsea* Pensioner residing temporarily out of the United Kingdom, to pay to his Wife, or if he have no Wife to or for the Benefit of his Child or Children, such Portion of his Pension as may be agreed

agreed upon; and that the Receipt or Acknowledgment of the Person or Persons so paid shall be a full and sufficient Discharge to the Secretary at War for the Amount so issued by him. of the United Kingdom.

IX. And be it enacted, That if any *Chelsea* or *Greenwich* Pensioner be relieved, or become chargeable in *Great Britain* or *Ireland*, in respect of Relief afforded to himself, or any Person whom he is liable to maintain, or if in any Case the Secretary at War for the Time being, and the Guardians of the Poor of any Union or Parish, or the Overseers of any Parish or Township not under a Board of Guardians, or the Heritors and Kirk Session of any Parish in *Scotland*, think it desirable that the whole or any Part of the Pension of such Pensioner should be advanced out of the Poor's Rate or Funds applicable to the Relief of the Poor, it shall be lawful for the Secretary at War, by any Writing under his Hand, or under the Hand of any Officer or other Person employed by him, to agree with such Guardians or Overseers, or Heritors and Kirk Session, for the Repayment to them out of the Pension of any such Pensioner of the Amount of Relief so advanced to or expended on his Account, but not exceeding, in any Case where Relief has been administered to his Wife or One Child only whom he is bound to maintain, the Amount of One Half his Pension or Allowance, or to Two or more such Children, or to his Wife and One or more such Child or Children, the Amount of Two Thirds of his Pension so advanced. Repayment to Parishes of Relief given to Out-Pensioners.

X. And be it enacted, That in case any such *Chelsea* or *Greenwich* Pensioner as aforesaid shall be or become insane it shall be lawful for the Secretary at War for the Time being, upon being satisfied of such Insanity, to order that the Pension of the said insane Pensioner, or so much thereof as shall appear to him to be necessary for his Care and Maintenance, shall be paid to such Guardians of the Poor or Overseers, or Heritors and Kirk Session, or to the Wife, Child, or any other Person to whom the Care of such insane Pensioner may be intrusted, or who may be chargeable for or liable to the Expence of his Care and Maintenance; and the Receipt of the Person or Persons to whom the same shall be directed to be paid shall be a sufficient Voucher and Discharge for so much Money as shall appear to have been paid thereon: Provided always, that where no Claim or Demand shall be made for the Support of any such insane Pensioner, or where the Charge for his Care and Maintenance does not amount to the full Rate of his Pension, then and in every such Case it shall be lawful for the Secretary at War, at his Discretion, to order his Pension, or so much thereof as may not be necessary for his Care and Maintenance as aforesaid, to be paid to his Wife or Child or Children, if he have any. Care of Lunatic Pensioners.

XI. And be it enacted, That it shall be lawful for the Secretary at War for the Time being to pay or to authorize the proper Officer to pay to any Person or Persons who shall prove him, her, or themselves, to the Satisfaction of such Secretary at War or of the said proper Officer, to be the next of Kin or legal Representative, or otherwise legally entitled to any Pension Money due to any deceased Pensioner not exceeding Fifty Pounds, although such Person shall not have taken out Letters of Administration, or have procured Probate of any Will of such deceased Pensioner. Arrears of Pensions under 50*l.* may be paid to personal Representatives without Probate, &c.

XII. And be it enacted, That all Bills of Exchange drawn or which may be drawn by *British* Ministers, Consuls, and others abroad, on account of Payments made by them to Out-Pensioners of *Chelsea* or *Greenwich* Hospital, shall after the passing of this Act be presented for Acceptance at the Office of the Paymaster General, and all Letters of Advice, Receipts, and Vouchers having Relation to such Bills of Exchange shall be transmitted to the Office of the Secretary at War in the same Manner as they have hitherto been transmitted to *Chelsea* Hospital and to the *Greenwich* Out-Pension Office. Bills on account of Pensions paid to be presented to Paymaster General, &c.

XIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

CAP. XI.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. [2d *April* 1846.]

[*This Act is the same, except as to Dates and the Sections here inserted, as* 8 & 9 *Vict. c.* 8.]

'WHEREAS the raising or keeping a standing Army within the United Kingdom of *Great Britain* and *Ireland*, in Time of Peace, unless it be with the Consent of Parliament, is against Law: And whereas it is adjudged necessary by Her Majesty, and this present Parliament, that a Body of Forces should be continued, for the Safety of the United Kingdom, the Defence of the Possessions of Her Majesty's Crown, and the Preservation of the Balance of Power in *Europe*, and that the whole Number of such Forces should consist of One hundred eight thousand six hundred and eight Men, exclusive of the Officers and Men belonging to the Regiments employed in the Territorial Possessions of the *East India* Company, but including the Officers and Men of the Troops and Companies recruiting for those Regiments: And whereas no Man can be forejudged of Life or Limb, or subjected in Time of Peace to any Kind of Punishment within this Realm, by Martial Law, or in any other Manner than by Judgment of his Peers and according to the known and established Laws of this Realm; yet nevertheless, it being requisite, for the retaining all the before-mentioned Forces in their Duty, that an exact Discipline be observed, and that Soldiers who shall mutiny or stir up Sedition, or shall desert Her Majesty's Service, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow:' Number of the Forces, 108,608.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person who is or shall be commissioned or in Pay as an Officer, or who is or shall be listed or in Pay as a Non-commissioned Officer or Soldier, shall at any Time during the Continuance Crimes punishable by Death.

Continuance of this Act begin, excite, cause, or join in any Mutiny or Sedition in Her Majesty's Land or Marine Forces, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any Mutiny or intended Mutiny shall not, without Delay, give Information thereof to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge, or which he shall be commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer, or others, to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall leave his Post before relieved, or shall be found sleeping on his Post; or shall hold Correspondence with or give Advice or Intelligence to any Rebel or Enemy of Her Majesty, either by Letters, Messages, Signs, or Tokens, in any Manner or Way whatsoever; or shall treat or enter into any Terms with such Rebel or Enemy without Her Majesty's Licence, or Licence of the General or Chief Commander; or shall strike or shall use or offer any Violence against his Superior Officer, being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or who being confined in a Military Prison shall offer any Violence against a Visitor or other his superior Military Officer, being in the Execution of his Office, or shall desert Her Majesty's Service; all and every Person and Persons so offending in any of the Matters before mentioned, whether such Offence shall be committed within this Realm, or in any other of Her Majesty's Dominions, or in Foreign Parts, upon Land or upon the Sea, shall suffer Death or such other Punishment as by a Court-martial shall be awarded.

Composition of General Courts-martial.

VI. And be it enacted, That a General Court-martial convened in any Part of the Queen's Dominions, (*Bermuda*, the *Bahamas*, *Saint Helena*, *Africa*, *Jamaica*, *Honduras*, *Newfoundland*, the *Australian* Colonies, and the Settlements on the Coast of *China* excepted,) or in the Settlements of the *East India* Company, *Prince of Wales's Island*, *Singapore*, and *Malacca* excepted, shall consist of not less than Thirteen Commissioned Officers; if convened in *Jamaica*, *Newfoundland*, *Bermuda*, or the *Bahamas*, or out of the Queen's Dominions, excepting *Saint Helena*, *Africa*, *Honduras*, the *Australian* Colonies, and the Settlements on the Coast of *China*, shall consist of not less than Seven, and in *Saint Helena*, *Africa*, *Honduras*, the *Australian* Colonies, and the Settlements on the Coast of *China*, and *Prince of Wales's Island*, *Singapore*, and *Malacca*, of not less than Five Commissioned Officers; and the President shall in no Case be the Officer commanding in chief, or Governor of the Garrison where the Offender shall be tried, nor the commanding Officer of the Regiment to which the Prisoner belongs, nor under the Degree of a Field Officer unless where a Field Officer cannot be had, nor in any Case whatsoever under the Degree of a Captain.

Powers of District or Garrison Courts-martial.

IX. And be it enacted, That a District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in *Bermuda*, the *Bahamas*, *Saint Helena*, *Africa*, *Jamaica*, *Honduras*, *Newfoundland*, the *Australian* Colonies, the Windward and Leeward Islands, *British Guiana*, and the Settlements on the Coast of *China*, where it may consist of not less than Five Commissioned Officers, and in *Africa* when convened for the Trial of Desertion of not less than Three Commissioned Officers, and may sentence any Soldier to any Imprisonment, with or without hard Labour, and may also direct that such Offender shall be kept in solitary Confinement for any Portion or Portions of such Imprisonment, not exceeding Twenty-eight Days at a Time, nor Eighty-four Days in any One Year, with Intervals between the Periods of solitary Confinement of not less Duration than such Periods of solitary Confinement, or may sentence any Soldier to corporal Punishment, not extending to Life or Limb, for Immorality, Misbehaviour, or Neglect of Duty; and such Court may, in addition to either of the said Punishments, sentence a Soldier to Forfeiture of all Advantage as to additional Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service, or might accrue from future Service, according to the Nature of the Case, for disgraceful Conduct,

In wilfully maiming or injuring himself, or any other Soldier at the Instance of such Soldier, with Intent to render himself or such Soldier unfit for Service:

In tampering with his Eyes:

In malingering, feigning Disease, absenting himself from Hospital whilst under Medical Care, or other gross Violation of the Rules of any Hospital, thereby wilfully producing or aggravating Disease or Infirmity, or wilfully delaying his Cure:

In purloining or selling Government Stores:

In stealing any Money or Goods, the Property of a Comrade, of a Military Officer, or of any Military or Regimental Mess:

In producing false or fraudulent Accounts or Returns:

In embezzling or fraudulently misapplying Public Money intrusted to him:

Or in committing any petty Offence of a felonious or fraudulent Nature, to the Injury of or with Intent to injure any Person, Civil or Military:

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind:

And such Offender may be further put under Stoppages, not exceeding Two Thirds of his Daily Pay, until the Amount be made good of any Loss or Damage arising out of his Misconduct; and if any Soldier shall be convicted of any such disgraceful Conduct, and shall be sentenced to Forfeiture of his Claim to Pension, the Court may further recommend him to be discharged with Ignominy from Her Majesty's Service; and every such Court shall deprive a Soldier, if convicted of a Charge of habitual Drunkenness,

of

of his Allowance in lieu of Beer at home, of his Liquor when issued in Kind abroad, or of such Portion of his additional or regular Pay, for such Period, not exceeding Two Years, as may accord with Her Majesty's Articles of War, subject to Restoration on subsequent good Conduct; and in addition to any such Punishment, the Court may, if it shall think fit, sentence such Offender to Imprisonment or to corporal Punishment; provided that in all the foregoing Cases the Sentences of a District or Garrison Court-martial shall be confirmed by the General Officer, Governor, or Senior Officer in command of the District, Garrison, Island, or Colony, and that such Court-martial shall not have Power to pass any Sentence of Death or Transportation; and the President of every Court-martial other than a General Court-martial shall be appointed by the Officer convening such Court-martial, and shall not be under the Rank of a Captain, save in the Case of a Detachment Court-martial holden out of Her Majesty's Dominions, or holden on board a Transport Ship, Troop Ship, Convict Ship, or Merchant Vessel.

Regimental Courts-martial.

X. And be it enacted, That in Cases of Mutiny and gross Insubordination, or any Offences committed on the Line of March, or on board any Transport Ship, Convict Ship, Merchant Vessel, or Troop Ship not in Commission, the Offence may be tried by a Regimental or Detachment Court-martial, and the Sentence confirmed and carried into execution on the Spot by the Officer in the immediate Command of the Troops, provided that the Sentence shall not exceed that which a Regimental Court-martial is competent to award; and a Regimental or Detachment Court-martial may try any Soldier for habitual Drunkenness, and may sentence any Soldier to Imprisonment, with or without hard Labour, for any Period not exceeding Forty Days, or to solitary Confinement for any Period not exceeding Twenty Days, or may sentence a Soldier to Imprisonment, Part thereof to be with or without hard Labour, and Part thereof in solitary Confinement: Provided always, that when such Court shall direct the Imprisonment to be part in solitary Confinement and part otherwise, the whole Period of such Imprisonment shall not exceed Twenty Days, and the Part thereof in solitary Confinement shall not exceed Ten Days; and a Regimental or Detachment Court-martial may sentence any Soldier for being drunk when on or for Duty or Parade, or on the Line of March, to be deprived of a Penny a Day of his Pay for any Period not exceeding Thirty Days in addition to any other Punishment which such Court may award; and every such Court shall deprive a Soldier, if convicted of a Charge of habitual Drunkenness, of his Allowance in lieu of Beer at home, of his Liquor when issued in Kind abroad, or of such Portion of his additional or regular Pay, for such Period, not exceeding Six Months, as may accord with Her Majesty's Articles of War, subject to Restoration on subsequent good Conduct.

Apprehension of Deserters.

XXII. And be it enacted, That it shall be lawful for the Constable of any Place where any Person reasonably suspected to be a Deserter shall be found, or of any adjoining Place, and if no such Constable can be immediately met with, then for any Officer or Soldier in Her Majesty's Service, to apprehend or cause such suspected Person to be apprehended, and to cause him to be brought before any Justice living in or near such Place, and acting for the same or any adjoining County, who hath hereby Power to examine such suspected Person; and if by his Confession, or the Testimony of One or more Witnesses upon Oath, or by the Knowledge of such Justice, it shall appear that such suspected Person is a Soldier, and ought to be with the Corps to which he belongs, such Justice shall forthwith cause him to be conveyed to some public Prison in such Place, (other than the Buildings set apart as Military Prisons by the Authority of this Act,) or if there be no public Prison in such Place, then, at the Discretion of such Justice of the Peace, to the nearest or most convenient public Prison in the same or any next adjoining County, or, if such Deserter shall be apprehended by any Party of Soldiers of his own Regiment, or shall be apprehended in the Vicinity of the Head Quarters or of any Depôt of the Regiment to which he shall belong, then such Justice may deliver such Deserter to the Party of his own Regiment, or may order such Deserter to be taken to the Head Quarters or Depôt of the Regiment to which he shall belong, instead of committing him to Prison; and such Justice shall transmit an Account thereof, in the Form prescribed in the Schedule annexed to this Act, to the Secretary at War, specifying at the Foot thereof the Commitment to Prison or Delivery of such Deserter to the Party of his Regiment in order for his being taken to the Head Quarters or Depôt of his Regiment, as the Case may be, to the end that such Person may be removed by an Order from the Office of the said Secretary at War, and proceeded against according to Law; and such Justice shall also send to the Secretary at War a Report, stating the Names of the Persons by whom the Deserter was apprehended and secured; and the Secretary at War shall transmit to such Justice an Order for the Payment to such Persons of such Sum, not exceeding Forty Shillings, as the Secretary at War shall be satisfied they are entitled to, according to the true Intent and Meaning of this Act; and for such Information, Commitment, and Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings and no more; and every Gaoler or other Person into whose Custody any Person charged with Desertion is committed shall immediately upon the Receipt of the Person so charged into his Custody pay such Fee of Two Shillings, and also upon the Production of a Receipt from the Medical Practitioner who may have been required to examine such suspected Person a Fee of Two Shillings and Sixpence, and shall notify the Fact to the Secretary at War, and transmit also to the Secretary at War a Copy of the Commitment, to the end that the Secretary at War may order Repayment of the same.

Penalty for inducing or assisting to desert.

XXV. And be it enacted, That every Person who shall, in any Part of Her Majesty's Dominions, by Words or other Means whatsoever, directly or indirectly persuade any Soldier to desert or shall endeavour in manner aforesaid to persuade, prevail on, or procure such Soldier to desert, shall suffer such Punishment by Fine or Imprisonment, or both, as the Court before which the Conviction may take place shall adjudge;

adjudge; and every Person who shall assist any Deserter, knowing him to be such, in deserting or in concealing himself, shall forfeit for every such Offence the Sum of Twenty Pounds.

Secretary at War may set apart Buildings as Military Prisons, and appoint Officers, and make Rules and Regulations for Government of the same.

XXVIII. And be it enacted, That it shall be lawful for the Secretary at War to set apart any Buildings now erected or which may hereafter be erected, or any Part or Parts thereof, as Military Prisons, and to declare that any Building, or any Two or more separate and detached Buildings, shall be, and thenceforth such Building or Buildings shall be deemed and taken to be, a Military Prison; and every Military Prison, whether the same now exist or may hereafter be established, which shall be, or which under the Provisions of any former Act of Parliament have been, so as aforesaid set apart or declared, shall be deemed to be a public Prison within the Meaning of this Act; and all and every the Powers and Authorities with respect to County Gaols or Houses of Correction which now are or which may hereafter be vested in any of Her Majesty's Principal Secretaries of State shall, with respect to all such Military Prisons, belong to and may be exercised by the Secretary at War; and it shall be lawful for the Secretary at War from Time to Time to make, alter, and repeal Rules and Regulations for the Government and Superintendence of any such Military Prison, and of the Governor, Provost Marshal, Officers, and Servants thereof, and of Offenders confined therein; and it shall be lawful for the Secretary at War from Time to Time to appoint an Inspector General and Inspectors of Military Prisons, and a Governor or Provost Marshal, and all other necessary Officers and Servants for any such Military Prison, and, as Occasion may arise, to remove the Governor or Provost Marshal, Officer, or Servant of any such Military Prison, and the General or other Officer commanding any District or Foreign Station within which may be any such Military Prison, or such General or other Officer, and such other Person and Persons as the Secretary at War may from Time to Time appoint, shall be a Visitor or Visitors of such Prison; and the Secretary at War may authorize any General Officer commanding on a Foreign Station to appoint periodically Visitors to any Military Prison within his Command; and the Secretary at War shall transmit to the Visitor or Visitors of every Military Prison established by his Authority a Copy of the Rules and Regulations which are to be observed and enforced, and the same shall accordingly be observed and enforced within such Prison; and every Inspector, Visitor, and Governor of any such Military Prison respectively shall, subject to such Rules and Regulations as may from Time to Time be made by the Secretary at War, have and exercise in respect of such Prison, and of the Governors, Officers, and Servants thereof, and of the Prisoners confined therein, all the Powers and Authorities, as well in respect of administering Oaths as otherwise, which any Inspector, Visiting Justice, or Governor of a County Gaol or House of Correction may respectively exercise as such.

Custody of Offenders under a Military Sentence.

XXIX. And be it enacted, That every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison or of any Gaol or House of Correction in any Part of Her Majesty's Dominions shall receive into his Custody any Military Offender under Sentence of Imprisonment by a General or other Court-martial, upon Delivery to him of an Order in Writing in that Behalf from the Officer commanding the Regiment or Corps to which the Offender belongs or is attached, which Order shall specify the Period of Imprisonment which the Offender is to undergo, and the Day and Hour of the Day on which he is to be released; and such Governor, Provost Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without hard Labour, and with or without solitary Confinement, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be discharged or delivered over to Military Custody before the Expiration of that Time under an Order duly made for that Purpose; and whenever Troops are called out in aid of the Civil Power, or are stationed in Billets, or are on the Line of March, every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement shall receive into his Custody any Soldier, for a Period not exceeding Seven Days, upon Delivery to him of an Order in Writing on that Behalf from the Officer commanding such Troops; and any Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, who shall refuse to receive and to confine, or to discharge or deliver over, any Military Offender in the Manner herein-before prescribed, shall forfeit for every such Offence the Sum of One hundred Pounds.

Act to extend to Jersey, Guernsey, &c.

XXXV. And be it enacted, That this Act shall be construed to extend to the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, as to the Provisions therein for enlisting of Recruits, whether Minors or of full Age, and swearing and attesting such Recruits, and for mustering and paying, and to the Provisions for the Trial and Punishment of Officers and Soldiers who shall be charged with Mutiny and Desertion, or any other of the Offences which are by this Act declared to be punishable by the Sentence of a Court-martial, and also to the Provisions which relate to the Punishment of Persons who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Clothes, Military Furniture, or Regimental Necessaries from any Soldier or Deserter, or who shall cause the Colour of any such Clothes to be changed, or who shall aid in the Escape of a Prisoner from a Military Prison, or who shall introduce forbidden Articles into such Prison, or shall carry out any such Articles, or who shall assault any Officer of such Prison, and also to the Provisions for exempting Soldiers from being taken out of Her Majesty's Service for not supporting or for leaving chargeable to any Parish any Wife or Child or Children, or on account of any Breach of Contract to serve or work for any Employer, or on account of any Debts under Thirty Pounds, in the said Islands.

Enlisting and swearing of Recruits.

XXXVI. And be it enacted, That every Person who shall receive Enlisting Money, knowing it to be such, from any Person employed in the Recruiting Service, and being an Officer, Non-commissioned Officer,

Officer, an attested Soldier, or an Out-Pensioner of *Chelsea* Hospital authorized to enlist Recruits, shall be deemed to be enlisted as a Soldier in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billetted; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist whether he does or does not belong to the Militia, and shall within Twelve Hours after the Receipt of the Enlisting Money cause to be taken down in Writing the Name and Place of Abode of such Recruit, and (if such Recruit shall not reside in or in the Vicinity of the Town or Place where he offered to enlist) the Place also at which he shall declare that he intends to sleep, in order that, within Forty-eight but not sooner than Twenty-four Hours (any intervening *Sunday* not included) after his having received the Enlisting Money, Notice of his having so enlisted be given to the Recruit, or left at his usual Place of Abode, or at the Place where he stated that it was his Intention to sleep; and when any Person shall be enlisted as a Soldier in Her Majesty's Land Service he shall, within Four Days (any intervening *Sunday* not included) but not sooner than Twenty-four Hours after such enlisting, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before any Justice or other Magistrate residing in the Vicinity of the Place where such Person shall have enlisted, or before any Justice or other Magistrate acting for the Division, District, or Place where such Recruit shall have been enlisted, and not being an Officer in the Army; and if such Recruit shall declare his having voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall then and there, and in the Presence of the said Recruit, record or cause to be recorded in Writing his Answers thereunto; and the said Justice is hereby required forthwith to read over, or cause his Clerk in his Presence to read over, to such Recruit, the First and Second Articles of the Second Section of the Articles of War against Mutiny and Desertion, and to administer to such Recruit the Oath in the Schedule to this Act annexed, for limited or unlimited Service, or for Service in the Forces of the *East India* Company, as may be applicable to the Case of the Recruit, and no other Oaths, any thing in any Acts to the contrary notwithstanding; and the Fee for administering each Oath shall be One Shilling and no more; and the said Justice is hereby required to give under his Hand the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified shall refuse to take the Oath in the Schedule to this Act annexed before the said Justice, it shall be lawful for the Officer or Non-commissioned Officer with whom he enlisted to detain and confine such Person until he shall take the said Oath of Fidelity.

Dissent and Relief from Enlistment.

XXXVII. And be it enacted, That any Recruit appearing as aforesaid before such Justice shall be at liberty to declare his Dissent to such Enlisting, and upon such Declaration, and returning the Enlisting Money, and also paying the Sum of Twenty Shillings for the Charges expended upon him, together with the full Amount of Subsistence and Beer Money which shall have been paid to such Recruit subsequent to the Period of his having been enlisted, shall be forthwith discharged and set at liberty in the Presence of such Justice; but if such Person shall refuse or neglect, within the Space of Twenty-four Hours after so declaring his Dissent, to return and pay such Money as aforesaid, he shall be deemed and taken to be enlisted as if he had given his Assent thereto before the said Justice: Provided also, that it shall be lawful for any Justice to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Four Days as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Person belonging to the Recruiting Party shall be with the Recruit, if it shall appear to such Justice, upon Proof to his Satisfaction, that the Recruiting Party has left the Place where such Recruit was enlisted, or that the Recruit could not procure any Person belonging to such Party to go with him before the Justice; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and after deducting One Shilling as the Fee to his Clerk for reporting the Payment to the Secretary at War shall be paid to any Person belonging to the Recruiting Party entitled thereto, demanding the same; provided that no Recruit who has been actually, though erroneously, discharged by the Justice before the Expiration of Twenty-four Hours after the Time of his Enlistment shall be liable on that Account to be proceeded against as having deserted from Her Majesty's Service; and the Justice who shall discharge any Recruit shall in every Case give a Certificate thereof, signed with his Hand, to the Recruit, specifying the Cause thereof.

Enlistment of Negroes.

XLI. And be it enacted, That all Negroes or Persons of Colour who, although not born in any of Her Majesty's Colonies, Territories, or Possessions, shall have voluntarily enlisted into Her Majesty's Service shall while serving be deemed to be Soldiers legally enlisted into Her Majesty's Service, and entitled to all the Privileges of natural-born Subjects; and all Negroes purchased by or on account of Her Majesty previous to the total Abolition of Slavery throughout the *British* Colonies, and serving in any of Her Majesty's Forces, and all Negroes who have been seized and condemned as Prize under the Slave Trade Acts, and appointed to serve in Her Majesty's Army, shall be deemed to be and shall be entitled to all the Advantages of Negroes or Persons of Colour voluntarily enlisted to serve as Soldiers in any of Her Majesty's Colonial Forces.

Forfeiture of Pay.

XLVI. And be it enacted, That any Soldier who shall absent himself without Leave, or who shall desert, shall, on Conviction by a General or other Court-martial, in addition to any Punishment awarded by such Court, forfeit his Pay for the Days on which he has so absented himself without Leave, or on which he has been absent by such Desertion, and that no Soldier shall be entitled to pay or to reckon Service towards Pay or Pension when in Confinement under any Sentence of any Court, or during any Absence from Duty by Commitment under the Civil Power on a Charge of any Offence cognizable by a Civil or a Criminal Court, or by reason of any Arrest for Debt or as a Prisoner of War, or while in

Confinement under any Charge of which he shall afterwards be convicted; and if any Soldier shall absent himself without Leave for any Period not exceeding Five Days, and shall not account for the same to the Satisfaction of the Commanding Officer, or if any Soldier shall be guilty of any other Offence which the Commanding Officer may not think necessary to bring before a Court-martial, the Commanding Officer may, in addition to any minor Punishments he is authorized to award, order that such Soldier shall be imprisoned for any Period not exceeding One hundred and sixty-eight Hours, with or without hard Labour, or with or without solitary Confinement, as the said Commanding Officer may think fit, and such Soldier shall forfeit his pay for any Day or Days on which he may be so imprisoned, and the said Commanding Officer may moreover order that, in addition to or instead of such Imprisonment and Forfeiture, or any other Punishment which he has Authority to inflict, any Soldier who shall have so absented himself as aforesaid shall forfeit his Pay for the Day or Days on which he shall have so absented himself, and in pursuance of any such Order as aforesaid the Pay of the Soldier shall be accordingly forfeited, and such Soldier shall not be liable to be afterwards tried by a Court-martial for any Offence for which he shall have been so ordered to suffer Imprisonment, Punishment, or Forfeiture as aforesaid; provided that any Soldier who shall be so ordered to suffer Imprisonment or Forfeiture of Pay shall, if he so request, have a Right to be tried by a Court-martial for his Offence instead of submitting to such Forfeiture; and provided also, that any Soldier acquitted of any Offence for which he had been committed shall, upon Return to his Duty in his Corps, be entitled to receive all Arrears of Pay growing due, and to reckon Service during his Absence or Confinement; and upon rejoining Her Majesty's Service from being a Prisoner of War due Inquiry shall be made by a Court-martial, and if it shall be proved to the Satisfaction of such Court that the said Soldier was taken Prisoner without wilful Neglect of Duty on his Part, and that he hath not served with or under or in any Manner aided the Enemy, and that he hath returned as soon as possible to Her Majesty's Service, he may thereupon be recommended by such Court to receive either the whole of such Arrears of Pay, or a Proportion thereof, and to reckon Service during his Absence; provided that it shall be lawful for Her Majesty's Secretary at War to order or withhold the Payment of the whole or any Part of the Pay of any Officer or Soldier during the Period of Absence by any of the Causes aforesaid.

Penalties on aiding Escape or Attempt to escape of Prisoners, and on Breach of Prison Regulations.

LXX. And be it enacted, That if any Person shall convey or cause to be conveyed into any Military Prison appointed to be a public Prison under this Act any Arms, Tools, or Instruments, or any Mask or other Disguise, to facilitate the Escape of any Prisoner, or shall by any Means whatever aid and assist any Prisoner to escape or in attempting to escape from such Prison, whether an Escape be actually made or not, such Person shall be deemed guilty of Felony, and upon being convicted thereof shall be transported beyond the Seas for any Term not exceeding Fourteen Years; and if any Person shall bring or attempt to bring into such Prison, in contravention of the existing Rules, any spirituous or fermented Liquor, he shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds and not less than Ten Pounds, or to Imprisonment with or without hard Labour for any Time not exceeding Three Calendar Months; and if any Person shall bring into such Prison to or for any Prisoner, without the Knowledge of the Governor, any Money, Clothing, Provisions, Tobacco, Letters, Papers, or other Articles not allowed by the Rules of the Prison to be in the Possession of a Prisoner, or shall throw into the said Prison any such Articles, or shall by Desire of any Prisoner, without the Sanction of the Governor, carry out of the Prison any of the Articles aforesaid, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or to Imprisonment, either with or without hard Labour, for any Time not exceeding One Calendar Month; and if any Person shall assault or violently resist any Officer of such Prison in the Execution of his Duty, or shall aid or excite any Person so to assault or resist any such Officer, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or to Imprisonment, either with or without hard Labour, for any Time not exceeding One Calendar Month, or if the Offender be a Soldier already under Sentence of Imprisonment he shall, upon Conviction thereof by a Board of not less than Three of the Visitors of the Prison, be liable to be sentenced for every such Offence to be imprisoned, either with or without hard Labour, for any Time not exceeding Six Calendar Months, in addition to so much of the Time for which he was originally sentenced as may then be unexpired.

Removal of Doubts as to Attestation of Soldiers.

LXXXI. 'And whereas certain Soldiers who have heretofore been duly enlisted, and who have 'voluntarily taken the Oath of Allegiance and Fidelity, and are now receiving Her Majesty's Pay, have 'been sworn and attested, but Doubts have arisen whether the Justices before whom the said Soldiers 'have been so sworn and attested were duly qualified to administer to such Soldiers the Oaths prescribed 'by the several Acts passed for the punishing Mutiny and Desertion, and for the better Payment of the 'Army and their Quarters;' be it enacted, That in every Case where any such Soldier, having been duly enlisted, shall have been so attested and sworn, and shall not have claimed to be discharged on or before the Seventeenth Day of *March* One thousand eight hundred and forty-six, he shall not be entitled to his Discharge by reason of such Informality, but shall be liable to all the Provisions of this Act, and of the Act passed during the last Session of Parliament for the punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, where in force, and shall be entitled to the full Benefit of his past Service, and to all Pay and Pension in respect thereof, to all Intents and Purposes and in like Manner as if he had been duly attested and sworn.

SCHEDULES to which this Act refers.

QUESTIONS to be put separately by the JUSTICE to a RECRUIT.

Enlisting for unlimited Service.

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County, were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?
8. Are you willing to be attested to serve in the Regiment of until you shall legally be discharged?
9. At what Place, on what Day, at what Hour of the Day, and by whom were you enlisted?
10. For what Bounty did you enlist?
11. Have you any Objection to make to the Manner of your Enlistment?
12. Do you now belong to the Militia?
13. Do you belong to any other Regiment, or to the Marines, Ordnance, or Navy, or to the Forces of the East India Company?
14. Have you ever served in the Army, Marines, Ordnance, or Navy, or in the Forces of the East India Company?
15. Have you ever been rejected as unfit for Her Majesty's Service, or for the Service of the East India Company, upon any prior Enlistment?

Note.—The Justice is directed, in putting the Twelfth Question to the Recruit, and before he receives his Answer, distinctly to apprize the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to Six Months Imprisonment.

Enlisting for unlimited Service in Her Majesty's Colonies.

Question 8. is to be put by the Justice as follows:

8. Are you willing to be attested to serve in Her Majesty's Colony of until you shall be duly and legally discharged?

Enlisting for limited Service.

The preceding Questions to be put by the Justice, except Question 8., which is to be as follows:

8. Are you willing to be attested to serve in the Regiment of for the Period of [*this Blank to be filled up by the Justice with Seven, Fourteen, or Twenty-one Years, as the Case may be, for Infantry, Ten, Sixteen, or Twenty-four Years for Cavalry, and Twelve, Sixteen, or Twenty-one Years for Artillery, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under the Age of Eighteen Years, then the Difference between his Age and Eighteen to be added to such Seven, Ten, Twelve, Fourteen, Sixteen, Twenty-one, or Twenty-four Years, as the Case may be,*] Years, provided Her Majesty should for so long require your Service, and also for such further Term, not exceeding Twelve Months, as shall be directed by the Commanding Officer on any Foreign Station, and not exceeding Three Years, as shall be directed by any Proclamation of Her Majesty, such additional Period, in the latter Case, to determine whenever Six Months of continued Peace, to be reckoned from the Ratification of any definitive Treaty, shall have elapsed subsequent to the Expiration of the said [Seven, Ten, Twelve, Fourteen, Sixteen, Twenty-one, *or* Twenty-four, *as the Case may be,*] Years?

Enlisting for either Her Majesty's or the East India Company's Service.

Question 8. is to be put by the Justice as follows:

8. Are you willing to be attested to serve in Her Majesty's Army, or in the Forces of the East India Company, according as Her Majesty shall think fit to order, until you shall be duly and legally discharged?

Enlisting for the East India Company's Service.

Question 8. to be put by the Justice as follows:

8. Are you willing to be attested to serve the East India Company * until you shall be legally discharged? [*Or if the Recruit enlist for limited Service, then insert,* for the Period of Years (*if the Person enlisting is of the Age of Eighteen Years or upwards, but if under Eighteen Years then the Difference between his Age and Eighteen to be added to such Years, as the Case may be, and such Period to be inserted instead of Years,*) provided the said Company should so long require your Service?]

* The Blank to be filled up with the Words Infantry or Artillery, as the Case may be.

CERTIFICATE to be given by the JUSTICE.

to wit. } I one of Her Majesty's Justices of the Peace of do hereby certify, That in my Presence all the foregoing Questions were put to that the Answers written opposite to them are those which he gave to me; and that the First and Second Articles of the Second Section of the Articles of War were read over to him; that he took the Oath of Allegiance and Fidelity; that he received the Sum of on being attested this Day; that he was not attested until Twenty-four Hours had elapsed after he received enlisting Money; that the Place where he swears that he enlisted is in the Vicinity of my Residence, or within the Division or District or Place for which I act; that I am not an Officer of the Army, and that I have given him a Duplicate of this Certificate, signed with my Name.

Signature of Justice.

CAP. XII.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore. [2d *April* 1846.]

[*This Act is the same, except as to Dates and the Sections here inserted, as* 8 & 9 *Vict. c.* 9.]

'WHEREAS it is judged necessary for the Safety of the United Kingdom, and the Defence of the Possessions of this Realm, that a Body of Royal Marine Forces should be employed in Her Majesty's Fleet and Naval Service, under the Direction of the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid: And whereas the said Forces may frequently be quartered or be on shore, or sent to do Duty or be on board Transport Ships or Merchant Ships or Vessels, or Ships or Vessels of Her Majesty, or other Ships or Vessels, or they may be under other Circumstances in which they will not be subject to the Laws relating to the Government of Her Majesty's Forces by Sea: And whereas no Man can be forejudged of Life or Limb, or subjected in Time of Peace to any Kind of Punishment within this Realm by Martial Law, or in any other Manner than by the Judgment of his Peers, and according to the known and established Laws of this Realm; yet nevertheless it being requisite for the retaining of such Forces in their Duty that an exact Discipline be observed, and that Marines who shall mutiny or stir up Sedition, or shall desert Her Majesty's Service, or be guilty of any other Crime in breach of good Order and Discipline, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That during the Continuance of this Act if any Person who is or shall be commissioned or in Pay as an Officer of Royal Marines, or who is or shall be listed or in Pay as a Non-commissioned Officer, Drummer, or Private Man in Her Majesty's Royal Marine Forces, shall at any Time during the Continuance of this Act while on shore in any Place within the said Kingdom, or in any other of Her Majesty's Dominions, or in any Foreign Parts out of such Dominions, or on board any Transport Ship or Merchant Ship or Vessel, or any Ship or Vessel of Her Majesty, or on board any Convict Hulk or Ship, or any other Ship or Vessel, or in any other Place, or while being in any Circumstances in which he shall not be subject to the Laws relating to the Government of Her Majesty's Forces by Sea, begin, excite, cause, or join in any Mutiny or Sedition in Her Majesty's Marine or other Forces, or shall not use his utmost Endeavours to suppress any such Mutiny or Sedition, or coming to the Knowledge of any Mutiny or intended Mutiny shall not without Delay give Information thereof to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge or which he shall be commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer or any other to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall leave his Post before relieved, or shall be found sleeping on his Post; or shall hold Correspondence with or give Advice or Intelligence to any Rebel, Pirate, or Enemy of Her Majesty, either by Letters, Messages, Signs, Tokens, or any other Ways or Means whatever; or shall treat or enter into any Terms with any such Rebel, Pirate, or Enemy, without the Licence of the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid, for the Time being; or shall strike or use or offer any Violence against his Superior Officer being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or who being confined in a Military Prison shall offer any Violence against a Visitor or other Officer being in the Execution of his Office, or shall violate any Law or Regulation of or relating to any such Military Prison; or shall desert Her Majesty's Service; every Person so offending in any of the Matters before mentioned shall suffer Death or such other Punishment as by a Court-martial shall be awarded.

Crimes punishable by Death.

District or Garrison Courts-martial.

XI. And be it enacted, That a District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in *Bermuda*, the *Bahamas*, *Saint Helena*, *Africa*, *Jamaica*, *Honduras*, *Newfoundland*, the *Australian* Colonies, the Windward and the Leeward Islands, *British Guiana*, and the Settlements on the Coast of *China*, where it may consist of not less than Five Commissioned Officers; and in *Africa*, when convened for the Trial of Desertion, of not less than Three Commissioned Officers; and

and that it shall be lawful for such Court, whether assembled under the Authority of this Act, or of an Act of the present Session of Parliament, for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, to proceed to try any Marine or Marines below the Rank of a Commissioned Officer for any Offence committed by any of them while serving in conjunction with Her Majesty's Land Forces or otherwise, and to sentence any such Marine to any Imprisonment, solitary or otherwise, and with or without hard Labour, or to Corporal Punishment not extending to Life or Limb, for any such Offence, but no such solitary Confinement shall exceed Twenty-eight Days at a Time, nor Eighty-four Days in any One Year, with Intervals between the Periods of solitary Confinement of not less Duration than such Periods of solitary Confinement, and such Court may, in addition to either of the said Punishments, sentence a Marine to Forfeiture of all Advantage as to additional Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service or might accrue from future Service, according to the Nature of the Case, for disgraceful Conduct in wilfully maiming or injuring himself, or any other Marine at the Instance of such Marine, with Intent to render himself or such other Marine unfit for the Service; in tampering with his Eyes, in malingering, feigning Disease, absenting himself from Hospital whilst under Medical Care, or other gross Violation of the Rules of any Hospital, thereby wilfully producing or aggravating Disease or Infirmity, or wilfully delaying his Cure; in purloining or selling Government Stores; in stealing any Money or Goods the Property of a Comrade, of a Military Officer, or of any Military, Divisional, or Regimental Mess; in producing false or fraudulent Accounts or Returns; in embezzling or fraudulently misapplying public Money intrusted to him; or for any other disgraceful Conduct, being of a cruel, indecent, unnatural, felonious, or fraudulent Nature; and such Offender may be further put under Stoppages, not exceeding Two Thirds of his daily Pay, until the Amount be made good of any Loss or Damage arising out of his Misconduct; and if any Marine shall be convicted of any such disgraceful Conduct, and shall be sentenced to Forfeiture of his Claim to Pension, the Court may further recommend him to be discharged with Ignominy from Her Majesty's Service; and every such Court shall deprive a Marine, if convicted of the Charge of habitual Drunkenness, of his Liquor, or of his Allowance in lieu of Beer or Liquor, or of any Proportion thereof, or of any Portion of additional or daily Pay, for any Period not exceeding Two Years, subject to Restoration on subsequent good Conduct; and in addition to any such Punishment the Court may, if it shall think fit, sentence such Offender to Imprisonment or to Corporal Punishment; provided that in all the aforegoing Cases the Sentence of a District or Garrison Court-martial shall be confirmed by the General Officer, Governor, or Senior Officer in Command of the District, Garrison, Island, or Colony, and that such Court-martial shall not have Power to pass any Sentence of Death or Transportation; and the President of every Court-martial other than a General Court-martial shall be appointed by the Officer convening such Court-martial, and shall not be under the Rank of a Captain, save in the Case of a Detachment Court-martial holden out of Her Majesty's Dominions, or holden on board a Transport Ship, Troop Ship, Convict Ship, or Merchant Vessel.

Forfeiture of Pay.

XXVI. And be it enacted, That no Marine who shall absent himself without Leave, or shall desert, shall be entitled to receive any Pay for the Time during which he shall have been absent from his Duty without due Authority; nor shall any Marine be entitled to Pay, or to reckon Service towards Pay or Pension, for any Period during which he shall be in Confinement under the Sentence of any Court, or shall be absent on any Charge cognizable by any Justice of the Peace or by any Court of Criminal Judicature, or by reason of any Arrest for Debt, or while he shall be in Confinement or absent as a Prisoner of War; but if any Marine shall absent himself without Leave for any Period not exceeding Five Days, and shall not account for such Absence to the Satisfaction of his Commanding Officer, or if any Marine shall be guilty of any other Offence which the Commanding Officer may not think necessary to bring before a Court-martial, the Commanding Officer may, in addition to any minor Punishment he is authorized to award, order that such Marine shall be imprisoned for any Period not exceeding One hundred and sixty-eight Hours, and with or without hard Labour, or with or without solitary Confinement, as the said Commanding Officer may think fit; and such Marine shall forfeit his Pay for any Day or Days on which he may be so imprisoned; and the said Commanding Officer may moreover order that, in addition to or instead of such Imprisonment and Forfeiture, or any other Punishment which he has Authority to inflict, any Marine who shall have so absented himself as aforesaid shall forfeit his Pay for the Day or Days on which he shall have so absented himself, and in pursuance of any such Order as aforesaid the Pay of the Marine shall be accordingly forfeited; and such Marine shall not be liable to be afterwards tried by a Court-martial for any Offence for which he shall have been so ordered to suffer Imprisonment, Punishment, or Forfeiture as aforesaid; provided that any Marine who shall be so ordered to suffer Imprisonment or Forfeiture of Pay shall, if he so request, have a Right to insist on being tried by a Court-martial for his Offence instead of submitting to such Forfeiture, and if acquitted of the Offence for which he shall have been in Confinement shall, upon his Return to his Duty, be allowed to receive the Arrears of Pay, and to reckon Service for the Time he shall have been so absent; and when a Marine shall rejoin Her Majesty's Service upon his Release from Confinement as a Prisoner of War due Inquiry shall be made by a Court-martial into the Circumstances of his Case, and if it shall be proved to the Satisfaction of such Court that such Marine became a Prisoner without wilful Neglect or Fault on his Part, and that he hath not served with or in any Manner aided the Enemy, and that he hath returned as soon as he possibly could to Her Majesty's Service, he may thereupon be recommended by such Court to the said Commissioners to receive the whole or any Proportion of his Pay, and to reckon Service for the Time he shall have been so absent: Provided also, that it shall be lawful for the said Commissioners

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to order or withhold the Payment of the Pay of any Officer or Marine for the Period during which he shall have been absent from any of the Causes aforesaid, except that any Marine acquitted of any Offence for which he had been committed shall always upon Return to his Duty be entitled to receive all Arrears of Pay growing due, and to reckon Service during his Absence or Confinement.

Apprehension of Deserters.

XXIX. And be it enacted, That it shall be lawful for the Constable of any Place where any Person reasonably suspected to be a Deserter shall be found, or of any adjoining Place, and if no such Constable can be immediately met with to secure him, then for any Officer, Marine, or other Soldier in Her Majesty's Service, to apprehend or cause such suspected Person to be apprehended, and cause him to be brought before any Justice living in or near such Place, and acting for the same or any adjoining County, who shall examine such suspected Person; and if by his Confession, or the Testimony of One or more Witnesses upon Oath, or by the Knowledge of such Justice, it shall appear that any Person brought before him is a Marine unlawfully absent from his Duty, such Justice shall forthwith cause him to be conveyed to the nearest or most convenient public Prison in the same or any next adjoining County, other than Buildings set apart as Military Prisons by the Authority of the Army Mutiny Act, and shall transmit an Account thereof, in the Form prescribed for that Purpose in the Schedule annexed to this Act, to the Secretary of the Admiralty, with a Description of the Person of such Deserter, and the Name of the Division to which he shall belong, and also certifying the Names of the Persons by whom the Deserter was apprehended; and if the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, shall be satisfied such last-mentioned Persons are justly entitled to a Reward for such Apprehension, the said Secretary shall in return transmit to such Justice an Order upon the proper Department for the Payment of the Sum of Twenty Shillings as a Reward to the Persons so certified to be entitled thereto; which Reward shall be paid and charged against the Pay and Subsistence of any such Deserter, and stopped out of the same; or if such Deserter shall be apprehended by any Soldier or Party of Soldiers of his own or any other Corps, or shall be apprehended in the Vicinity of the Head Quarters of the Corps to which he shall belong, then such Justice shall deliver such Deserter to the Party of his Corps, or may order him to be taken to the Head Quarters of the Corps, instead of committing him to Prison; and for every such Information, Commitment, and Report as aforesaid the Clerk of the said Justice may be entitled to a Fee of Two Shillings and no more, which shall also be charged against and stopped out of the Pay of the Deserter; and every Gaoler or other Person into whose Custody any Person charged with Desertion is committed shall, immediately upon the Receipt of the Person so charged into his Custody, pay such Fee of Two Shillings, and also upon the Production of a Receipt from the Medical Practitioner who may have been required to examine such suspected Person a Fee of Two Shillings and Sixpence, and shall notify the Fact to the said Secretary, and transmit also to the said Secretary a Copy of the Commitment, to the End that the said Secretary may order Repayment of such Sums.

Penalty for inducing or assisting to desert.

XXXII. And be it enacted, That every Person who shall in any Part of Her Majesty's Dominions, by Words or any other Means whatsoever, directly or indirectly persuade any Marine to desert, or shall endeavour in manner aforesaid to persuade, prevail on, or procure such Marine to desert, or shall assist any Deserter from Her Majesty's Royal Marine Service in deserting, or in concealing himself from such Service, knowing him to be such Deserter, shall forfeit for every such Offence the Sum of Twenty Pounds.

Enlisting and swearing of Recruits.

XXXVI. And be it enacted, That every Person who shall receive Enlisting Money (knowing it to be such) to serve in the Royal Marines from any Person employed in the Recruiting Service, and being an Officer, Non-commissioned Officer, or attested Marine, shall be deemed to be enlisted as a Marine in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billetted; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist whether he does or does not belong to the Militia, and shall, within Twelve Hours after the Receipt of the Enlisting Money, cause to be taken down in Writing the Name and Place of Abode of such Recruit, and, if such Recruit shall not reside in or in the Vicinity of the Town or Place where he offered to enlist, the Place also at which he shall declare that he intends to sleep, in order that, within Forty-eight but not sooner than Twenty-four Hours (any intervening *Sunday* not included) after his having received the Enlisting Money, Notice of his having so enlisted be given to the Recruit, or left at his usual Place of Abode, or at the Place where he stated that it was his Intention to sleep; and when any Person shall be enlisted as a Marine he shall within Four Days (any intervening *Sunday* not included) but not sooner than Twenty-four Hours (any intervening *Sunday* not included) after such Enlisting, unless he shall voluntarily have absented himself or absconded, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before a Justice, not being an Officer in the Marines, residing in the Vicinity of the Place or acting for the Division or District or Place where such Recruit shall have been enlisted, or where the Head Quarters of the Recruiting Party shall be stationed, and if such Recruit shall declare his having voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall then and there, in the Presence of the said Recruit, record or cause to be recorded in Writing his Answers thereunto; and the said Justice is hereby required forthwith to read over, or cause his Clerk to read over, to such Recruit the several Articles of War against Mutiny and Desertion, and to administer to such Recruit the Oath in the Schedule to this Act annexed applicable to the Case of a Recruit, and no other Oaths, any thing in any Act to the contrary notwithstanding; and the Fee for administering such Oath shall be One Shilling and no more; and the said Justice is hereby required to give, under his Hand, the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified shall refuse to take the Oath in the Schedule to this Act annexed before the said Justice, it shall be lawful for the Officer or Non-commissioned

sioned Officer with whom he enlisted to detain and confine such Person until he shall take the said Oath of Fidelity.

Dissent and Relief from Enlistment.

XXXVII. And be it enacted, That any Recruit appearing within Four Days as aforesaid before such Justice shall be at liberty to declare his Dissent to such Enlisting, and upon such Declaration, and returning the Enlisting Money, and also paying the Sum of Twenty Shillings for the Charges expended upon him, together with the full Amount of Subsistence and Beer Money which shall have been paid to such Recruit subsequent to his Enlistment, shall be forthwith discharged in the Presence of such Justice; but if such Person shall refuse or neglect, within the Space of Twenty-four Hours after so declaring his Dissent, to return and pay such Money as aforesaid, he shall be deemed and taken to be enlisted as if he had given his Assent thereto before the said Justice; and it shall also be lawful for any Justice to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Four Days as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Person belonging to the Recruiting Party shall be with the Recruit, provided it shall appear to such Justice upon Proof to his Satisfaction that the Recruiting Party has left the Place where such Recruit was enlisted, or that the Recruit could not procure any Person belonging to such Party to go with him before the Justice; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and after deducting One Shilling, as the Fee to his Clerk for reporting the Payment to the Secretary of the Admiralty, shall be paid to any Person belonging to the Recruiting Party entitled thereto, and demanding the same: Provided always, that no Recruit who has actually though erroneously been discharged by the Justice before the Expiration of Twenty-four Hours after the Time of his Enlistment shall be liable on that Account to be proceeded against as having deserted from Her Majesty's Service; and the Justice who shall discharge any Recruit shall in every Case give to him a Certificate under his Hand specifying the Cause thereof.

Foreign Negroes, &c. voluntarily enlisted to be deemed legally entitled.

XXXVIII. And be it enacted, That all Negroes or Persons of Colour, who, although not born in any of Her Majesty's Colonies, Territories, or Possessions, shall have voluntarily enlisted or may voluntarily enlist into Her Majesty's Marine Forces, shall while serving be deemed to be Marines legally enlisted and entitled to all the Privileges of natural-born Subjects, and all Negroes who may have been seized and condemned as Prize under the Slave Trade Acts, and appointed to serve in Her Majesty's Marine Forces, shall be deemed to be and shall be entitled to all the Advantages of Negroes or Persons of Colour voluntarily enlisted to serve as Marines.

Removal of Doubts as to Attestation of Marines.

LXIX. 'And whereas certain Marines who have heretofore been duly enlisted, and who have voluntarily taken the Oath of Allegiance and Fidelity, and are now receiving Her Majesty's Pay, have been sworn and attested, but Doubts have arisen whether the Justices before whom the said Marines have been so sworn and attested were duly qualified to administer to such Marines the Oaths prescribed by the several Acts passed for the Regulation of Her Majesty's Royal Marine Forces while on shore;' be it enacted, That in every Case where any such Marine having been duly enlisted shall have been so attested and sworn, and shall not have claimed to be discharged from Her Majesty's Royal Marine Forces on or before the Seventeenth Day of *March* One thousand eight hundred and forty-six, he shall not be entitled to his Discharge by reason of such Informality, but shall be liable to all the Provisions of this Act and of the Act passed in the last Session of Parliament for the Regulation of Her Majesty's Royal Marine Forces while on shore where in force, and shall be entitled to the full Benefit of his past Service, and to all Pay and Pension in respect thereof, to all Intents and Purposes, and in like Manner as if he had been duly attested and sworn.

SCHEDULE to which this Act refers.

QUESTIONS to be separately put by the JUSTICE to a RECRUIT.

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County, were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?
8. Are you willing to be attested to serve in the Royal Marine Forces until you shall be legally discharged?
9. On what Day, at what Hour of the Day, and where and by whom were you enlisted?
10. For what Bounty did you enlist?
11. Have you any Objection to make to the Manner of your Enlistment?
12. Do you now belong to the Militia?
13. Do you belong to any Regiment, or to the Marines, Ordnance, or Navy, or to the Forces of the East India Company?
14. Have you served in the Army, Marines, Ordnance, or Navy, or in the Forces of the East India Company?
15. Have you ever been rejected as unfit for Her Majesty's Service, or for the Service of the East India Company, upon any prior Enlistment?

Note.—The Justice is directed first to ascertain that Twenty-four Hours have elapsed since the Enlistment took place, and in putting the Twelfth Question to the Recruit, and before he receives his Answer, distinctly to apprize the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to Six Months Imprisonment.

CAP. XIII.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively until the Twenty-fifth Day of *March* One thousand eight hundred and forty-seven. [14th *May* 1846.]

[*This Act is the same, except as to Dates, as* 8 & 9 *Vict. c.* 24.]

CAP. XIV.

An Act to continue until the First Day of *March* One thousand eight hundred and forty-seven, and from thence to the End of the then next Session of Parliament, the several Acts relating to Insolvent Debtors in *India*. [14th *May* 1846.]

[9 *G.* 4. *c.* 73. *and* 4 & 5 *W.* 4. *c.* 79. *continued, as in Title.*]

CAP. XV.

An Act for raising the Sum of Eighteen millions three hundred and eighty thousand two hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and forty-six. [14th *May* 1846.]

CAP. XVI.

An Act to authorize the Inclosure of certain Lands, in pursuance of the Recommendation of the Inclosure Commissioners for *England* and *Wales*. [14th *May* 1846.]

8 & 9 Vict. c. 118.

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of an Act of the last Session of Parliament, intituled *An Act to facilitate the Inclosure and Improvement of Commons and Lands held in common, the Exchange of Lands, and the Division of intermixed Lands; to provide Remedies for defective or incomplete Executions and for the Non-execution of the Powers of General and Local Inclosure Acts, and to provide for the Revival of such Powers in certain Cases,* issued Provisional Orders for and concerning the several proposed Inclosures mentioned in the Schedule to this Act, and have, in the annual General Report of their Proceedings, certified their Opinion that such Inclosures would be expedient; but the same cannot be proceeded with without the Authority of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Inclosures mentioned in the Schedule to be proceeded with.

Short Title of the Act.

II. And be it enacted, That in citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The Annual Inclosure Act, 1846."

The SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Milton Common Fields -	Oxford -	1st January 1846.
Worsthorne Common - -	Lancaster -	1st January 1846.
Newton Commons - -	Cambridge -	13th January 1846.
Instow Marsh - - -	Devon -	7th January 1846.
Areley Common - -	Worcester -	9th January 1846.
Salcombe and Northern Hill -	Devon -	7th January 1846.
Corley Moor - - -	Warwick -	7th January 1846.

CAP. XVII.

An Act for the Abolition of the exclusive Privilege of trading in Burghs in *Scotland*. [14th *May* 1846.]

'WHEREAS in certain Royal and other Burghs in *Scotland* the Members of certain Guilds, Crafts, or Incorporations possess exclusive Privileges of carrying on or dealing in Merchandize, and of carrying on or exercising certain Trades or Handicrafts, within their respective Burghs; and such Guilds, Crafts, or Incorporations have corresponding Rights, entitling them to prevent Persons not being Members thereof from carrying on or dealing in Merchandize, or from carrying on or exercising

'such

'such Trades or Handicrafts, within such Burghs: And whereas it has become expedient that such 'exclusive Privileges and Rights should be abolished:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act all such exclusive Privileges and Rights shall cease, and it shall be lawful for any Person to carry on or deal in Merchandize, and to carry on or exercise any Trade or Handicraft, in any Burgh and elsewhere in *Scotland*, without being a Burgess of such Burgh, or a Guild Brother, or a Member of any Guild, Craft, or Incorporation: Provided always, that in lieu of the Stamp Duties of One Pound and Three Pounds now payable on the Admission of any Person as a Burgess or into any Corporation or Company in any Burgh in *Scotland*, for the Enrolment, Entry, or Memorandum thereof in the Court Books, Roll, or Record of such Corporation or Company, there shall from and after the passing of this Act be paid on every such Admission a Stamp Duty of Five Shillings.

After the passing of this Act exclusive Privileges and Rights in Burghs to cease; and in lieu of Stamp Duties now payable on Admission a Duty of 5*s.* shall be paid.

II. And be it enacted, That notwithstanding the Abolition of the said exclusive Privileges and Rights all such Incorporations as aforesaid shall retain their Corporate Character, and shall continue to be Incorporations, with the same Names and Titles as heretofore; and nothing herein contained shall anywise affect the Rights and Privileges of such Incorporations, or of the Office Bearers or Members thereof, except as herein-before enacted.

Incorporations still to retain their Corporate Character, and their Names and Titles.

III. 'And whereas the Revenues of such Incorporations as aforesaid may in some Instances be affected, 'and the Number of the Members of such Incorporations may in some Instances diminish, by reason of 'the Abolition of the said exclusive Privileges and Rights, and it is expedient that Provision should be 'made for facilitating Arrangements suitable to such Occurrences;' be it therefore enacted, That it shall be lawful for every such Incorporation from Time to Time to make all Bye Laws, Regulations, and Resolutions relative to the Management and Application of its Funds and Property, and relative to the Qualification and Admission of Members, in reference to its altered Circumstances under this Act, as may be considered expedient, and to apply to the Court of Session, by summary Petition, for the Sanction of the said Court to such Bye Laws, Regulations, or Resolutions; and the said Court, after due Intimation of such Application, shall determine upon the same, and upon any Objections that may be made thereto by Parties having Interest, and shall interpone the Sanction of the said Court to such Bye Laws, Regulations, or Resolutions, or disallow the same in whole or in part, or make thereon such Alterations, or adject thereto such Conditions or Qualifications, as the said Court may think fit, and generally shall pronounce such Order in the whole Matter as may to the said Court seem just and expedient; and such Bye Laws, Regulations, or Resolutions, subject to such Alterations and Conditions as aforesaid, shall be, when the Sanction of the said Court shall have been interponed thereto, valid and effectual and binding on such Incorporations: Provided always, that nothing therein contained shall affect the Validity of any Bye Laws, Regulations, or Resolutions that may be made by any such Incorporation without the Sanction of the said Court, which it would have been heretofore competent for such Incorporation to have made of its own Authority or without such Sanction.

Incorporations may make Bye Laws relative to Application of its Funds, &c. subject to the Approbation of the Court of Session.

Such Bye Laws, when sanctioned by Court of Session, to be valid.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Act may be amended, &c.

CAP. XVIII.

An Act to amend Two clerical Errors in an Act of the last Session, for regulating the Labour of Children, young Persons, and Women in Print Works. [18th *June* 1846.]

'WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act to regulate the 'Labour of Children, young Persons, and Women in Print Works*, Provision was made for the 'Attendance at School of Children employed in Print Works, but by a clerical Error the Word "Fifty" 'has been once inserted by Mistake instead of the Word "Thirty" in referring to the Time of such 'Attendance:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Act as requires the Occupier of any Print Work, before employing any Child therein, to obtain a Certificate that such Child had attended School for at least Fifty Days as therein specified, shall be repealed.

8 & 9 Vict. c. 29.

So much of recited Act as requires Certificate of Child having attended School for 50 Days repealed.

II. And be it enacted, That after the First Day of *July* One thousand eight hundred and forty-six the Occupier of every Print Work shall, before employing any Child therein, obtain from a Schoolmaster a Certificate, according to the Form and Directions given in Schedule (A.) to the said recited Act annexed, that such Child had attended School for at least Thirty Days, as required by the said Act, during the Half Year ending the Thirtieth Day of *June* or Thirty-first Day of *December* next before the Beginning of such Employment, and the like Certificate at the Beginning of each following Period of Six Months during which the Employment of such Child shall be continued in that Print Work; and such Occupier shall keep every such Certificate, so long as such Child shall continue in his Employment, for Twelve Months after the Date thereof, and shall produce the same to any Inspector or Sub-Inspector when required during such Period.

After 1st July 1846 Occupiers of Print Works to obtain Certificate of Children having attended School 30 Days, and produce same when required.

III. 'And whereas that Part of the said Act which enacts the Penalties for illegally employing Children, 'young Persons, and Women' contains the following Proviso; that is to say, Provided always, that if 'the

Rectifying Mistake in a Proviso in recited

Act which inflicts a Penalty for illegally employing Children, &c. during the Night.

'the Offence shall be the Employment of any such Child, young Person, or Woman during the Night, 'the Penalty shall be not less than Forty Shillings nor more than Five Pounds for each Child, young 'Person, or Woman so illegally employed: And whereas the Words "young Person" have been so 'twice introduced into the said Proviso by Mistake, inasmuch as, according to the said Act, it is no 'Offence to employ Male young Persons, as defined in the said Act, during the Night:' Be it declared and enacted, That the said Act shall be construed as if in the Proviso herein-before recited the Words "young Person" had not been inserted.

CAP. XIX.

An Act to amend an Act of the Second and Third Years of His late Majesty, by providing additional Booths or Polling Places at Elections in *Ireland* where the Number of Electors whose Names shall begin with the same Letter of the Alphabet shall exceed a certain Number. [18th *June* 1846.]

2 & 3 W. 4. c. 88.

'WHEREAS by an Act passed in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Representation of the People of* Ireland, it is 'enacted, that whenever in any one Barony or Half Barony of the County, or in any County of a City 'or County of a Town, or in any Borough, the Number of registered Voters appearing upon the Books 'of the Clerk of the Peace capable of voting at any Election for the same shall exceed Six hundred 'Voters, it shall and may be lawful for the Returning Officer or Officers and he and they are thereby 'required to provide Two or more Polling Places for such Barony or Half Barony, or for such County 'of a City or County of a Town, or Borough, and to make such a Division or Divisions of the Voters 'according to the first Letter of their Names, that it shall not be necessary for more than Six hundred 'Voters to poll in any one Place of polling, but so as not to divide the Names beginning with the same 'Letter of the Alphabet, and that it shall and may be lawful for the Returning Officer or Officers and he 'and they are thereby required to provide as many new Places of polling as may be necessary for the 'Purpose, and to appoint as many additional Deputies and Poll Clerks as shall be necessary to take 'the Poll in such additional Places of polling (not exceeding One Deputy and One Poll Clerk for each 'such Place of polling); and it is by the said Act provided, that in case the Number of Voters in any 'Two or more Baronies or Half Baronies in any County shall not exceed the Number of Six hundred 'Voters, it shall and may be lawful for the Returning Officer or Officers and he and they are thereby 'required to provide that the Poll for such Baronies and Half Baronies shall be taken in One Place of 'polling only: And whereas it has been found that great Inconvenience has arisen, and many Persons 'are wholly prevented from voting at Elections, in consequence of a greater Number of Voters being 'assigned to vote in the Booth or Polling Place beginning with the first Letter of their Names than 'possibly can do so within the Time prescribed by Law for holding of such Elections: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That at all future Elections in *Ireland* for Members to serve in the Imperial Parliament it shall and may be lawful for the Returning Officer or Officers and he and they are hereby required, when it appears by the Clerk of the Peace's Book of any County, County of a City, County of a Town, or Borough in *Ireland*, that the Number of registered Electors for any such County, County of a City, County of a Town, or Borough, whose Names shall begin with the same Letter of the Alphabet, shall amount to Five hundred or more, to provide, as nearly as may be in alphabetical Order according to the Second Letter of their Names, Two or more Polling Places for such Voters in any such County, City, Town, or Borough in *Ireland* returning Members to serve in the Imperial Parliament, so that it shall not be necessary for more than Five hundred Voters to poll at any One Place of voting, notwithstanding that their Names may begin with the same Letter of the Alphabet; and it shall and may be lawful for the Returning Officer or Officers and he and they are hereby required to provide as many convenient and commodious Places as may be necessary for the Purpose, and to appoint as many additional Deputies and Poll Clerks as shall be necessary to take the Poll in such additional Places of polling, not exceeding One Deputy and One Poll Clerk for each Place of polling.

When Names of Electors commencing with the same Letter of the Alphabet amount to 500 or more the Returning Officer to provide so many Booths that not more than 500 Voters shall be obliged to poll at One Booth.

All Persons of the same Surname must poll at same Place.

II. And be it enacted, That in making any Division of the Voters under any One Letter as aforesaid such Division shall be so made that all Voters who shall have the same Surname shall be obliged to poll in the same Place of polling.

Penalty if Returning Officer does not comply with the Provisions of Act.

III. And be it enacted, That if any Returning Officer or Officers shall refuse or neglect to carry out the Provisions of this Act, he or they shall be liable to all the Penalties which are imposed by the said Act of the Second and Third Years of the Reign of King *William* the Fourth on any Officer or Officers upon a Breach or Neglect of his or their Duty or Duties.

Act may be amended, &c.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP XX.

An Act to amend an Act of the Second Year of Her present Majesty, for providing for the Custody of certain Monies paid, in pursuance of the Standing Orders of either House of Parliament, by Subscribers to Works or Undertakings to be effected under the Authority of Parliament. [18th *June* 1846.]

'WHEREAS an Act was passed in the Second Year of the Reign of Her present Majesty Queen 'Victoria, intituled *An Act to provide for the Custody of certain Monies paid, in pursuance of* 1&2 Vict. c. 117. 'the Standing Orders of either House of Parliament, by Subscribers to Works or Undertakings to be 'effected under the Authority of Parliament:* And whereas it is expedient that the said Act should 'be repealed, and should be re-enacted, with such Modifications, Extensions, and Alterations as after 'mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall be and is hereby repealed: Provided always, that all Acts done under the Provisions of the said Act shall be good, valid, and effectual to all Intents and Purposes, and that all Sums of Money paid under the Provisions of the said Act shall be dealt with in all respects as if this Act had not been passed.

Recited Act repealed, but Acts already done under same valid.

II. And be it enacted, That in all Cases in which any Sum of Money is required by any Standing Order of either House of Parliament, either now in force or hereafter to be in force, to be deposited by the Subscribers to any Work or Undertaking which is to be executed under the Authority of an Act of Parliament, if the Director or Person or Directors or Persons having the Management of the Affairs of such Work or Undertaking, not exceeding Five in Number, shall apply to One of the Clerks in the Office of the Clerk of the Parliaments with respect to any such Money required by any Standing Order of the Lords Spiritual and Temporal in Parliament assembled, or to One of the Clerks of the Private Bill Office of the House of Commons with respect to any such Money required by any Standing Order of the Commons in Parliament assembled, to be deposited, it shall be lawful for the Clerk so applied to, by Warrant or Order under his Hand, to direct that such Sum of Money shall be paid in manner herein-after mentioned; (that is to say,) into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery in *England*, if the Work or Undertaking in respect of which the Sum of Money is required to be deposited is intended to be executed in that Part of the United Kingdom called *England*, or into any of the Banks in *Scotland* established by Act of Parliament or Royal Charter, in the Name and with the Privity of the Queen's Remembrancer of the Court of Exchequer in *Scotland*, at the Option of the Person or Persons making such Application as aforesaid, in case such Work or Undertaking is intended to be executed in that Part of the United Kingdom called *Scotland*, or into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the Court of Chancery in *Ireland*, in case such Work or Undertaking is intended to be made or executed in that Part of the United Kingdom called *Ireland*; and such Warrant or Order shall be a sufficient Authority for the Accountant General of the Court of Chancery in *England*, the Queen's Remembrancer of the Court of Exchequer in *Scotland*, and the Accountant General of the Court of Chancery in *Ireland*, respectively, to permit the Sum of Money directed to be paid by such Warrant or Order to be placed to an Account opened or to be opened in his Name in the Bank mentioned in such Warrant or Order.

Authority to deposit.

III. And be it enacted, That it shall be lawful for the Person or Persons named in such Warrant or Order, or the Survivors or Survivor of them, to pay the Sum mentioned in such Warrant or Order into the Bank mentioned in such Warrant or Order in the Name and with the Privity of the Officer or Person in whose Name such Sum shall be directed to be paid by such Warrant or Order, to be placed to his Account there *ex parte* the Work or Undertaking mentioned in such Warrant or Order, pursuant to the Method prescribed by any Act or Acts for the Time being in force for regulating Monies paid into the said Courts, and pursuant to the general Orders of the said Courts respectively, and without Fee or Reward; and every such Sum so paid in, or the Securities in or upon which the same may be invested as herein-after mentioned, or the Stocks, Funds, or Securities authorized to be transferred or deposited in lieu thereof as herein-after mentioned, shall there remain until the same, with all Interest and Dividends, if any, accrued thereon, shall be paid out of such Bank, in pursuance of the Provisions of this Act: Provided always, that in case any such Director or Person, Directors or Persons, having the Management of any such proposed Work or Undertaking as aforesaid, shall have previously invested in the Three *per Centum* Consolidated or the Three *per Centum* Reduced Bank Annuities, Exchequer Bills or other Government Securities, the Sum or Sums of Money required by any such Standing Order of either House of Parliament as aforesaid to be deposited by the Subscribers to any Work or Undertaking which is to be executed under the Authority of an Act of Parliament, it shall be lawful for the Person or Persons named in such Warrant or Order, or the Survivors or Survivor of them, to deposit such Exchequer Bills or other Government Securities in the Bank mentioned in such Warrant or Order in the Name and with the Privity of the Officer or Person in whose Name such Sum shall by such Warrant or Order be directed to be paid, or to transfer such Government Stocks or Funds into the Name of the Officer or Person; and such Transfer or Deposit shall be directed by such Clerk of the

Payment of Deposit.

Office of the Clerk of the Parliaments, or such Clerk of the Private Bill Office of the House of Commons, as the Case may be, in lieu of Payment of so much of the Sum of Money required to be deposited as aforesaid as the same Exchequer Bills or other the Government Stocks or Funds will extend to satisfy at the Price at which the same were originally purchased by the said Person or Persons, Director or Directors as aforesaid, such Price to be proved by Production of the Broker's Certificate of such original Purchase.

Investment of Deposit.

IV. And be it enacted, That if the Person or Persons named in such Warrant or Order, or the Survivors or Survivor of them, desire to have invested any Sum so paid into the Bank of *England* or the Bank of *Ireland*, or any Interest or Dividend which may have accrued on any Stocks or Securities so transferred or deposited as aforesaid, the Court in the Name of whose Accountant General the same may have been paid may, on a Petition presented to such Court in a summary Way by him or them, order that such Sum or such Interest or Dividends shall, until the same be paid out to the Parties entitled to the same in pursuance of this Act, be laid out in the Three *per Centum* Consolidated or Three *per Centum* Reduced Bank Annuities, or any Government Security or Securities, at the Option of the aforesaid Person or Persons, or the Survivor or Survivors of them.

Repayment of Deposit.

V. And be it enacted, That on the Termination of the Session of Parliament in which the Petition or Bill for the Purpose of making or sanctioning any such Work or Undertaking shall have been introduced into Parliament, or if such Petition or Bill shall be rejected or finally withdrawn by some Proceeding in either House of Parliament, or shall not be allowed to proceed, or if the Person or Persons by whom the said Money was paid or Security deposited shall have failed to present a Petition, or if an Act be passed authorizing the making of such Work or Undertaking, and if in any of the foregoing Cases the Person or Persons named in such Warrant or Order, or the Survivors or Survivor of them, or the Majority of such Persons, apply by Petition to the Court in the Name of whose Accountant General the Sum of Money mentioned in such Warrant or Order shall have been paid, or such Exchequer Bills, Stocks, or Funds shall have been deposited or transferred as aforesaid, or to the Court of Exchequer in *Scotland*, in case such Sum of Money shall have been paid in the Name of the said Queen's Remembrancer, the Court in the Name of whose Accountant General or Queen's Remembrancer such Sum of Money shall have been paid, or such Exchequer Bills, Stocks, or Funds shall have been deposited or transferred, shall by Order direct the Sum of Money paid in pursuance of such Warrant or Order, or the Stocks, Funds, or Securities in or upon which the same may have been invested, and the Interest or Dividends thereof, or the Exchequer Bills, Stocks, or Funds so deposited or transferred as aforesaid, and the Interest and Dividends thereof, to be paid or transferred to the Party or Parties so applying, or to any other Person or Persons whom they may appoint in that Behalf; but no such Order shall be made in the Case of any such Petition or Bill being rejected or not being allowed to proceed, or being withdrawn or not being presented, or of an Act being passed authorizing the making of such Work or Undertaking unless upon the Production of the Certificate of the Chairman of Committees of the House of Lords with reference to any Proceeding in the House of Lords, or of the Speaker of the House of Commons with reference to any Proceeding in the House of Commons, that the said Petition or Bill was rejected or not allowed to proceed, or was withdrawn during its Passage through one of the Houses of Parliament, or was not presented, or that such Act was passed, which Certificate the said Chairman or Speaker shall grant on the Application in Writing of the Person or Persons, or the Majority of the Persons named in such Warrant, or the Survivor or Survivors of them: Provided always, that the granting of any such Certificate, or any Mistake or Error therein or in relation thereto, shall not make the Chairman or Speaker signing the same liable in respect of any Monies, Stocks, Funds, and Securities which may be paid, deposited, invested, or transferred in pursuance of the Provisions of this Act, or the Interest or Dividends thereof.

Granting Certificate, &c. not to make the Chairman or Speaker signing the same liable.

CAP. XXI.

An Act to enable the Right Honourable *Henry* Viscount *Hardinge* to receive the full Benefit of an Annuity of Five thousand Pounds granted to him by the *East India* Company.* [18th *June* 1846.]

Lord Hardinge empowered to receive his full Salary as Governor General, notwithstanding the Grant of Five thousand Pounds *per Annum* by the *East India* Company.

CAP. XXII.

An Act to amend the Laws relating to the Importation of Corn. [26th *June* 1846.]

5 & 6 Vict. c. 14.

'WHEREAS an Act was passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to amend the Laws for the Importation of Corn:* And whereas it is expedient that the Duties now payable upon the Importation and Entry for Home Consumption in the United Kingdom and in the *Isle of Man* respectively of Corn, Grain, Meal, and Flour should be altered, and that the Act herein-before recited should be amended as herein-after

* See post, C. 31.

'is

' is expressed :' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, in lieu of the Duties now payable upon the Entry for Home Consumption in the United Kingdom, and upon the Importation into the *Isle of Man*, of Corn, Grain, Meal, and Flour, there shall be levied and paid unto Her Majesty, Her Heirs and Successors, on all Corn, Grain, Meal, and Flour already or hereafter to be imported into the United Kingdom or the *Isle of Man* from Parts beyond the Seas, and entered for Home Consumption after the passing of this Act, the Duties set forth in the Schedule to this Act annexed, until the First Day of *February* which will be in the Year of our Lord One thousand eight hundred and forty-nine; and on, from, and after the said First Day of *February* One thousand eight hundred and forty-nine the following Duties; (namely,)

After the passing of this Act, till 1st Feb. 1849, the Duties set forth in the Schedule shall be payable upon all Corn, &c. imported.

On and after 1st Feb. 1849 the Duties herein named shall be paid.

Upon all Wheat, Barley, Bear or Bigg, Oats, Rye, Pease, and Beans,
For every Quarter - - - - - - - One Shilling;
and so in proportion for a less Quantity:

Upon all Wheat Meal and Flour,
Barley Meal,
Oatmeal,
Rye Meal and Flour,
Pea Meal, and
Bean Meal,
For every Cwt. - - - - - - - Four-pence Halfpenny;
and so in proportion for a less Quantity.

II. And be it enacted, That the several Duties hereby imposed, and leviable in the United Kingdom, shall be levied, collected, paid, and applied in such and the same Manner in all respects as that in which the Duties imposed by an Act passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for granting Duties of Customs*, are directed to be levied, collected, paid, and applied.

Duties payable in the United Kingdom shall be levied pursuant to 8 & 9 Vict. c. 90.

III. And be it enacted, That the several Duties hereby imposed, and leviable in the *Isle of Man*, shall be levied, collected, paid, and applied in such and the same Manner in all respects as that in which the Duties imposed by an Act passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for regulating the Trade with the* Isle of Man, are directed to be levied, collected, paid, and applied.

Duties payable in the Isle of Man shall be levied pursuant to 8 & 9 Vict. c. 94.

IV. And be it enacted, That the average Prices, both weekly and aggregate, of all *British* Corn, shall continue to be made up, computed, and published, and the Certificates of the aggregate average Prices shall continue to be transmitted, at the Times and in the Manner required by the said herein-before recited Act for amending the Laws for the Importation of Corn; and the Rate and Amount of the Duties set forth in the Schedule to this Act shall be regulated and governed, according to the Scale in the said Schedule contained, by the aggregate average Prices so to be made up, computed, published, and transmitted, in the same Manner as the Rate and Amount of the Duties imposed by the said herein-before recited Act are by that Act directed to be regulated and governed; and at each of the several Ports in the United Kingdom and in the *Isle of Man* the aggregate average Prices, the Certificate of which shall have been last received previously to the passing of this Act by the Collector or other chief Officer of Customs at such Port as by the said herein-before recited Act is directed, shall be taken to be the aggregate average Price by which the Duties hereby imposed shall be governed and regulated at such Port, until the Certificate of some other aggregate average Price shall have been received by the Collector or other chief Officer of Customs at such Port.

Average Prices to continue to be made up according to 5 & 6 Vict. c. 14., and Duties under this Act to be regulated thereby.

V. And be it enacted, That so much of the said Act herein-before recited as prohibits the Importation into the United Kingdom for Consumption there of any Corn ground shall be repealed.

Repeal of Part of 5 & 6 Vict. c. 14.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Act may be amended, &c.

SCHEDULE to which this Act refers.

If imported from any FOREIGN COUNTRY:

WHEAT:—

	s.	d.
Whenever the average Price of Wheat, made up and published in the Manner required by Law, shall be for every Quarter		
- - - under 48*s.*, the Duty shall be for every Quarter	10	0
- - - 48*s.* and under 49*s.*	9	0
- - - 49*s.* and under 50*s.*	8	0
- - - 50*s.* and under 51*s.*	7	0
- - - 51*s.* and under 52*s.*	6	0
- - - 52*s.* and under 53*s.*	5	0
- - - 53*s.* and upwards	4	0

BARLEY, BEAR OR BIGG :—

	s.	d.
——— Whenever the average Price of Barley, made up and published in the Manner required by Law, shall be for every Quarter		
- - - under 26*s.*, the Duty shall be for every Quarter	5	0
- - - 26*s.* and under 27*s.*	4	6
- - - 27*s.* and under 28*s.*	4	0
- - - 28*s.* and under 29*s.*	3	6
- - - 29*s.* and under 30*s.*	3	0
- - - 30*s.* and under 31*s.*	2	6
- - - 31*s.* and upwards	2	0

OATS :—

	s.	d.
——— Whenever the average Price of Oats, made up and published in the Manner required by Law, shall be for every Quarter		
- - - under 18*s.*, the Duty shall be for every Quarter	4	0
- - - 18*s.* and under 19*s.*	3	6
- - - 19*s.* and under 20*s.*	3	0
- - - 20*s.* and under 21*s.*	2	6
- - - 21*s.* and under 22*s.*	2	0
- - - 22*s.* and upwards	1	6

RYE, PEASE, AND BEANS :—
——— For every Quarter
A Duty equal in Amount to the Duty payable on a Quarter of Barley.

WHEAT MEAL AND FLOUR :—
——— For every Barrel, being One hundred and ninety-six Pounds,
A Duty equal in Amount to the Duty payable on Thirty-eight Gallons and a Half of Wheat.

BARLEY MEAL :—
——— For every Quantity of Two hundred and seventeen and a Half Pounds,
A Duty equal in Amount to the Duty payable on a Quarter of Barley.

OATMEAL AND GROATS :—
——— For every Quantity of One hundred and eighty-one Pounds and a Half,
A Duty equal in Amount to the Duty payable on a Quarter of Oats.

RYE MEAL AND FLOUR :—
——— For every Barrel, being One hundred and ninety-six Pounds,
A Duty equal in Amount to the Duty payable upon Forty Gallons of Rye.

PEA MEAL AND BEAN MEAL :—
——— For every Quantity of Two hundred and seventy-two Pounds,
A Duty equal in Amount to the Duty payable on a Quarter of Pease or Beans.

If the Produce of and imported from any British Possession out of Europe;

	s.	d.
Wheat, Barley, Bear or Bigg, Oats, Rye, Pease, and Beans, the Duty shall be for every Quarter	1	0
Wheat Meal, Barley Meal, Oatmeal, Rye Meal, Pea Meal, and Bean Meal, the Duty shall be for every Cwt.	0	4½

CAP. XXIII.

An Act to alter certain Duties of Customs. [26th *June* 1846.]

8 & 9 Vict. c. 90.

'WHEREAS by an Act passed in a Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for granting Duties of Customs*, the several Duties of Customs are imposed upon Goods, Wares, and Merchandize, imported into or exported from the United Kingdom, as the same are respectively inserted, described, and set forth in Figures in the Tables marked (A.) and (B.) to that Act annexed, together with the additional Duties therein-after mentioned: And whereas it is expedient to make certain Alterations and Amendments therein:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in lieu and instead of the Duties now payable by Law upon the Goods, Wares, and Merchandize mentioned in the Table to this Act annexed, when imported into the United Kingdom, there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, upon the said Goods, Wares, and Merchandize, when imported into the United Kingdom, the several Duties of Customs as the same are respectively inserted, described, and set forth in Figures in the said last-mentioned Table.

Duties.

Table of New Duties.

Duties on Timber.

II. And be it enacted, That from and after the Fifth Day of *April* One thousand eight hundred and forty-seven, the Duties of Customs now payable upon the Foreign Goods herein-after next mentioned shall cease

cease and determine, and that in lieu thereof there shall be charged the following Duties on such Foreign Goods on their Importation into the United Kingdom; (that is to say,) *Duties.*

Upon TIMBER and WOOD GOODS not otherwise charged; *videlicet,*	From and after 5th April 1847. £ s. d.	From and after 5th April 1848. £ s. d.
Timber or Wood, not being Deals, Battens, Boards, Staves, Handspikes, Oars, Lathwood, or other Timber or Wood sawn, split, or otherwise dressed, except hewn, and not being Timber or Wood otherwise charged with Duty, the Load of 50 Cubic Feet	1 0 0	0 15 0
—— Deals, Battens, Boards, or other Timber or Wood sawn or split, and not otherwise charged with Duty - - - the Load of 50 Cubic Feet	1 6 0	1 0 0
—— Staves, if exceeding 72 Inches in Length, 7 Inches in Breadth, or 3½ Inches in Thickness - - - the Load of 50 Cubic Feet	1 3 0	0 18 0
—— Firewood - - - - the Fathom of 216 Cubic Feet	0 8 0	0 6 0
—— Handspikes, not exceeding Seven Feet in Length - - the 120	0 16 0	0 12 0
—— —— exceeding Seven Feet in Length - - the 120	1 12 0	1 4 0
Knees, under Five Inches Square - - - - the 120	0 8 0	0 6 0
—— —— Five Inches and under Eight Inches Square - - the 120	1 12 0	1 4 0
—— Lathwood - - - - the Fathom of 216 Cubic Feet	1 12 0	1 4 0
—— Oars - - - - - - - - the 120	6 0 0	4 10 0
—— Spars or Poles under 22 Feet in Length, and under Four Inches in Diameter - - - - - the 120	0 16 0	0 12 0
—— 22 Feet in Length and upwards, and under Four Inches in Diameter, the 120	1 12 0	1 4 0
—— of all Lengths, Four Inches and under Six Inches in Diameter the 120	3 4 0	2 8 0
—— Spokes for Wheels, not exceeding Two Feet in Length - the 1,000	1 12 0	1 4 0
—— exceeding Two Feet in Length - - - the 1,000	3 4 0	2 8 0
Wood, planed, or otherwise dressed or prepared for Use, and not particularly enumerated, nor otherwise charged with Duty - - - -	0 0 6 per Foot of Cubic Contents, and further for every 100*l.* Value, 10*l.*	0 0 4 per Foot of Cubic Contents, and further for every 100*l.* Value, 10*l.*

Or, in lieu of the Duties imposed upon Wood by the Load according to the Cubic Content, the Importer may have the Option, at the Time of passing the first Entry, of entering Battens, Batten Ends, Boards, Deals, Deal Ends, and Plank, by Tale, if of or from Foreign Countries, according to the following Dimensions; *videlicet,*

——	Not above 7 Inches in Width.	From and after 5th April 1847.		From and after 5th April 1848.	
		Not above 1¼ Inch in Thickness.	Above 1¼ Inch and not above 2¾ in Thickness.	Not above 1¼ Inch in Thickness.	Above 1¼ Inch and not above 2¾ in Thickness.
Battens and Batten Ends:	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Not above 6 Feet in Length, the 120	- -	1 4 8	2 9 3	0 18 6	1 17 0
Above 6 and not above 9 Feet in Length - - the 120	- -	1 16 11	3 13 10	1 7 9	2 15 6
Above 9 and not above 12 Feet in Length - - the 120	- -	2 9 3	4 18 6	1 16 11	3 13 10
Above 12 and not above 15 Feet in Length - - the 120	- -	3 1 7	6 3 2	2 6 3	4 12 6
Above 15 and not above 18 Feet in Length - - the 120	- -	3 13 10	7 7 8	2 15 4	5 10 8
Above 18 and not above 21 Feet in Length - - the 120	- -	4 6 2	8 12 4	3 4 6	6 9 0

Duties.

	Not above 9½ Inches in Width.	From and after 5th April 1847.		From and after 5th April 1848.	
		Not above 1½ Inch in Thickness.	Above 1½ Inch and not above 3¼ in Thickness.	Not above 1½ Inch in Thickness.	Above 1½ Inch and not above 3¼ in Thickness.
Boards, Deals, Deal Ends, and Plank:	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Not above 6 Feet in Length, the 120	- -	1 19 6	3 19 0	1 9 10	2 19 8
Above 6 and not above 9 Feet in Length - - the 120	- -	2 19 3	5 18 6	2 4 5	4 8 10
Above 9 and not above 12 Feet in Length - - the 120	- -	3 19 0	7 18 0	2 19 2	5 18 4
Above 12 and not above 15 Feet in Length - - the 120	- -	4 18 10	9 17 8	3 14 2	7 8 4
Above 15 and not above 18 Feet in Length - - the 120	- -	5 18 7	11 17 2	4 8 11	8 17 10
Above 18 and not above 21 Feet in Length - - the 120	- -	6 18 4	13 16 8	5 3 8	10 7 4
	Above 9½ Inches, and not above 11½ in Width.				
Not above 6 Feet in Length, the 120	- -	2 7 10	4 15 8	1 15 10	3 11 8
Above 6 and not above 9 Feet in Length - - the 120	- -	3 11 8	7 3 4	2 13 8	5 7 4
Above 9 and not above 12 Feet in Length - - the 120	- -	4 15 7	9 11 2	3 11 7	7 3 2
Above 12 and not above 15 Feet in Length - - the 120	- -	5 19 7	11 19 2	4 9 7	8 19 2
Above 15 and not above 18 Feet in Length - - the 120	- -	7 3 6	14 7 0	5 7 6	10 15 0
Above 18 and not above 21 Feet in Length - - the 120	- -	8 7 6	16 15 0	6 5 8	12 11 4

Duties on Seeds.

III. And be it enacted, That in lieu of the Duties of Customs now chargeable on the Articles hereinafter next mentioned, imported into the United Kingdom, the following Duties shall be charged from and after the First Day of *June* in the Year of our Lord One thousand eight hundred and forty-six; (that is to say,)

	£ s. d.
Seeds; *videlicet*,	
Canary, the Cwt. - - - - - - -	0 5 0
—— of and from a British Possession, the Cwt. - - - -	0 2 6
Caraway, the Cwt. - - - - - - -	0 5 0
—— of and from a British Possession, the Cwt. - - - -	0 2 6
Carrot, the Cwt. - - - - - - -	0 5 0
—— of and from a British Possession, the Cwt. - - - -	0 2 6
Clover, the Cwt. - - - - - - -	0 5 0
—— of and from a British Possession, the Cwt. - - - -	0 2 6
Leek, the Cwt. - - - - - - -	0 5 0
—— of and from a British Possession, the Cwt. - - - -	0 2 6
Mustard, the Cwt. - - - - - - -	0 1 3
—— of and from a British Possession, the Cwt. - - - -	0 0 7½
Onion, the Cwt. - - - - - - -	0 5 0
—— of and from a British Possession, the Cwt. - - - -	0 2 6
All other Seeds not particularly enumerated or described, or otherwise charged with Duty, for every 100*l.* Value - - - - - - -	5 0 0
Of and from a British Possession, for every 100*l.* Value - - -	2 10 0

IV. And be it enacted, That no Duties of Customs shall be chargeable upon the Goods, Wares, and Merchandize herein-after next mentioned; (that is to say,) Goods exempted from Duty.

Animals, living; *videlicet*,
Asses.
Goats.
Kids.
Oxen and Bulls.
Cows.
Calves.
Horses, Mares, Geldings, Colts, Foals.
Mules.
Sheep.
Lambs.
Swine and Hogs.
Pigs, Sucking.
Bacon.
Beef, fresh or slightly salted.
Beef, salted, not being corned Beef.
Bottles of Earth and Stone, empty.
Casts of Busts, Statues, or Figures.
Caviare.
Cherry Wood, being Furniture Wood.
Cranberries.
Cotton Manufactures, not being Articles wholly or in part made up, not otherwise charged with Duty.
Enamel.
Gelatine.
Glue.
Hay.
Hides, or Pieces thereof, tawed, curried, varnished, japanned, enamelled.
Muscovy or Russia Hides or Pieces thereof, tanned, coloured, shaved, or otherwise dressed, and Hides or Pieces thereof in any way dressed, not otherwise enumerated.
Ink for Printers.
Inkle, wrought.
Lamp Black.
Linen; *videlicet*, plain Linens and Diaper, whether chequered or striped with Dye Yarn or not, and Manufactures of Linen, or of Linen mixed with Cotton or with Wool, not particularly enumerated, or otherwise charged with Duty, not being Articles wholly or in part made up.
Magna Græcia Ware.
Manuscripts.
Maps and Charts, or Parts thereof, plain or coloured.
Mattresses.
Meat, salted or fresh, not otherwise described.
Medals of any Sort.
Palmetto Thatch Manufactures.
Parchment.
Partridge Wood, being Furniture Wood.
Pens.
Plantains.
Potatoes.
Pork, fresh.
salted, not Hams.
Purple Wood, being Furniture Wood.
Silk, Thrown, dyed; *videlicet*,
Singles or Tram, Organzine or Crape Silk.
Telescopes.
Thread, not otherwise enumerated or described.
Woollens; *videlicet*, Manufactures of Wool, not being Goat's Wool, or of Wool mixed with Cotton, not particularly enumerated or described, not otherwise charged with Duty, not being Articles wholly or in part made up.
Vegetables, all, not otherwise enumerated or described.
Vellum.

V. And be it enacted, That the Duties imposed by this Act shall be under the Management of the Commissioners of Her Majesty's Customs, and shall be ascertained, raised, levied, collected, paid, and recovered, and allowed and applied or appropriated, under the Provisions of any Act or Acts now in force, or hereafter to be made, relating to the Customs. Duties to be under Management of Commissioners of Customs.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament. Act may be amended, &c.

TABLE OF DUTIES to which the foregoing Act refers.

	£	s.	d.
Agates or Cornelians, cut, manufactured, or set, for every 100*l.* Value	10	0	0
Ale and Beer of all Sorts, the Barrel	1	0	0
Almonds, Paste of, for every 100*l.* Value	10	0	0
Amber, Manufactures of, not enumerated, for every 100*l.* Value	10	0	0
Arrowroot, the Cwt.	0	2	6
——— of and from a British Possession, per Cwt.	0	0	6
Bandstring Twist, for every 100*l.* Value	10	0	0
——— of and from a British Possession, for every 100*l.* Value	5	0	0
Barley, Pearled, the Cwt.	0	1	0
——— of and from a British Possession, the Cwt.	0	0	6
Bast Ropes, Twines, and Strands, for every 100*l.* Value	10	0	0
——— of and from a British Possession, for every 100*l.* Value	5	0	0
Beads, *viz.*			
—— Arango, for every 100*l.* Value	10	0	0
—— Coral, for every 100*l.* Value	10	0	0
—— Crystal, for every 100*l.* Value	10	0	0
—— Jet, for every 100*l.* Value	10	0	0
—— not otherwise enumerated or described, for every 100*l.* Value	10	0	0
Beer or Mum, the Barrel	1	0	0
Blacking, for every 100*l.* Value	10	0	0
Brass, Manufactures of, for every 100*l.* Value	10	0	0
—— Powder of, for every 100*l.* Value	10	0	0
Brocade of Gold or Silver, for every 100*l.* Value	10	0	0
Bronze, Manufactures of, not particularly enumerated, for every 100*l.* Value	10	0	0
——— Powder, for every 100*l.* Value	10	0	0
Buck Wheat, the Quarter	0	1	0
—— Meal, the Cwt.	0	0	4½
Butter, the Cwt.	0	10	0
——— of and from a British Possession, the Cwt.	0	2	6
Buttons, Metal, for every 100*l.* Value	10	0	0
Cameos, for every 100*l.* Value	5	0	0
Candles, *viz.*			
——— Spermaceti, the lb.	0	0	3
——— Stearine, the lb.	0	0	1¼
——— Tallow, the Cwt.	0	5	0
——— Wax, the lb.	0	0	2
Canes, Walking Canes or Sticks, mounted, painted, or otherwise ornamented, for every 100*l.* Value	10	0	0
Carriages of all Sorts, for every 100*l.* Value	10	0	0
Casks, empty, for every 100*l.* Value	10	0	0
Cassava Powder, the Cwt.	0	2	6
——— of and from a British Possession, the Cwt.	0	0	6
Catlings, for every 100*l.* Value	10	0	0
Cheese, the Cwt.	0	5	0
——— of and from a British Possession, the Cwt.	0	1	6
China or Porcelaine Ware, painted or plain, gilt or ornamented, for every 100*l.* Value	10	0	0
Cider, the Tun	5	5	0
Citron, preserved in Salt, for every 100*l.* Value	5	0	0
Clocks, for every 100*l.* Value	10	0	0
Copper Manufactures, not otherwise enumerated or described, and Copper-plates engraved, for every 100*l.* Value	10	0	0
Copper or Brass Wire, for every 100*l.* Value	10	0	0
Cotton, Articles or Manufactures of Cotton wholly or in part made up, not otherwise charged with Duty, for every 100*l.* Value	10	0	0
——— of and from a British Possession, for every 100*l.* Value	5	0	0
Crayons, for every 100*l.* Value	10	0	0
Crystal, cut or manufactured, for every 100*l.* Value	10	0	0
Cucumbers, preserved in Salt, for every 100*l.* Value	5	0	0
—— of and from a British Possession, for every 100*l.* Value	2	10	0

	£	s.	d.
Fish, cured, not otherwise enumerated, the Cwt.	0	1	0
Gauze of Thread, for every 100*l.* Value	10	0	0
—— of and from a British Possession, for every 100*l.* Value	5	0	0
Hair, Manufactures of Hair or Goat's Wool, or of Hair or Goat's Wool and any other Material, and Articles of such Manufacture wholly or in part made up, not particularly enumerated or otherwise charged with Duty, for every 100*l.* Value	10	0	0
—— of and from a British Possession, for every 100*l.* Value	5	0	0
Hams of all Kinds, the Cwt.	0	7	0
—— of and from a British Possession, the Cwt.	0	2	0
Harp Strings or Lute Strings, silvered, for every 100*l.* Value	10	0	0
Hats or Bonnets; *viz.*			
—— of Chip, the lb.	0	3	6
—— of Bast, Cane, or Horsehair, Hats or Bonnets, each Hat or Bonnet not exceeding Twenty-two Inches in Diameter, the Dozen	0	7	6
—— each Hat or Bonnet exceeding Twenty-two Inches in Diameter, the Dozen	0	10	0
—— Straw Hats or Bonnets, the lb.	0	5	0
Hats, Felt, Hair, Wool, or Beaver Hats, each	0	2	0
—— made of Silk, Silk Shag laid upon Felt, Linen, or other Material, each	0	2	0
Hops, the Cwt.	2	5	0
Iron and Steel, wrought, not otherwise enumerated, for every 100*l.* Value	10	0	0
Japanned or lacquered Ware, for every 100*l.* Value	10	0	0
Lace, *viz.* Thread, for every 100*l.* Value	10	0	0
—— made by the Hand, commonly called Cushion or Pillow Lace, whether of Linen, Cotton, or Silken Thread, for every 100*l.* Value	10	0	0
Latten Wire, for every 100*l.* Value	10	0	0
Lead, Manufactures of, not otherwise enumerated, for every 100*l.* Value	10	0	0
Leather, Manufactures of:—			
——— Boots, Shoes, and Calashes; *viz.*			
——— Women's Boots and Calashes, the Dozen Pairs	0	6	0
——— Women's Boots and Calashes, if lined or trimmed with Fur or other Trimming, the Dozen Pairs	0	7	6
——— Women's Shoes with Cork or Double Soles, Quilted Shoes and Clogs, the Dozen Pairs	0	5	0
——— Women's Shoes, if trimmed or lined with Fur or any other Trimming, the Dozen Pairs	0	6	0
——— Women's Shoes of Silk, Satin, Jean, or other Stuffs, Kid, Morocco, or other Leather, the Dozen Pairs	0	4	6
——— Women's Shoes, if trimmed or lined with Fur or any other Trimming, the Dozen Pairs	0	5	0
——— Girls Boots, Shoes, and Calashes, not exceeding Seven Inches in Length, to be charged with Two Thirds of the above Duties.			
——— Men's Boots, the Dozen Pairs	0	14	0
——— Men's Shoes, the Dozen Pairs	0	7	0
——— Boys Boots and Shoes, not exceeding Seven Inches in Length, to be charged with Two Thirds of the above Duties.			
——— Boot Fronts, not exceeding Nine Inches in Height, the Dozen Pairs	0	1	9
——— Boot Fronts, exceeding Nine Inches in Height, the Dozen Pairs	0	2	9
——— cut into Shapes, or any Article made of Leather, or any Manufacture whereof Leather is the most valuable Part, not otherwise enumerated or described, for every 100*l.* Value	10	0	0
Linen, or Linen and Cotton; *viz.*			
—— Cambrics and Lawns, commonly called French Lawns, the Piece not exceeding Eight Yards in Length, and not exceeding Seven Eighths of a Yard in Breadth, and so in proportion for any greater or less Quantity, plain, the Piece	0	2	6
—— Bordered Handkerchiefs, the Piece	0	2	6
—— Lawns of any Sort, not French, for every 100*l.* Value	10	0	0
—— Damasks, the Square Yard	0	0	5
—— Damask Diaper, the Square Yard	0	0	2½
Linen, Sails not in actual Use of a British Ship, and not fit and necessary for such Ship, and when otherwise disposed of, for every 100*l.* Value	10	0	0
—— Articles, Manufactures of Linen, or of Linen mixed with Cotton or with Wool, wholly or in part made up, not particularly enumerated or otherwise charged with Duty, for every 100*l.* Value	10	0	0

	£	s.	d.
Maize or Indian Corn, the Quarter	0	1	0
—— Meal, the Cwt.	0	0	4½
Musical Instruments, for every 100*l.* Value	10	0	0
Mustard Flour, the Cwt.	0	6	0
Paper, printed, painted, or stained Paper, or Paper Hangings, or Flock Paper, the Square Yard	0	0	2
Pencils, for every 100*l.* Value	10	0	0
—— of Slate, for every 100*l.* Value	10	0	0
Perfumery, not otherwise charged, for every 100*l.* Value	10	0	0
Perry, the Tun	5	5	0
Pewter, Manufactures of, for every 100*l.* Value	10	0	0
Platting of Straw, the lb.	0	5	0
Pomatum, for every 100*l.* Value	10	0	0
Potato Flour, the Cwt.	0	1	0
Pots of Stone, for every 100*l.* Value	10	0	0
Rice, the Cwt.	0	1	0
—— of and from a British Possession, the Cwt.	0	0	6
—— Rough and in the Husk, the Quarter	0	1	0
—— of and from a British Possession, the Quarter	0	0	1
Sago, the Cwt.	0	0	6
Sausages or Puddings, the lb.	0	0	1
SILK MANUFACTURES:			
Manufactures of Silk, or of Silk mixed with Metal, or any other Material the Produce of Europe; *viz.*			
Silk or Satin, plain, striped, figured, or brocaded; *viz.*			
Broad Stuffs, the lb.	0	5	0
Articles thereof, not otherwise enumerated, the lb.	0	6	0
Or, and at the Option of the Officers of the Customs, for every 100*l.* Value	15	0	0
Silk Gauze or Crape, plain, striped, figured, or brocaded; *viz.*			
Broad Stuffs, the lb.	0	9	0
Articles thereof, not otherwise enumerated, the lb.	0	10	0
Or, and at the Option of the Officers of the Customs, for every 100*l.* Value	15	0	0
Gauze of all Descriptions, mixed with Silk, Satin, or any other Materials in less Proportion than One Half Part of the Fabric; *viz.*, Broad Stuff, the lb.	0	9	0
Articles thereof, not otherwise enumerated, the lb.	0	10	0
Or, and at the Option of the Officers of the Customs, for every 100*l.* Value	15	0	0
Velvet, plain or figured; *viz.*, Broad Stuffs, the lb.	0	9	0
Articles thereof, not otherwise enumerated, the lb.	0	10	0
Or, and at the Option of the Officers of the Customs, for every 100*l.* Value	15	0	0
Ribbons, plain Silk, of one Colour only, the lb.	0	6	0
—— plain Satin, of one Colour only, the lb.	0	8	0
—— Silk or Satin, striped, figured, or brocaded, or plain Ribbons of more than one Colour, the lb.	0	10	0
—— Gauze or Crape, plain, striped, figured, or brocaded, the lb.	0	14	0
—— Gauze mixed with Silk, Satin, or other Materials, of less Proportion than One Half Part of the Fabric, the lb.	0	12	0
—— Velvet, or Silk embossed with Velvet, the lb.	0	10	0
Artificial Flowers wholly or in part of Silk, for every 100*l.* Value	25	0	0
Manufactures of Silk, or of Silk and any other Material called Plush, commonly used for making Hats, the lb.	0	2	0
Fancy Silk Net or Tricot, the lb.	0	8	0
Plain Silk Lace or Net, called Tulle, the lb.	0	8	0
Manufactures of Silk, or of Silk mixed with any other Materials, not particularly enumerated or otherwise charged with Duty, for every 100*l.* Value	15	0	0
Ribbons, of and from a British Possession, for every 100*l.* Value	5	0	0
Millinery of Silk, or of which the greater Part of the Material is Silk, *viz.* Turbans or Caps, each	0	3	6
Hats or Bonnets, each	0	7	0
Dresses, each	1	10	0
Manufactures of Silk, or of Silk and any other Materials, and Articles of the same, wholly or partially made up, not particularly enumerated or otherwise charged with Duty, for every 100*l.* Value	15	0	0

	£	s.	d.
Silkworm Gut, for every 100*l.* Value	10	0	0
Skins, Articles manufactured of Skins or Furs, for every 100*l.* Value	10	0	0
—— of and from a British Possession	5	0	0
Soap, hard, the Cwt.	1	0	0
—— of and from a British Possession, the Cwt.	0	14	0
—— soft, the Cwt.	0	14	0
—— of and from a British Possession, the Cwt.	0	10	0
—— Naples, the Cwt.	1	0	0
Spa Ware, for every 100*l.* Value	10	0	0
Spirits or strong Waters of all Sorts; *viz.*			
——— For every Gallon of such Spirits or strong Waters of any Strength not exceeding the Strength of Proof by Sykes' Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon, *viz.*			
——— not being Spirits or strong Waters the Produce of any British Possession in America, or any British Possession within the Limits of the East India Company's Charter, and not being sweetened Spirits, or Spirits mixed with any Article, so that the Degree of Strength thereof cannot be exactly ascertained by such Hydrometer, the Gallon	0	15	0
Starch, the Cwt.	0	5	0
——— of and from a British Possession, the Cwt.	0	2	6
——— from and after the 1st February 1849, the Cwt.	0	1	0
——— Gum of, torrified or calcined, commonly called British Gum, the Cwt.	0	5	0
——— of and from a British Possession, the Cwt.	0	2	6
——— Gum of, torrified or calcined, commonly called British Gum, from and after the 1st February 1849, the Cwt.	0	1	0
Steel, Manufactures of, for every 100*l.* Value	10	0	0
Tallow, the Cwt.	0	1	6
——— of and from a British Possession, the Cwt.	0	0	1
Tapioca, the Cwt.	0	0	6
Tin, Manufactures of, not otherwise enumerated, for every 100*l.* Value	10	0	0
Tobacco Pipes of Clay, for every 100*l.* Value	10	0	0
Tongues, the Cwt.	0	7	0
——— of and from a British Possession, the Cwt.	0	2	0
Turnery, not otherwise described, for every 100*l.* Value	10	0	0
Twine, for every 100*l.* Value	10	0	0
—— of and from a British Possession, for every 100*l.* Value	5	0	0
Varnish, not otherwise described, for every 100*l.* Value	10	0	0
Verjuice, the Tun	4	4	0
Wafers, for every 100*l.* Value	10	0	0
Washing Balls, the Cwt.	1	0	0
Wax, Sealing Wax, for every 100*l.* Value	10	0	0
Whipcord, for every 100*l.* Value	10	0	0
Wire, gilt or plated, or Silver, for every 100*l.* Value	10	0	0
Woollens, Articles or Manufactures of Wool, not being Goat's Wool, or of Wool mixed with Cotton, wholly or in part made up, not otherwise charged with Duty, for every 100*l.* Value	10	0	0
——— of and from a British Possession, for every 100*l.* Value	5	0	0
Goods, Wares, and Merchandize, being either in part or wholly manufactured, and not being enumerated or described, not otherwise charged with Duty, and not prohibited to be imported into or used in Great Britain or Ireland, for every 100*l.* Value	10	0	0

CAP. XXIV.

An Act for removing some Defects in the Administration of Criminal Justice.

[26th *June* 1846.]

'WHEREAS in certain Cases of Felony the Court is not empowered by Law to award Sentence of Transportation for a less Period than the Term of the Offender's Life or some long Term of Years, or Sentence of Imprisonment for any shorter Term than Two Years; but it is desirable that some such Offenders should suffer Transportation or Imprisonment for a shorter Period respectively, at the Discretion of the Court before which they are convicted:' Now be it enacted by the Queen's most Excellent

Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in all Cases where the Court is now by Law empowered or required to award a Sentence of Transportation exceeding Seven Years it shall be lawful for such Court, at its Discretion, to award a Sentence of Transportation for a Term of Years not less than Seven Years, or to award such Sentence of Imprisonment for any Period not exceeding Two Years, with or without hard Labour, as shall to the Court in its Discretion appear just under all the Circumstances.

Power of Criminal Courts as to Terms of Transportation and Imprisonment.

II. 'And whereas it is now required by Law that no Indictment shall be presented before the Grand 'Jury of the Central Criminal Court for certain Offences unless the Party prosecuting shall have first 'entered into Recognizances to prosecute;' be it enacted, That the said Provision be and the same is hereby repealed; and that Bills of Indictment may be preferred by any Person before the Grand Jury of the said Court for any Offence alleged to be committed within the Jurisdiction of the said Court in the same Manner as may be done before any other Grand Jury.

Repeal of 4 & 5 W. 4. c. 36. § 13.

Before what Court Indictments may be preferred.

III. 'And whereas Doubts have been raised as to the proper Place of Trial, where Indictments have 'been removed by Writ of Certiorari from the Central Criminal Court into the Court of Queen's Bench;' be it enacted, That every Writ of Certiorari for removing an Indictment from the said Central Criminal Court shall specify the County or Jurisdiction in which the same shall be tried; and a Jury shall be summoned and the Trial proceed in the same Manner in all respects as if the Indictment had been originally preferred in that County or Jurisdiction.

Writs for removing Indictments from Central Criminal Court to specify where same shall be tried.

IV. 'And whereas by an Act passed in the last Session of Parliament, intituled *An Act to stay 'Execution of Judgment for Misdemeanors upon giving Bail in Error*, it is (amongst other things) 'enacted, that the Clerk of the Crown in the Court of Queen's Bench shall, for the Purposes in the said 'Act mentioned, make out and deliver Certificates in Writing under his Hand of the due filing of Record 'in the said Court of any Recognizance given to prosecute any Writ of Error in the Manner in the said 'Act mentioned, and that any such Certificate, when duly verified by Affidavit, shall be a sufficient 'Warrant to every Gaoler or other Person having the Custody of such Defendant or Defendants in 'Execution of such Judgment to discharge him or them out of Custody, and also to every Person having 'in his Possession the whole or any Part of any Fine levied in Execution of any such Judgment to 'authorize and require the Repayment thereof to the Defendant or Defendants: And whereas the making 'of such Affidavit creates unnecessary Expence and Delay, and it is expedient to dispense with the same, 'and to make further Provision for the making and Delivery of such Certificates;' be it therefore enacted, That any such Certificate as aforesaid under the Hand either of the said Clerk of the Crown or of the Master or Assistant Master on the Crown Side of the said Court, and sealed with the Seal of the Crown Office in the said Court, shall be a sufficient Warrant for the Discharge of any such Defendant or Defendants, and for the Repayment of any such Fine.

Certificate of Recognizance filed to prosecute Writ of Error to be made out by the Clerk of the Crown, Master or Assistant Master on the Crown Side of the Court of Queen's Bench, and to be a sufficient Warrant for Defendant's Discharge.

CAP. XXV.

An Act for preventing malicious Injuries to Persons and Property by Fire, or by explosive or destructive Substances. [26th *June* 1846.]

'WHEREAS the unlawful and malicious Destruction of Buildings, and Attempts to injure Persons 'and Property, by Fire or by Gunpowder and other explosive or destructive Substances, is not 'adequately punishable by Law:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whoever shall unlawfully and maliciously, by the Explosion of Gunpowder or other explosive Substance, destroy, throw down, or damage the whole or any Part of any Dwelling House, any Person being therein, shall be guilty of Felony.

Persons maliciously blowing up Dwelling Houses, any one being therein,

II. And be it enacted, That whoever shall unlawfully and maliciously, by the Explosion of Gunpowder or other explosive Substance, destroy or damage any Building with Intent to murder any Person, or whereby the Life of any Person shall be endangered, shall be guilty of Felony.

or blowing up Buildings with Intent to murder,

III. And be it enacted, That whoever shall unlawfully and maliciously, by the Explosion of Gunpowder or other explosive Substance, burn, maim, disfigure, disable, or do any grievous bodily Harm to any Person, shall be guilty of Felony.

or injuring Persons by explosive Substances,

IV. And be it enacted, That whoever shall unlawfully and maliciously cause any Gunpowder or other explosive Substance to explode, or send or deliver to, or cause to be taken or received by, any Person any explosive Substance, or any other dangerous or noxious Thing, or cast or throw at or upon or otherwise apply to any Person any corrosive Fluid or other destructive or explosive Substance, with Intent, in any of the Cases aforesaid, to burn, maim, disfigure, or disable any Person, or to do some grievous bodily Harm to any Person, shall, although no bodily Injury be effected, be guilty of Felony.

or attempting to do bodily Injury by sending, &c. dangerous Substances, guilty of Felony.

V. And be it enacted, That whoever shall be convicted of any Felony herein-before mentioned shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of his natural Life, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Punishment for Felonies herein-before specified.

VI. And be it enacted, That whoever shall unlawfully and maliciously place or throw in, into, upon, against, or near any Building or Vessel any Gunpowder or other explosive Substance with Intent to do any bodily Damage to any Person, or to destroy or damage any Building or Vessel, or any Machinery,

Punishment for Persons attempting to

working

working Tools, Fixtures, Goods, or Chattels, shall, whether or not any Explosion take place, and whether or not any Injury is effected to any Person, or any Damage to any Building, Vessel, Machinery, working Tools, Fixtures, Goods, or Chattels, be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for any Term not exceeding Fifteen Years, or to be imprisoned for any Term not exceeding Two Years. blow up Buildings, &c.

VII. And be it enacted, That whoever shall unlawfully and maliciously by any overt Act attempt to set fire to any Building, Vessel, or Mine, or to any Stack or Steer, or to any Vegetable Produce of such Kind, and with such Intent that if the Offence were complete the Offender would be guilty of Felony, and liable to be transported beyond the Seas for the Term of his natural Life, shall, although such Building, Vessel, Mine, Stack, Steer, or Vegetable Produce be not actually set on fire, be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for any Term not exceeding Fifteen Years, or to be imprisoned for any Term not exceeding Two Years. Punishment for Persons attempting to set fire to Buildings.

VIII. And be it enacted, That whoever shall knowingly have in his Possession, or make or manufacture, any Gunpowder, explosive Substance, or any dangerous or noxious Thing, or any Machine, Engine, Instrument, or Thing, with Intent by means thereof to commit, or for the Purpose of enabling any other Person to commit, any Offence against this Act, shall be guilty of a Misdemeanor, and on Conviction thereof shall be liable to be imprisoned for any Term not exceeding Two Years. Punishment for making any Article for Purpose of offending against Act.

IX. And be it enacted, That every Male Person under the Age of Eighteen Years who shall be convicted of any Offence under this Act, or who shall be convicted of feloniously setting fire to any Building, Vessel, or Mine, or to any Stack or Steer, shall be liable, at the Discretion of the Court before which he shall be convicted, in addition to any other Sentence which may be passed upon him, to be publicly or privately whipped in such Manner and as often, not exceeding Thrice, as the Court shall direct. Male Offenders under Eighteen Years of Age convicted under this Act may be publicly or privately whipped.

X. And be it enacted, That in the Case of every Felony punishable under this Act, every Principal in the Second Degree and every Accessory before the Fact shall be punishable in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessory after the Fact to any Felony punishable under this Act shall, on Conviction, be liable to be imprisoned for any Term not exceeding Two Years. As to the Punishment of Accessories before and after the Fact.

XI. And be it enacted, That where any Person shall be convicted of any Offence punishable under this Act for which Imprisonment may be awarded, it shall be lawful for the Court to sentence the Offender to be imprisoned, or to be imprisoned and kept to hard Labour, in the Common Gaol or House of Correction, and also to direct that the Offender shall be kept in solitary Confinement for any Portion or Portions of such Imprisonment, or of such Imprisonment with hard Labour, not exceeding One Calendar Month at any One Time, and not exceeding Three Calendar Months in any One Year, as to the Court in its Discretion shall seem meet. Persons liable to Imprisonment may be kept to hard Labour, and in solitary Confinement.

XII. And be it enacted, That any Justice of the Peace of any County, Riding, Division, Liberty, Borough, or Place in which any Gunpowder or other explosive, dangerous, or noxious Substance is suspected to be made or kept for the Purpose of being used in committing an Offence under this Act, upon reasonable Cause assigned upon Oath by any Person or Persons, may issue a Warrant or Warrants under his Hand and Seal for searching in the Daytime any House, Shop, Cellar, Yard, or other Place, or any Vessel in which such Gunpowder or other explosive, dangerous, or noxious Substance is suspected to be made or kept for such Purpose as aforesaid; and that every Person acting in the Execution of any such Warrant shall have, for seizing, removing to proper Places, and detaining all such Gunpowder, explosive, dangerous, or noxious Substances, found upon such Search, which he shall have good Cause to suspect to be intended to be used in committing an Offence under this Act, and the Barrels, Packages, and Cases in which the same shall be, the same Powers which are given to Persons searching for unlawful Quantities of Gunpowder under the Warrant of a Justice by an Act passed in the Twelfth Year of the Reign of King *George* the Third, intituled *An Act to regulate the making, keeping, and Carriage of Gunpowder within* Great Britain, *and to repeal the Laws heretofore made for any of those Purposes.* Justices may issue Warrants for searching for explosive Substances, &c. Persons executing such Warrants to have same Powers as given by 12 G. 3. c. 61.

XIII. And be it enacted, That it shall be lawful for any Constable or Peace Officer to take into Custody, without a Warrant, any Person whom he shall find lying or loitering in any Highway, Yard, or other Place during the Night, and whom he shall have good Cause to suspect of having committed or being about to commit any Felony under this Act, and to detain such Person until he can be brought before a Justice of the Peace to be dealt with according to Law. Suspected Persons loitering at Night may be taken into Custody without Warrant;

XIV. Provided always, and be it enacted, That no such Person having been so apprehended shall be detained after Noon of the following Day without being brought before a Justice of the Peace. Period of Detention.

XV. And be it enacted, That neither the Justices of the Peace acting in and for any County, Riding, Division, or Liberty, nor the Recorder of any Borough, shall at any Session of the Peace, or at any Adjournment thereof, try any Person or Persons for any Offence under this Act. Offences not to be tried by Justices, &c. at Sessions.

XVI. And be it enacted, That nothing in this Act contained shall be construed to extend to the Alteration or Repeal of any of the Powers, Provisions, or Regulations contained in an Act passed in the Sixth Year of the Reign of His late Majesty, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in* England *and* Wales, *and for appointing Inspectors of Prisons in* Great Britain, or in an Act passed in the Fourth Year of the Reign of King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relating to the building, repairing, and regulating of certain Gaols and Houses of Correction in* England *and* Wales. Nothing in this Act to affect Powers of 5 & 6 W. 4. c. 38. and 4 G. 4. c. 64.

XVII. And

As to Offences committed in Admiralty Jurisdiction.

XVII. And be it enacted, That where any Felony punishable under this Act shall be committed within the Jurisdiction of the Admiralty of *England* or of *Ireland*, the same shall be dealt with, inquired of, tried, and determined in the same Manner as any other Felony committed within that Jurisdiction.

Not to extend to Scotland.

XVIII. And be it enacted, That nothing in this Act contained shall extend to *Scotland*.

Act may be amended, &c.

XIX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. XXVI.

An Act for abolishing the Office of Superintendent of Convicts under Sentence of Transportation. [3d *July* 1846.]

5 G. 4. c. 84.

'WHEREAS by an Act passed in the Fifth Year of the Reign of King *George* the Fourth, intituled *An Act for the Transportation of Offenders from* Great Britain, it was enacted, that it should 'be lawful for His Majesty, by any Order or Orders in Council, to declare His Royal Will and Pleasure 'that Male Offenders convicted in *Great Britain*, and being under Sentence or Order of Transportation, 'should be kept to Labour either at Land or on board any Vessel, to be provided by His Majesty, within 'the Limits of any Port or Harbour in any Part of His Majesty's Dominions out of *England* to be named 'in such Order or Orders in Council, and Provision was therein made for the Custody of such Offenders 'under the Management of a Superintendent to be appointed by His Majesty, and of an Overseer also to 'be appointed by His Majesty, for every such Vessel or other Place of Confinement: And whereas it is 'expedient that the Custody and Management of such Offenders when so kept to Labour out of *England* 'should be under the Authority of the Governor of that Part of Her Majesty's Dominions:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That

So much of recited Act as gives the Custody, &c. of Male Offenders out of England to the Superintendent in England, &c. repealed, and Powers to be exercised by the Governor in each Colony.

so much of the said Act as gives the Custody and Management of any such Male Offenders out of *England* to the Superintendent of Convicts confined in *England* under Sentence of Transportation shall be repealed; and that the Governor of every Colony named in any such Order or Orders in Council shall be by virtue of his Office the Superintendent of such Male Offenders as shall be removed from *Great Britain* under Sentence or Order of Transportation, and kept to Labour in such Colony under any such Order or Orders in Council, and shall exercise all the Powers and fulfil all the Duties vested in and imposed on the said Superintendent by the said Act with respect to such Offenders kept to Labour in such Colony, and that no other Superintendent, nor any Assistant or Deputy to such Superintendent, shall be appointed for any such Colony under the said Act; and that the Overseer already appointed or hereafter to be appointed for any such Colony under the said Act shall exercise his Authority and perform the Duties required of him by the said Act under the Direction of the Governor; and that every Overseer hereafter to be appointed under the said Act in any of Her Majesty's Colonies shall be appointed and may be suspended or dismissed by the Governor of the Colony for which he is appointed, subject in each Case of Appointment or Dismissal to the Approval of One of Her Majesty's Principal Secretaries of State.

Upon the next Vacancy in the Office of Superintendent of Convicts, &c. the same shall be abolished.

II. And be it enacted, That upon the next Vacancy in the Office of Superintendent of Convicts in *England* under Sentence or Order of Transportation, so much of the said Act as provides for the Appointment of such Superintendent by Her Majesty, or any Overseer or any Assistant or Deputy to such Superintendent, shall be repealed; and that all Male Offenders in *England* under Sentence or Order of Transportation shall be thenceforth in the Custody and Management of such Person or Persons as shall be for that Purpose appointed by One of Her Majesty's Principal Secretaries of State; and the Provisions of the first-recited Act, not altered by this Act, with respect to the Superintendent and Overseer having Custody of any Offenders under the said Act, shall apply to the Persons severally having the Custody and Management of such Offenders under this Act.

Act to be construed with 5 G. 4. c. 84.

III. And be it enacted, That this Act shall be construed with and as Part of the said Act.

Act may be amended, &c.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. XXVII.

An Act to amend the Laws relating to Friendly Societies. [3d *July* 1846.]

4 & 5 W. 4. c. 40.

'WHEREAS by an Act passed in the Fifth Year of the Reign of His late Majesty, intituled *An Act to amend an Act of the Tenth Year of His late Majesty King* George *the Fourth, to consolidate and amend the Laws relating to Friendly Societies*, it is enacted, that it shall and may be lawful for 'any Number of Persons in *Great Britain* and *Ireland* to form themselves into and to establish a 'Society, under the Provisions of the said recited Act, for the mutual Relief and Maintenance of all and 'every the Members thereof, their Wives, Children, Relations, or Nominees, in Sickness, Infancy, 'advanced Age, Widowhood, or any other natural State or Contingency whereof the Occurrence is susceptible of Calculation by way of Average, or for any other Purpose which is not illegal: And whereas 'Doubts have been entertained for what Purposes a Society may be established under the Provisions of 'the said Act, and it is expedient that such Purposes be better defined:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons,

Commons, in this present Parliament assembled, and by the Authority of the same, That a Society may be established, under the Provisions of the said Acts, for any of the following Purposes; (that is to say,)

Purposes for which Societies may be formed under 10 G. 4. c. 56. and 4 & 5 W. 4. c. 40.

1. For the lawful Insurance of Money to be paid on the Death of the Members to their Husbands, Wives, or Children, Kindred or Nominees, or for defraying the Expences of the Burial of the Members, their Husbands, Wives, or Children; provided that no Person under the Age of Six shall be allowed to become a Member of such Society, and that no Insurance shall be effected on the Life of any Child under Six Years of Age:
2. For the Relief, Maintenance, or Endowment of the Members, their Husbands, Wives, Children, Kindred, or Nominees, in Infancy, old Age, Sickness, Widowhood, or any other natural State of which the Probability may be calculated by way of Average:
3. Toward making good any Loss sustained by the Members by Fire, Flood, or Shipwreck, or by any Contingency of which the Probability may be calculated by way of Average, whereby they shall have sustained any Loss or Damage of their Live or Dead Stock, or Goods or Stock in Trade, or of the Tools or Implements of their Trade or Calling:
4. For the frugal Investment of the Savings of the Members for better enabling them to purchase Food, Firing, Clothes, or other Necessaries, or the Tools or Implements of their Trade or Calling, or to provide for the Education of their Children or Kindred, with or without the Assistance of charitable Donations: Provided always, that the Shares in any such Investment Society shall not be transferable, and that the Investment of each Member shall accumulate or be employed for the sole Benefit of the Member investing, or the Husband, Wife, Children, or Kindred of such Member, and that no Part thereof shall be appropriated to the Relief, Maintenance, or Endowment of any other Member or Person whomsoever, and that the full Amount of the Balance due according to the Rules of such Society to such Member shall be paid to him or her on withdrawing from the Society, and that no such last-mentioned Society shall be entitled or allowed to invest its Funds, or any Part thereof, with the Commissioners for the Reduction of the National Debt:
5. For any other Purpose which shall be certified to be legal in *England* or *Ireland* by Her Majesty's Attorney or Solicitor General, and in *Scotland* by the Lord Advocate, and which shall be allowed by One of Her Majesty's Principal Secretaries of State as a Purpose to which the Powers and Facilities of the said Acts ought to be extended; provided that the Amount of the Sum or Value of the Benefit to be assured to any Member, or any Person claiming by or through him or her, by any Society for any Purpose so certified and allowed as herein-before mentioned, shall not exceed in the whole Two hundred Pounds; and that this Limitation shall be inserted in the Rules of every Society established for any Purpose so certified and allowed; and that no such last-mentioned Society shall be entitled or allowed to invest its Funds or any Part thereof with the Commissioners for the Reduction of the National Debt.

Member may withdraw from Society, the Rules of which do not prescribe the Time, &c. on giving Notice, and paying all Arrears.

II. And be it declared and enacted, That any Member of a Friendly Society, the Rules of which do not prescribe the Time when or the Conditions on which Members shall be allowed to withdraw themselves, shall be allowed to withdraw himself or herself at any Time from such Society on giving written Notice to the Secretary or other proper Officer of the Society of his or her Intention to do so, and on Payment of all Arrears due by such Member; but after giving such Notice as aforesaid no Member shall be entitled to have any Benefit from the Funds of the Society, or be liable to any further Subscription or Payment other than the Amount of the Arrears due from him or her at the Time of giving such Notice.

Payments to Society shall be kept distinct for each Purpose, &c.

III. And be it enacted, That when a Society is formed, under the Provisions of the said Acts or this Act, for any Purpose in addition to that of providing Relief, Maintenance, or Endowment, in case of Infancy, old Age, Sickness, Widowhood, or other natural State as aforesaid, the Contributions or Payments for every such other Purpose shall be kept separate and distinct, or the Charges defrayed by extra Subscriptions of the Members, at the Time such Contingencies take place.

Separate Accounts to be kept for each particular Benefit.

IV. And be it enacted, That the Rules of every Friendly Society established after the passing of this Act shall provide that a Book or Books be kept, in which all Monies received or paid on account of any particular Fund or Benefit for which the Rules of the Society provide shall be entered in a separate Account, distinct from the Monies received and paid on account of any other Benefit or Provision.

Returns of the Rates of Sickness and Mortality, Assets, and Liabilities, shall be sent to Registrar every Five Years.

V. And be it enacted, That the Returns of the Rate of Sickness and Mortality required by Law to be sent by every Friendly Society at Intervals of Five Years to the Barrister or Advocate by whom the Rules of the Society may have been certified shall be henceforth sent to the Registrar of Friendly Societies in *England*, *Scotland*, and *Ireland* respectively, according to such Form as shall be prepared for that Purpose by the said several Registrars under the Direction of One of Her Majesty's Principal Secretaries of State; and with every such Return shall be sent a Report of the Assets and Liabilities of such Society; and this Provision shall be inserted in the Rules of every Society which shall be established after the passing of this Act.

Penalties for not making Returns to the Registrar required by Law.

VI. And be it enacted, That the Treasurers, Trustees, Stewards, or other principal Officer of every such Society, who by the Rules of such Society are or is bound to prepare or cause to be prepared the yearly general Statement of the Funds and Effects of such Society, shall be the Persons who shall be respectively bound to make or cause to be made, and to send to the Registrar of Friendly Societies the said Returns of the Rate of Sickness and Mortality, and the said Report of the Assets and Liabilities of such Society; and every such Person who shall refuse or wilfully neglect to make or cause to be made or

to send the said Returns of Sickness or Mortality, or the said Report of the Assets and Liabilities of such Society, at the Time and in the Manner prescribed by the said Acts or this Act, shall be liable to a Penalty not exceeding the Sum of Five Pounds, to be recovered, with Costs, before any Two Justices of the Peace having Jurisdiction where such Society shall have its Place of Meeting; and on Nonpayment thereof, the same, with the reasonable Costs of Conviction, shall be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders by Warrant under the Hand and Seal of such Justices.

For establishing the Legality of certain Societies.

VII. And be it enacted, That any Friendly Society established before the passing of this Act for any Purpose which is herein-before specified, or for any legal Purpose which shall be certified and allowed as is herein-before provided, and shall not have been adjudged not to be within the Provisions of the first-recited Act by any Court of competent Jurisdiction, shall be deemed to have been within the Provisions of the said Act from the Time at which the Rules thereof shall have been or may be certified or allowed by the Barrister or Advocate appointed to certify the Rules of Friendly Societies.

Repeal of Part of 10 G. 4. c. 56. and 4 & 5 W. 4. c. 40.

VIII. And be it enacted, That so much of the said Acts of the Tenth Year of the Reign of King *George* the Fourth, and of the Fifth Year of the Reign of His late Majesty, as specifies the Objects or Purposes for which a Society may be established under the Provisions of the said Acts or either of them, or as gives to any Court of Sessions of the Peace any Power of confirming and allowing the Rules of any such Friendly Society rejected or disapproved by the Barrister or Advocate appointed to certify the Rules of Friendly Societies, shall be repealed: Provided always, that the Repeal of so much of the said Acts as is herein repealed shall not exclude from the Benefit of the said Acts any Society legally established according to the Provisions of the said Acts, the Rules of which were certified and enrolled before the passing of this Act.

Societies legally established not excluded from Benefit of said Acts.

Provisions of 39 G. 3. c. 79. and 57 G. 3. c. 19. not to extend to Friendly Societies.

IX. And be it enacted, That the Provisions of an Act passed in the Thirty-ninth Year of the Reign of King *George* the Third, intituled *An Act for the more effectual Suppression of Societies established for seditious and treasonable Purposes, and for better preventing treasonable and seditious Practices*, and also of another Act passed in the Fifty-seventh Year of the Reign of King *George* the Third, intituled *An Act for the more effectual preventing seditious Meetings and Assemblies*, shall not extend to any Society duly established under the Statutes in force relating to Friendly Societies, or to any Meeting of the Members or Officers thereof, in which Society or at which Meeting no Business whatever other than that of the Relief, Maintenance, or Endowment of the several Persons to whom Benefits are assured by the Rules of such Society are treated of, and which is established solely for the Purpose of assuring Benefits depending on the Laws of Sickness or Mortality.

Barrister appointed to certify Rules to be styled Registrar of Friendly Societies in England, &c. and shall be paid by a Salary instead of Fees.

X. And be it enacted, That after the passing of this Act the Barrister or Advocate appointed to certify the Rules of Friendly Societies shall be styled the Registrar of Friendly Societies in *England*, *Ireland*, and *Scotland* respectively, and shall be appointed by the Commissioners for the Reduction of the National Debt, and shall hold his Office during the Pleasure of the said Commissioners, and that the Registrar of Friendly Societies in *England* shall be paid by Salary instead of Fees; and that it shall be lawful for Her Majesty to grant to the Barrister already appointed for that Purpose in *England* a Salary equal to the net average Amount of Fees received by him during the last Three Years for certifying the Rules of Friendly Societies, after deducting the Expences incurred by him for Office Rent, Salaries of Clerks, Stationery, and other Expences incident to the Execution of his Office, to be ascertained by the Commissioners of Her Majesty's Treasury, provided such Salary shall not exceed the Sum of One thousand Pounds by the Year, and to every Registrar of Friendly Societies in *England* hereafter to be appointed a Salary not greater than Eight hundred Pounds by the Year, and every such Salary shall be paid by Four equal quarterly Payments; and any Registrar of Friendly Societies in *England* who shall be appointed, or shall die, resign, or be removed from his Office, in the Interval between Two quarterly Days of Payment, shall be entitled to a Part of his Salary proportional to that Part of such Quarter of a Year during which he shall hold his Appointment.

Registrar to retain out of the Fees received by him sufficient Money to defray Salaries and Expences of Office.

In case Fees not sufficient.

XI. And be it enacted, That the Commissioners of Her Majesty's Treasury may allow the Registrar of Friendly Societies in *England* to retain out of the Fees received by him for certifying the Rules of Friendly Societies, and for making Awards and other Proceedings as herein-after provided, such Sum as will defray the Salary due to him, and also such Sum as will defray the Expences from Time to Time allowed by the said Commissioners for Office Rent, Salaries of Clerks, Stationery, and other Expences incidental to the Execution of his Office; and the Balance, if any, shall be paid over to the Account of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; and the said Commissioners shall from Time to Time regulate the Manner in which such Fees are to be received, kept, and accounted for; and if such Fees shall not in any Year be sufficient to defray such Salary and Expences, the Balance shall be paid out of the said Consolidated Fund.

Part Repeal of 10 G. 4. c. 56.

Rules now filed, &c. to be taken off, &c.

Copies of Rules to be kept by Registrar.

XII. And be it enacted, That so much of the said Act of King *George* the Fourth as requires that a Transcript of the Rules of any Society established under that Act, or to which the Provisions of that Act have been extended and made applicable, shall be deposited with or filed by the Clerk of the Peace of any County, Riding, or Division of a County in *England*, and a Certificate thereof returned to the Society, and that the same shall be laid before and allowed and confirmed by the Justices at any Session of the Peace, shall be repealed; and that all Transcripts of such Rules which are now filed with the Rolls of the Sessions of the Peace in any County, Riding, or Division of a County shall be taken off the File, and returned to the said Registrar of Friendly Societies in *England*, *Ireland*, and *Scotland* respectively; and that after the passing of this Act each of the said Registrars shall keep one of the Transcripts of all Rules of any such Society certified by him, and all the Transcripts of Rules which shall

shall be so returned to him, in such Manner as shall be from Time to Time directed by One of Her Majesty's Principal Secretaries of State; and that all Rules certified by any such Registrar shall be of the same Force, and all the Provisions of the said Act of His Majesty King *George* the Fourth shall apply to them, as if they had been confirmed by the said Justices, and filed with the Rolls of the Sessions of the Peace.

Rules certified by Registrar to be of full Force.

XIII. And be enacted, That after the passing of this Act the Registrar of Friendly Societies in *England*, *Scotland*, or *Ireland* shall not certify the Rules of any Friendly Society established after the passing of this Act for the Purpose of securing any Benefit depending on the Laws of Sickness or Mortality, unless such Society shall adopt a Table which shall have been certified to be a Table which may be safely and fairly adopted for such Purpose under the Hand of the Actuary to the Commissioners for the Reduction of the National Debt, or of some Person who shall have been for at least Five Years an Actuary to some Life Insurance Company in *London*, *Edinburgh*, or *Dublin*; and the Name of the Actuary by whom any such Table shall have been certified shall be set forth in the Rules, and printed at the Foot of all Copies of such Table printed for the Use of the Society.

Registrar shall not certify Rules unless Society adopt Tables certified by the Actuary of National Debt Office, &c.

XIV. And be it enacted, That whenever any Person seised or possessed of any Lands, Tenements, or Hereditaments, or other Property, or any Estate or Interest therein, as a Trustee of any such Society, shall be out of the Jurisdiction of or not amenable to the Process of the High Court of Chancery or Court of Exchequer in *England* or *Ireland*, or the Court of Session or Sheriff Court in *Scotland*, or shall be idiot, lunatic, or of unsound Mind, or it shall be unknown whether he or she be living or dead, it shall be lawful for the Registrar of Friendly Societies in *England*, *Ireland*, and *Scotland* respectively, on behalf and in the Name of the Person seised or possessed as aforesaid, to convey, surrender, release, assign, or otherwise assure the said Lands, Tenements, Hereditaments, or Property, or Estate or Interest, to the Person duly nominated as Trustee of such Society in his or her Stead, either alone or with any continuing Trustee or Trustees; and every such Conveyance, Release, Surrender, Assignment, or Assurance shall be as valid and effectual to all Intents and Purposes as if the Person being out of the Jurisdiction or not amenable to the Process of the said Courts, or not known to be alive, or being idiot, lunatic, or of unsound Mind, had been at the Time of the Execution thereof present, living, of sane Mind, Memory, and Understanding, and had by himself or herself executed the same.

For appointing new Trustees in certain Cases.

XV. And be it enacted, That every Dispute between the Trustees or Managers of any Friendly Society and any Member or Officer thereof, or any Executor, Administrator, or next of Kin of any such Trustees, Managers, Member, or Officer, or any Creditor or Assignee of any Trustees, Managers, Member, or Officer of any such Society who may become bankrupt or insolvent, or any Person claiming to be such Executor, Administrator, next of Kin, Creditor, or Assignee, or to be entitled to any Money paid to such Society, or to any Benefit arising therefrom, or with respect to the Management of the Affairs of such Societies, for the Settlement of which, according to the Laws now in force, recourse must be had in *England* or *Ireland* to One of Her Majesty's Superior Courts of Law or Equity, and in *Scotland* to the Court of Session or Sheriff Court, may be referred in Writing to the Registrar of Friendly Societies in *England*, *Ireland*, and *Scotland* respectively; and where the Value of such Subject Matter in dispute does not exceed Twenty Pounds, every such Dispute shall be so referred, unless in *England* or *Ireland* Her Majesty's Attorney or Solicitor General, or in *Scotland* the Lord Advocate, shall certify in Writing under his Hand that such Dispute ought to be decided by the Judgment of a Superior Court of Law or Equity; and the said Registrar shall have Power to proceed *ex parte* on Notice in Writing to the said Trustees or Managers left or sent by the said Registrar to the Office of the said Institution, or to the last known Place of Residence of such Trustees, Managers, Members, or Officers; and whatever Award, Order, or Determination shall be made by the said Registrar shall be binding and conclusive on all Parties, and shall be final to all Intents and Purposes, without any Appeal; and all Payments, Assignments, Sales, and Transfers made in pursuance of any such Order shall be good in Law; and no Submission to or Award or Determination of the said Registrar shall be subject or liable to or charged with any Stamp Duty whatever.

Settlement of Disputes between Managers and Members, &c. may be referred to Registrar, unless Law Officers refer the same to a Superior Court.

XVI. And be it enacted, That on any such Reference the said Registrar shall be authorized to inspect and to require the Production before him of any Book or Books belonging to the said Institution relating to the Matter in dispute, and to administer an Oath to any Witness appearing before him; and every Person who, upon such Oath, shall wilfully and corruptly give any false Evidence before such Registrar shall be deemed to be guilty of Perjury.

On such Reference Registrar may inspect Books, &c.

False Evidence, Perjury.

XVII. And be it enacted, That whenever it shall happen that every Person in whose Name any Part of the several Stocks, Annuities, and Funds transferable or which hereafter shall be made transferable at the Bank of *England*, or in the Books of the Governor and Company of the Bank of *England*, is or shall be standing as a Trustee of any such Society, shall be out of *England*, *Ireland*, or *Scotland*, respectively, or shall be a Bankrupt, Insolvent, or Lunatic, or it shall be unknown whether such Trustee is living or dead, it shall be lawful for the Registrar of Friendly Societies in *England*, *Ireland*, or *Scotland* respectively to direct that the Accountant General, Secretary, or Deputy Secretary, or other proper Officer for the Time being of the Governor and Company of the Bank of *England*, do transfer in the Books of the said Company such Stock, Annuities, or Funds standing as aforesaid to and into the Name of such Person as such Society may appoint, and also pay over to such Person as aforesaid the Dividends of such Stock, Annuities, or Funds; and whenever it shall happen that One or more only, and not all or both, of such Trustees as aforesaid shall be so absent, or a Bankrupt, Insolvent, or Lunatic, or it be unknown whether any One or more of such Trustees be living or dead, it shall be lawful for the said Registrar to direct

When Trustees shall be absent, &c. Registrar may order Stock to be transferred and Dividends paid.

that the other and others of such Trustees who shall be forthcoming and ready and qualified to act do transfer such Stock, Annuities, or Funds to or into the Name of such Person as aforesaid, and also that such forthcoming Trustee do also receive and pay over the Dividends of such Stock, Annuities, or Funds as such Society shall direct; and all such Transfer and Payments so made shall be valid and effectual to all Intents and Purposes whatsoever.

Secretary of State to fix Amount of Fees payable on Reference, and Registrar to determine who shall pay them.

XVIII. And be it enacted, That One of Her Majesty's Principal Secretaries of State shall be empowered from Time to Time to fix reasonable Fees to be paid on any such Reference, and for such other Proceedings as aforesaid, and all such Fees shall be paid in the first instance by the Trustees or Managers of the Society, and the Registrar shall determine in and by his Award by which of the Parties and in what Proportion the Expence of such Fees shall be finally borne, and the Trustees or Managers of such Society, having paid such Fees, shall be entitled to recover them from the Party or Parties against whom they shall be so finally awarded.

Justices empowered to enforce Payment of Fees under Awards.

XIX. And for enforcing Payment of such Fees, and of any Sum of Money so awarded to be paid, be it enacted, That any One Justice of the Peace residing within the County within which such Society shall be held, or within which the Party resides against whom such Award is made, upon Complaint made upon Oath by the Party desiring to have the Benefit of the Award, or, in case of the Managers or Trustees of any such Society, by an Officer of such Society appointed for that Purpose, may summon the Person against whom such Award shall be made to appear at a Time and Place to be named in such Summons; and upon his or her Appearance, or in default thereof upon due Proof upon Oath of the Service of such Summons, any Two Justices residing within the County aforesaid, upon due Proof of the Execution of such Award, may order Payment of the Fees and Money thereby awarded to be paid to the Party appearing to be entitled thereunto, with such Costs as shall be awarded by the said Justices, not exceeding the Sum of Ten Shillings; and in case the Person against whom such Order shall be made shall not pay the Sum of Money so ordered to the Person and at the Time specified in the said Order such Justices shall, by Warrant under their Hands and Seals, cause the same to be levied by Distress and Sale of the Goods of the Person on whom such Order shall have been made, or by other legal Proceeding, together with such Costs as shall be awarded by the said Justices, not exceeding the Sum of Ten Shillings, and also the Costs and Charges attending such Distress and Sale or other legal Proceeding, returning the Overplus (if any) to the Owner: Provided always, that in *Scotland* it shall be competent to enforce Payment of such Fees, and of any Sum of Money so awarded to be paid, by Proceeding before the Sheriffs in the same Manner as is by the Law of *Scotland* competent for the Recovery of any Debt of the like Amount.

If Persons do not pay Money pursuant to Order, the same, together with Costs, may be levied by Distress.

Proviso as to Scotland.

Rules and Awards may be received in Evidence.

XX. And be it enacted, That every Transcript of the Rules of any such Society purporting to be certified by the Registrar of Friendly Societies in *England*, *Ireland*, or *Scotland*, and every Award or other Proceeding as aforesaid purporting to be executed under the Hand of the said Registrar, shall be receivable in all Courts and before all Justices and others as Evidence that such Rules have been duly certified or such Award made, or such Proceeding had, until the contrary shall be made to appear.

Forms set forth in the Schedule to this Act may be used.

XXI. And be it enacted, That the Forms of Certificate and Award which are set forth in the Schedule annexed to this Act may be used with such Alterations as may be necessary to adapt them to the particular Circumstances of each Case, and that no Objection shall be made or Advantage taken for Want of Form in any such Proceedings by any Persons whomsoever.

Act to be construed with 10 G. 4. c. 56. and 4 & 5 W. 4. c. 40.

XXII. And be it enacted, That this Act shall be construed with and as Part of the said Acts of the Tenth Year of the Reign of King *George* the Fourth, and of the Fifth Year of the Reign of His late Majesty.

Act may be amended, &c.

XXIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed during this Session of Parliament.

SCHEDULE to which this Act refers.

Form of Registrar's Certificate.

I hereby certify, That these Rules (*or* Alterations of Rules) are in conformity to Law, and to the Provisions of the Statutes in force relating to Friendly Societies.

A.B.
The Registrar of Friendly Societies
in England (Ireland *or* Scotland).
Day of .

Form of Registrar's Award.

In pursuance of the Provisions contained in the Act to amend the Laws relating to Friendly Societies, I, *A.B.*, the Registrar of Friendly Societies in England, (Ireland *or* Scotland,) do hereby award, order, and determine that *C.D.* (*specifying the Name of the Party or Officers of the Society,*) do on the Day of at pay to *E.F.* the Sum of ; and I do further award, order, and determine that the Fees of this my Award, amounting to shall be borne and paid by the said

A.B.
The Registrar of Friendly Societies
in England (Ireland *or* Scotland).
Day of .

CAP. XXVIII.

An Act to facilitate the Dissolution of certain Railway Companies. [3d *July* 1846.]

'WHEREAS it is expedient to facilitate the Dissolution of certain Railway Companies as hereafter mentioned, and to afford Facilities for the winding up the Concerns of such Companies:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That when any Persons or Companies, before the passing of this Act, shall have entered into any Contract usually called a Subscription Contract, or any other Agreement or Agreements, in Writing or otherwise, for the Formation of a Company or Partnership for making any Railway which cannot be carried into execution without obtaining the Authority of Parliament, and in respect of which an Act shall not before the passing of this Act have been obtained, it shall be lawful for such Persons or Companies to dissolve the said Company or Partnership, Contract or Agreement, in manner herein-after mentioned, and that whether or not such Contract or Agreement shall contain any Powers or Provisions for Dissolution of the Company or Partnership intended to be thereby formed: Provided nevertheless, that nothing herein contained shall prevent any such Persons or Companies from exercising any such Power or Provision for Dissolution in their Contract or Agreement contained, if they shall see fit, at any Time before availing themselves of the Powers in this Act contained: Provided also, that the Provisions of this Act shall be taken to apply to any Contract or Partnership for the making any Railway, notwithstanding that the Agreement or Partnership may relate to any other Objects in connexion therewith; and (unless a separate Capital and separate Subscription shall exist as regards the different Objects) then, on a Dissolution under the Provisions of this Act, the Dissolution shall extend to the whole Objects of the Contract or Partnership.

Persons who shall have entered into a Contract for the Formation of a Company for making a Railway, &c. may dissolve the same pursuant to this Act.

II. And be it enacted, That it shall be lawful for the Committee, Provisional Directors, or other Persons by such Contract or Agreement as aforesaid intrusted with the Management and carrying into effect of the Undertaking, and who are herein-after called "the Committee," to call a Meeting of the Shareholders for the Purpose of determining whether the Partnership or Company so as aforesaid intended to be formed (and which is herein-after called "the Company") shall be dissolved; and that if such Meeting shall determine, as after mentioned, that the Company shall be dissolved, then as from the Date of the Resolution come to at such Meeting the Company shall be taken to be dissolved, and the Committee shall not have Power to proceed any further with the Undertaking.

Committee, &c. may call Meetings of Shareholders to consider Dissolution.

III. And be it enacted, That it shall be lawful for any Five Shareholders, as after defined, by Writing under their Hands, to require the Committee to call a Meeting for the Purpose aforesaid; and that if the Committee shall refuse or neglect, for Six Days after any such Requisition shall have been left at the registered Place of Business of the Company, as regards *England* and *Ireland*, and as regards *Scotland*, at the usual Place of Business, or shall have been served personally on any Member of the Committee, to call such Meeting by Notice as after mentioned, or if for any Reason whatever such Meeting shall not be convened and held in pursuance of the Directions herein contained, it shall be lawful for any Five Shareholders to call such Meeting; and after any such Requisition shall have been left or served as aforesaid, it shall not be lawful for the Committee or any of them to make any Payments out of the Monies of such Company, except in Discharge of *bonâ fide* Debts or Liabilities, or in Performance of Contracts or Engagements, previously entered into, and in Payment of the Expences of calling and holding such Meeting or any adjourned Meeting, nor to enter into any Contracts or Engagements on behalf of the Company or affecting the Property thereof, nor to issue any Shares or Scrip of or representing the Capital Stock of such Company, until the Meeting called as aforesaid shall have determined the Question of Dissolution.

Shareholders may require Committee to call Meeting, and in default may call it themselves.

IV. And be it enacted, That the Meeting shall be held to have been duly called, although the Votes of the Parties calling the same, or any of such Votes, shall be disallowed at the Meeting by the Scrutineers to be appointed as herein-after mentioned.

Meeting duly called, although certain Votes disallowed.

V. And be it enacted, That the calling of any such Meeting shall be by Notice, signed either on behalf of the Committee by any One Member of the same, or in case the Meeting shall be called by the Shareholders, then by the Shareholders calling the same, such Notice to be advertised in the *London Gazette* Eight clear Days and not more than Fifteen Days before the Time to be therein fixed for holding such Meeting, and also, within the before-mentioned Limits as to Time, in Three *London* daily Newspapers; that in the Case of Railways to be made in *Ireland*, the said Notice shall also be advertised within the before-mentioned Limits as to Time, in the *Dublin Gazette* and in Two Newspapers in common Circulation in the City of *Dublin*; and as to Railways to be made in *Scotland*, the said Notice shall also be advertised, within the before-mentioned Limits as to Time, in the *Edinburgh Gazette* and in Two Newspapers in common Circulation in the City of *Edinburgh*.

Notice of Meeting to be by Advertisement.

VI. And be it enacted, That every Notice of Meeting shall specify the Day, Hour, Place, and Purpose of meeting; and the Parties entitled to be present at such Meeting shall be the Persons producing the Shares, Scrip, or Receipts herein-after defined, or the Proxies after mentioned.

Notices to specify the Day, Hour, &c. of Meeting.

VII. And be it enacted, That every Meeting so called shall elect a Chairman within One Hour of the Time appointed for holding such Meeting, and that the Person to be in the Chair at every such Meeting shall be some Member of the Committee, to be elected by a Majority of the Members of the Committee present

Chairman to be elected by a Majority of Committee if present.

present at the Meeting, and in case the Votes of the Members of the Committee present shall be equally divided, or if from any Cause there shall be no Member of the Committee so elected, then some Shareholder entitled to vote shall be elected by the Meeting; and every Person present, either in respect of Shares or of a Proxy, shall have One Vote only for the Election of the Chairman and Scrutineers; and every Chairman shall have a casting Vote, in addition to any other Vote which he may be entitled to; and if any such Chairman shall refuse to give his casting Vote on the Question of Dissolution or Bankruptcy as after mentioned, the Question shall be considered as carried in the Affirmative for Dissolution or Bankruptcy.

Chairman to have a casting Vote.

Chairman bound to put Questions proposed, and no other Business to be done.

VIII. And be it enacted, That the Chairman at every such Meeting shall be bound to put to the Meeting any Question proposed for the Dissolution of the Company, or as to the Bankruptcy thereof, and also as to the Election of Scrutineers, and that no Business shall be transacted at any such Meeting other than the Consideration of any such Question so proposed, and the Election of a Chairman and Scrutineers.

Three Scrutineers to be elected.

IX. And be it enacted, That immediately after the Election of a Chairman the Meeting shall proceed to elect as Scrutineers Three Shareholders in the Company, whose Business it shall be to verify as after mentioned and take the Votes of the Shareholders entitled to vote, and cast up and declare the same; and the Decision in Writing of them, or of any Two of them, shall be final in all respects.

Case of the Chairman not being entitled to vote.

X. And be it enacted, That in case it shall be discovered by or shown to the Scrutineers that the Chairman at any Meeting is not entitled to vote as a Shareholder, it shall be lawful for the Meeting either to elect a new Chairman or to maintain such existing Chairman, but such Chairman so maintained in Office shall not thereby acquire the Right of voting as a Shareholder, or of giving a casting Vote; and in case the Votes shall be equally divided the Resolutions shall be considered as carried in the Affirmative for the Dissolution and as to the Bankruptcy of the Company: Provided always, that all Votes, Acts, and Deeds by any Chairman not entitled to vote, or by the Meeting presided over by him, given or done before the Discovery of his not being so entitled, or given afterwards if he be so maintained, shall be valid and effectual; and as regards the Election of Chairman and Scrutineers by the Votes of the Parties present, and producing Scrip or Proxies, no Objection after the Election shall be made on its being shown that they were not entitled to be present.

In the event of a Quorum not being present at such Meetings, the same to be adjourned, and Votes of Persons present at both Meetings to be received as if given at one and the same Meeting.

XI. And be it enacted, That at any such Meeting as aforesaid, in the event of the prescribed Quorum after mentioned not being present and voting at such Meeting, then the Chairman shall cause the Votes of the Persons constituting the said Meeting to be taken and recorded, and shall then adjourn the same to be held at the same Place, and at a Day to be declared by the Chairman, such Day not being less than Three Days and not more than One Week from the original Day of Meeting, such Day and the Time of Meeting in the meantime, as regards any Meeting held in any Part of *England*, being advertised twice in each of Three *London* daily Newspapers, and in the Case of a Meeting held at *Edinburgh* twice in Two *Edinburgh* Newspapers, and in the Case of a Meeting held in *Dublin* twice in Two *Dublin* Newspapers; and at such adjourned Meeting the Votes of such Persons constituting the same as had not voted at the original Meeting shall be taken and recorded, and the total Amount of Votes given at the original and adjourned Meeting shall be received as if given at one and the same Meeting.

As to the Right of Persons entitled to vote at Meetings of the Shareholders.

XII. And be it enacted, That the only Persons entitled to be present and vote at any such Meeting as Shareholders, by themselves or Proxies, shall be those Persons who shall for the Time being be in possession of and produce Certificates or Receipts declaring Parties entitled to Shares in any Company, or acknowledging the Receipt of a Deposit in such Company, usually termed "Scrip" or "Receipts" for Deposits on Shares, and that notwithstanding the Party in possession may not be the Party to whom the same was originally granted, or that the same may not have been legally assigned to the Party in possession, or notwithstanding the same may be possessed by the Holder as a mere Mortgagee, or in any other Manner, or the same may be subject to any Charge or Lien, and which Parties are by this Act called "Shareholders;" provided that nothing herein contained shall authorize more than One Vote, either for Dissolution or Bankruptcy, to be given in respect of the same Share, notwithstanding any Transfer or Delivery of such Share after a Vote shall have been given in respect thereof.

Scale of voting.

XIII. And be it enacted, That every Shareholder shall, in voting on the Questions of Dissolution and Bankruptcy, be entitled to One Vote, by himself or Proxy, in respect of every Share held by him, or in respect of which Scrip or Receipts may have been issued or Deposits paid, and that all Shareholders producing such Shares, Scrip, or Receipts shall be entitled to attend Meetings and to appoint Proxies according to the Form contained in the Schedule hereunto annexed, or in some Form to the like Effect: Provided always, and be it enacted, that the Fact of any such Party attending any such Meeting shall not in anywise increase or alter, either in Law or Equity, his Rights or Liabilities.

Proxies shall be signed before a Master in Chancery in England, or Sheriff, &c. in Scotland.

XIV. And be it enacted, That the Appointment of any such Proxy shall be signed by the Party appointing the same before a Master or Master Extraordinary of the Court of Chancery in *England* or *Ireland*, or a Justice of the Peace in *England* or *Ireland*, or before a Sheriff or Sheriff Substitute or Justice of the Peace in *Scotland*, or, where such Shares, Scrip, or Certificate shall be in possession of any Parties beyond Seas, the said Proxy shall be signed as aforesaid before any of Her Majesty's Consuls or Vice Consuls or a Notary Public; and that, on signing the same, the Share, Scrip, or Receipt in respect of which the Proxy is intended to be appointed shall be produced to the Master, Justice, Sheriff, Sheriff Substitute, Consul, Vice Consul, or Notary Public; and the Number of the Shares, or the Number of Shares referred to in such Scrip or Receipt, and the Name of the Company, shall be ascertained and verified,

verified, with the Number and Name of the Company stated in the Appointment of Proxy, before such Master, Sheriff, Sheriff Substitute, Justice, Consul, Vice Consul, or Notary Public.

Number of Persons, &c. necessary to constitute a Meeting.

XV. And be it enacted, That to constitute a Meeting under the Provisions of this Act for the Purpose of deciding on a Dissolution or Bankruptcy, Persons representing at least One Third Part of the Shares in the Undertaking actually issued or given, either as Shares, Scrip, or Receipts, must be present and vote; and that for the Purpose of effecting a Dissolution, and as to Bankruptcy, there must be either a Majority of the Votes of the whole Scrip of the Company issued as aforesaid, or at least Three Fifths of the Votes of Persons present and voting, either as Shareholders or Proxies, in favour of the Motion for Dissolution, and for the Bankruptcy, if so resolved on.

Majority must consist of at least Three Fifths of Persons present.

Minutes of Proceedings to be advertised.

London Gazette to be Evidence.

XVI. And be it enacted, That the Chairman at every such Meeting shall sign a Minute of the Proceedings, and that every Minute so signed shall be advertised within the shortest possible Time in the same Papers as those in which Notice of the original Meeting is herein-before required to be given; and a Copy of the *London Gazette* containing the Advertisement of such Minute shall be Evidence of the Meeting having been duly called and held, and of the Resolutions recorded having been duly passed by the Majorities therein mentioned; and such Minutes shall be countersigned by at least Two of the Three Scrutineers aforesaid; and that any Party signing Minutes false or incomplete in any material Particular, or any Person who shall insert or cause to be inserted in the *London Gazette* any Advertisement under the present Clause, knowing the same to be false in any material Particular, shall be guilty of a Misdemeanor; and the Minute directed to be advertised shall also be registered with the Registrar of Joint Stock Companies, without any Fee being chargeable for such Registration.

Penalty on signing false Minutes, &c.

Places of Meetings shall be held as specified in Notice.

XVII. And be it enacted, That as regards all projected Railways as aforesaid any Portion of the intended Line of which is situate in *England* or *Wales*, the Meeting aforesaid may be held, as shall be specified in the Notice calling the same, either in *London* or *Westminster*, or at the registered Place of Business of the Company; or as regards any Railways any Portion of the intended Line of which is situate in the Counties of *Lancaster* or *Chester*, such Meeting may be held at *Manchester* or *Liverpool*, notwithstanding that the registered Place of Business may not be at either of such Places; or as regards any Railways any Portion of the intended Line of which is situate in the County of *York*, such Meetings may be held at *York* or *Leeds*, notwithstanding that the registered Place of Business may not be at either of such Places; that as regards Railways situate in *Ireland*, the Meetings may be held either in *London* or *Dublin*, or at the registered Places of Business, as shall be specified in the Notice; and that as regards Railways situate in *Scotland*, the Meetings may be held either in *London* or *Edinburgh*, or at the usual Places of Business, as shall be specified in the Notice.

No Votes allowed except for Scrip, &c. actually issued or given before 31st March 1846.

Mode of ascertaining the Issues.

XVIII. And be it enacted, That no Parties shall be entitled to vote except in respect of Scrip, Receipts, or Shares actually issued or given before the Thirty-first Day of *March* One thousand eight hundred and forty-six, and that the Shares, Scrip, or Receipts actually issued or given shall for the Purposes of this Act be taken to constitute the whole Number of Shares in the Undertaking, although the Contract may have provided that the Undertaking shall consist of a greater Number; and that for the Purpose of ascertaining the Number of Shares, Scrip, or Receipts actually issued or given, the Committee of every projected Railway Company to which the Powers given by this Act apply (except in regard to Railways to be made in *Scotland*) shall, within Twelve Days after the passing of this Act, be bound to send in unto the Registrar of Joint Stock Companies a Return in Writing under the Hand of any Member of such Committee specifying the Number of Shares, Scrip, or Receipts actually issued or given as aforesaid, the Amount of each Share, and of the Deposit paid or to be paid thereon; and that in case such Return shall not be so sent in within the aforesaid Period, every Member of the Committee shall forfeit a Sum not exceeding Twenty Pounds, to be recovered in like Manner as any Penalty under the Act intituled *An Act for the Registration, Incorporation, and Regulation of Joint Stock Companies*, is recoverable.

7&8 Vict. c. 110.

Registrars of Joint Stock Companies to require Return of Issues, but Omission of Registrar to send Notice not to exempt Committee from Penalties.

XIX. And be it enacted, That the Registrar of Joint Stock Companies shall, within Six Days from the passing of this Act, send to the registered Place of Business of every such Company a Notice in Writing under his Hand requiring such Return to be made; but the Omission to send any such Notice by the Registrar shall not exempt the Committee of any such Company from the Penalties aforesaid; and every Person shall be at liberty to inspect any Returns made to the Registrar under this Act on Payment of a Fee of Two Shillings and Sixpence; and the Certificate of the said Registrar, under his Seal of Office, as to the total Amount of the Shares, Scrip, or Receipts, shall be Evidence as to the Amount specified in such Return, and for such Certificate a Fee of Two Shillings and Sixpence shall be paid; and no Proceedings at any Meeting shall be invalidated by reason of any Defect or Error in such Return, but any Party making such Return knowing it to be false shall be guilty of a Misdemeanor.

Committees in Scotland to lodge a Return with the Sheriff Clerk of Edinburgh within 12 Days from passing of this Act.

Penalty for not lodging Return.

XX. And be it enacted, That in regard to projected Companies for Railways to be made in *Scotland* the Committee of every such Company to which the Powers given by this Act apply shall, within Twelve Days after the passing of this Act, be bound to lodge with the Sheriff Clerk of the Shire of *Edinburgh* a Return in Writing under the Hand of a Quorum of such Committee, or of every Member thereof, specifying the Number of Shares, Scrip, or Receipts actually issued or given as aforesaid, the Amount of each Share, and the Deposit paid or to be paid thereon; and that in case such Return shall not be lodged within the aforesaid Period every Member of such Committee shall forfeit a Sum not exceeding Twenty Pounds, to be recovered by summary Petition to the Court of Session at the Instance of the said Sheriff Clerk.

XXI. And

The Sheriff Clerk to give Notice by Advertisement for Returns of issued Scrip, &c. to be made.

XXI. And be it enacted, That the said Sheriff Clerk shall, within Six Days after the passing of this Act, cause to be published in the *Edinburgh Gazette*, and in Two Newspapers in common Circulation in the City of *Edinburgh*, a Notice by him requiring such Returns to be made; and every Person shall be at liberty to inspect any Returns made to the Sheriff Clerk; and no Proceeding at any Meeting shall be invalidated by reason of Defect or Error in any such Return, but any Party making such Return, knowing it to be false, shall be held to be guilty of Falsehood and Fraud, and shall be liable to Prosecution and Punishment accordingly; and the necessary Expences of the Sheriff Clerk in regard to such Returns and Notices shall be paid by the several Committees making or bound to make Returns, and shall be recovered in such Amount from each of such Committees as the Sheriff of the Shire of *Edinburgh* shall by a Writing under his Hand fix and determine.

In default of Return Meeting may be called, which must represent One Third of Capital of the Company.

XXII. Provided always, and be it enacted, That if by any Reason whatever such Return of the Number of Shares, Scrip, or Receipts actually issued shall not be made within One Calendar Month from the passing of this Act, then a Meeting may be called and held under the Provisions of this Act, and may resolve on Dissolution or Bankruptcy as by this Act is provided, if Persons representing Shares as before defined equal to at least One Third Part of the whole Capital of the Undertaking are present and vote; and any such Meeting shall have the same Powers as before conferred on a Meeting representing One Third of the Shares actually issued as aforesaid.

Meeting to decide if Dissolution to be an Act of Bankruptcy. Scotland exempted.

XXIII. And be it enacted, That, in addition to the Question of Dissolution, it shall be imperative on the Meeting to decide whether such Dissolution shall or shall not be taken to be an Act of Bankruptcy for the Purpose of having the Affairs of the Company wound up under the Provisions of the Act after mentioned; but this Provision shall not extend to the Case of Railways to be made in *Scotland*.

If Meeting decide that Affairs shall not be so wound up, then like ordinary Partnerships.

XXIV. And be it enacted, That in case the Meeting shall resolve that the Affairs of the Company shall not be so wound up, or in the Case of a Railway to be made in *Scotland* if the Majority shall resolve in favour of Dissolution, then (subject to the Power herein-after given to the Committee and to Creditors of the Company to petition for a Fiat) the Affairs of the said Company shall be wound up according to the Rules applicable to the Dissolution of Partnership Undertakings, and as if the Undertaking had been dissolved by mutual Consent.

Dissolution not to affect Rights of Creditors.

XXV. Provided always, and be it enacted, That the Resolution to dissolve the Company, or the actual Dissolution thereof, shall not alter or affect the Rights of Creditors or other Persons not being Shareholders in the Company, nor any Engagements whatsoever which the Committee may have entered into, and shall not affect any Suits pending before the passing of this Act.

If Dissolution rejected, no Meeting to be called for Six Months.

XXVI. And be it enacted, That where any Meeting called to consider the Question of Dissolution shall have determined the Question of the Dissolution of the Company in the Negative, no new Meeting shall be called to consider the Question of Dissolution, or any Matter relating thereto, until the Lapse of Six Months from the Day in which the Question was last resolved in the Negative.

Any Three of the Committee, or any Creditor or Creditors, may petition for a Fiat in Bankruptcy.

XXVII. And be it enacted, That it shall be lawful for any Three of those who were of the Committee of any Company so dissolved, at any Time after the Dissolution thereof shall have been resolved, or for any Creditor or Creditors of such Company to such Amount as is now by Law requisite to support a Fiat in Bankruptcy in *England* and *Ireland*, or a Sequestration in *Scotland*, within Three Months after the Dissolution thereof shall have been resolved, to petition that a Fiat in Bankruptcy may issue against such Company if in *England* or *Ireland*, or that the Estates of the Company may be sequestrated if in *Scotland*.

On issuing of Fiats, Companies to be subject to the Provisions of the Acts for winding up the Affairs of Joint Stock Companies. 7&8 Vict. c. 111. 8&9 Vict. c. 98.

XXVIII. And be it enacted, That upon the Production of a Copy of the *London Gazette* containing the Resolution of any such Meeting as aforesaid, whereby it shall be resolved that the Dissolution of the Company shall be an Act of Bankruptcy, or upon the Petition of any Three of the Committee as aforesaid, or of any Creditor under the last preceding Clause, a Fiat in Bankruptcy shall issue against such Company by the registered Name or Style of such Company; and the Company shall thereupon be deemed to be within the Provisions of an Act passed in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for facilitating the winding up of Joint Stock Companies unable to meet their pecuniary Engagements*; and of another Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to facilitate the winding up of Joint Stock Companies in* Ireland *unable to meet their pecuniary Engagements*, in all respects as if a Fiat in Bankruptcy had issued against it under the said Act before its Dissolution; but this last Provision not to extend to *Scotland*.

Sequestration of Estates of dissolved Scotch Railway Companies may be awarded.

XXIX. And be it enacted, That if the Company be a Company for making a Railway or Railways in *Scotland* Sequestration of the Estates of such Company shall be awarded on Petition for Sequestration in common Form presented in Name of any Three of the Committee, or of any Creditor or Creditors of such Company to such Amount and on such Evidence of Debt or Debts of such Creditor or Creditors as is now by Law requisite for obtaining Sequestration of the Estates of any Company liable to Sequestration, there being always produced along with the Petition for Sequestration a Copy of the *London* or *Edinburgh Gazette* containing the Resolution whereby the Dissolution of the Company shall have been resolved upon; and such Sequestration being so awarded, shall be followed out in regard to the Election of an Interim Factor and Trustee and Commissioners, and in regard to the Proof and ranking of Debts, the Recovery and Distribution of the Estate, and all other Matters necessary thereto, in the same Manner and by the same Course of Procedure, as nearly as may be, as is by Law provided in Cases of Sequestration of the Estates of Trading Companies in *Scotland*: Provided always, that such Sequestration shall

shall not extend to or affect the Estates of the individual Partners of the Company, nor preclude the Rights or Remedies otherwise competent by Law to the Creditors of such Company against the individual Partners thereof, or the Estates of such individual Partners.

As to new Railways by incorporated Companies.

XXX. And be it enacted, That when any Company for making any Railway actually incorporated before the passing of this Act, shall have agreed to form any new or other Railway or an Extension thereof, and in respect of which a new or further Capital shall have been agreed to be raised or contributed, and Shares as herein-before defined shall have been issued or otherwise appropriated, and Deposits paid thereon, then such Company or Partnership (as regards the new Undertaking) shall in all respects be considered as a Company or Undertaking within the Provisions of this Act; and Meetings shall be held, and Shareholders entitled to Shares as aforesaid in the new Undertaking shall in manner herein-before provided have Power to dissolve such new Undertaking, and to decide as to Bankruptcy, in all respects as is provided with regard to the Companies herein-before mentioned or defined.

Member against whom Judgment shall have been recovered to be repaid by Contribution from other Members, together with Costs.

XXXI. And be it enacted, That where the Dissolution of a Company shall have been resolved under this Act, if Judgment shall have been recovered or shall afterwards be recovered in any Action against any Member of the Committee for any Debt due from such Company or from such Committee in respect of the Undertaking, the Member against whom such Judgment shall have been recovered shall be entitled at Law to a Contribution from each of the other Members of such Committee towards the Payment of the Monies recovered by such Judgment, and of all Costs and Expences in relation thereto, of such a Share of the whole Amount of such Monies, Costs, and Expences as would have been borne by such respective Member upon an equal Contribution by all the Members of such Committee, and may recover the Contributions to which he may be so entitled, or any of them, by Action or Actions of Debt or on the Case against all or any of such other Members of such Committee, but so that no such Member shall be liable in any such Action as aforesaid for more than the Share to which he shall respectively be liable to contribute under this Provision.

After Dissolution of Company no Action, &c. to be brought by any Attorney, &c. until One Month after Bill of Fees shall have been delivered.

Courts may refer Bills for Taxation to Taxing Officers.

XXXII. And be it enacted, That after the Dissolution of any Company shall have been resolved under this Act no Action or Suit shall be brought for the Recovery of any Fees, Charges, or Disbursements for any Business done for such Company by any Attorney or Solicitor, whether in his Character of Attorney or Solicitor, or as Agent or otherwise, until the Expiration of One Calendar Month after a Bill of such Fees, Charges, and Disbursements, signed by the Claimant, shall have been delivered to the Committee or Official Assignee authorized to wind up the Affairs of such Company, or left at their or his Place of Business; and it shall be lawful for the Court of Queen's Bench, Common Pleas, or Exchequer, or any Judge of either of such Courts, and they are respectively hereby required, on the Application of such Committee or of such Official Assignee, to refer such Bill to be taxed and settled by any Taxing Officer of the Court in which such Reference shall be made; and the Court or Judge making such Reference shall restrain the Claimant from commencing any Action or Suit touching his Demand pending such Reference, and such Taxing Officer may take such Evidence in relation to such Bill as he may think fit; and the Costs of such Reference shall be paid according to the Event of such Taxation, (that is to say,) if such Bill when taxed be less by a Sixth Part than the Bill delivered, then the Claimant shall pay such Costs, and if the Bill when taxed shall not be less by a Sixth Part than the Bill delivered, then the Party on whose Application the Reference shall have been made shall pay such Costs, to be considered and allowed nevertheless as Part of the Costs, Charges, and Expences of executing the Trusts and Powers of this Act; and every Order to be made for such Reference shall direct the Officer to whom such Reference shall be made to tax such Costs of such Reference to be so paid as aforesaid, and to certify what upon such Reference shall be found to be due to or from such Claimant in respect of such Bill, and of the Costs of such Reference, and after such Reference as aforesaid no further or other Sum than shall be so found due shall be recoverable in respect of such Bill.

Interpretation of Act.

XXXIII. And be it enacted, That the following Words and Expressions shall have the Meanings hereby assigned to them respectively, so far as such Meanings are not excluded by the Context or Subject Matter; (*videlicet,*)

The Word "Month" shall mean Calendar Month:

The Word "Person" shall include Corporations.

Act may be amended, &c.

XXXIV. And be it enacted, That this Act may be amended, altered, or repealed by any Act to be passed in this Session of Parliament.

SCHEDULE to which this Act refers.

Form of Proxy.

Railway Company.

Proxy to vote in respect of Shares.

I *A.B.* of Holder of Shares, [*or* Scrip, *or* Receipts for Shares (*as the Case may be*)], numbered respectively [*here insert the Numbers, unless the Shares, Scrip, Receipts, or Letter do not show the denoting Numbers*], in the projected

Railway Company, do hereby appoint *C.D.* of to be my Proxy upon any Matter relating to the Dissolution or Bankruptcy of the said Company, to vote, dissent, and act as he shall think proper.

Witness my Hand, the Day of

Taken before me, having verified the Numbers and Name of the Company with the Documents produced to me,

Signed

And add whether,

Master Extraordinary, Sheriff, Sheriff Substitute, Justice, Consul, Vice Consul, *or* Notary Public.

CAP. XXIX.

An Act for granting to Her Majesty, until the Fifth Day of *August* One thousand eight hundred and forty-six, certain Duties on Sugar imported into the United Kingdom. [3d *July* 1846.]

" Duties imposed on Sugar and Molasses by 8 & 9 *Vict.* c. 5. continued till 5th *August* 1846."

CAP. XXX.

An Act to define the Notice of Elections of Members to serve in Parliament for Cities, Towns, or Boroughs in *Ireland.* [16th *July* 1846.]

' WHEREAS it is expedient to establish the new Form of Notice for Election of Members to serve in ' Parliament in all Cities, Towns, and Boroughs in *Ireland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in every City or Town of *Ireland*, being a County of itself, and in every Borough in *Ireland* returning or contributing to return a Member or Members to serve in Parliament, the Sheriff or other Officer to whom the Duty of giving such Notice belongs shall proceed to Election within Eight Days after the Receipt of the Writ or Precept, giving Three clear Days Notice at least of the Day appointed for the Election, exclusive of both the Day of Proclamation and the Day appointed for the Election.

Three clear Days Notice to be given of Elections for Cities and Towns in Ireland.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

CAP. XXXI.

An Act to settle an Annuity on Viscount *Hardinge*, and the Two next surviving Heirs Male of the Body of the said Viscount *Hardinge* to whom the Title of Viscount *Hardinge* shall descend, in consideration of his great and brilliant Services.* [27th *July* 1846.]

" An Annuity of Three thousand Pounds to be paid to Viscount Hardinge and his Two next Heirs, § 1. " Treasury to direct Payment of the Annuity, § 2. If the India Company grant an Annuity the Annuity " granted by this Act shall not be paid, § 3. Annuity not to be aliened or incumbered, § 4."

CAP. XXXII.

An Act to settle an Annuity on Lord *Gough*, and the Two next surviving Heirs Male of the Body of the said Lord *Gough* to whom the Title of Lord *Gough* shall descend, in consideration of his important Services. [27th *July* 1846.]

" An Annuity of Two thousand Pounds to be paid to Lord Gough and his Two next Heirs, § 1. " Treasury to direct Payment of the Annuity, § 2. Only Half of the Annuity to be paid so long as the " Annuity of Two thousand Pounds granted by the *East India* Company shall be paid, § 3. Annuity " not to be aliened or incumbered, § 4."

CAP. XXXIII.

An Act to amend the Laws relating to Corresponding Societies and the licensing of Lecture Rooms. [27th *July* 1846.]

' WHEREAS by an Act passed in the Thirty-ninth Year of the Reign of His Majesty King *George* ' the Third, intituled *An Act for the more effectual Suppression of Societies established for seditious* ' *and treasonable Purposes, and for better preventing treasonable and seditious Practices*, and by an Act

39 G. 3. c. 79.

* See ante, Cap. 21.

' passed

'passed in the Fifty-seventh Year of the same Reign, intituled *An Act for the more effectually preventing* 57 G. 3. c. 19.
'*seditious Meetings and Assemblies*, certain Offences are created, and certain Penalties are attached to the
'Commission thereof: And whereas the Provisions of the said Acts have given Occasion to vexatious
'Proceedings by common Informers:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall not be lawful for any Person or Persons to commence, prosecute, enter, or file, or cause or procure to be commenced, prosecuted, entered, or filed, any Action, Bill, Plaint, or Information in any of Her Majesty's Courts, or before any Justice or Justices of the Peace, against any Person or Persons, for the Recovery of any Fine or Forfeiture made or incurred or which may hereafter be incurred under the Provisions of the recited Acts or either of them, unless the same be commenced, prosecuted, entered, or filed in the Name of Her Majesty's Attorney General or Solicitor General in *England*, or Her Majesty's Advocate in *Scotland*; and every Action, Bill, Plaint, or Information which shall be commenced, prosecuted, entered, or filed in the Name or Names of any other Person or Persons than is in that Behalf before mentioned, and every Proceeding thereupon had, shall be null and void to all Intents and Purposes.

Proceedings under recited Acts shall not be commenced unless in the Name of the Law Officers of the Crown.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

CAP. XXXIV.

An Act to enable the Commissioners of Her Majesty's Woods to construct a new Street from *Spitalfields* to *Shoreditch*. [27th *July* 1846.]

'WHEREAS by an Act of Parliament passed in the Session held in the First and Second Years of
'the Reign of King *William* the Fourth, intituled *An Act for regulating the Vend and Delivery* 1 & 2 W. 4. c. 76.
'*of Coals in the Cities of* London *and* Westminster, *and in certain Parts of the Counties of* Middlesex,
'Surrey, Kent, Essex, Hertfordshire, Buckinghamshire, *and* Berkshire, it was amongst other things
'enacted, that for the Purpose of defraying the Charges of erecting and maintaining a Coal Market in
'the City of *London*, and the Salaries of Clerks and other Persons employed in the Execution of the
'Act now in recital, and for the other Purposes therein mentioned or referred to, it should be lawful for
'the Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled, to demand
'and take from every Ship laden with Coals, Cinders, or Culm arriving at her Moorings within any
'Part of the Port of *London* at or to the Westward of *Gravesend* the Sum of One Penny *per* Ton for
'every Ton of Coals, Cinders, or Culm, such Payments to be collected in manner therein mentioned; and
'it was also enacted, that so soon as the Costs of procuring the passing of the Act now in recital, and of
'forming such Coal Market as therein mentioned, and certain Compensations therein directed to be made,
'and the Sums of Money to be borrowed under the Authority therein in that Behalf contained, and the
'Interest thereof, should have been paid off and discharged, and the said Duty of One Penny *per* Ton
'should be more than sufficient for maintaining such Coal Market as aforesaid, and for Payment of the
'Compensations, Salaries, and other Expences requisite for carrying the Act now in recital into execution
'as therein mentioned, then the Residue or Overplus to be produced by the said Duty of One Penny *per*
'Ton should from Time to Time, as and when received, be invested in the Purchase of Stock in some
'of the Public Stocks or Funds, or upon Government or Real Securities, at Interest, in the Names of the
'Chamberlain, Town Clerk, and Comptroller of the Chamber of the City of *London* for the Time being,
'who should from Time to Time invest the yearly Dividends or Interest of such Stocks, Funds, and
'Securities in like Manner for the Purpose of Accumulation, until the yearly Dividends and Interest of
'all the Stocks, Funds, and Securities so purchased should be sufficient for the Payment of the Salaries
'and other Payments to Clerks and other Persons employed in the Execution of the Act now in recital,
'and for defraying the other Expences of carrying the same into execution, and that then and from
'thenceforth the said Duty of One Penny *per* Ton should cease: And whereas by an Act of Parliament
'passed in the Session held in the First and Second Years of Her present Majesty, intituled *An Act to* 1 & 2 Vict. c. 101.
'*continue for Seven Years an Act for regulating the Vend and Delivery of Coals in* London *and*
'Westminster, *and in certain Parts of the adjacent Counties*, it was amongst other things enacted, that
'the said recited Act, and all Powers, Authorities, Clauses, and Things therein contained, (except as
'repealed or altered by the Act now in recital,) should be continued for the further Term of Seven
'Years from the Thirty-first Day of *December* One thousand eight hundred and thirty-eight: And
'whereas by an Act of Parliament passed in the Session held in the Eighth and Ninth Years of Her
'said Majesty, intituled *An Act to continue until the Fifth Day of* July *One thousand eight hundred* 8 & 9 Vict. c. 101.
'*and sixty-two the Acts for regulating the Vend and Delivery of Coals in* London *and* Westminster,
'*and in certain Parts of the adjacent Counties, and to alter and amend the said Acts*, it was amongst
'other things enacted, that the said Acts of the First and Second Years of King *William* the Fourth,
'and the First and Second Years of Her said Majesty, and all the Powers, Authorities, Clauses, and
'Things therein respectively contained, (except such Parts thereof respectively as were repealed or
'altered,) should be continued until the Fifth Day of *July* One thousand eight hundred and sixty-two;
'and it was also enacted, that all and singular the Duties by the said recited Acts authorized to be
'levied upon Coals, Culm, and Cinders contained in any Ship arriving at her Moorings within any
'Part of the Port of *London* at or to the Westward of *Gravesend*, or brought near *London* by the

'*Grand Junction* or *Paddington* Canals, or by the River *Thames*, and by other Acts then in force 'authorized to be levied upon Coals, Culm, and Cinders brought near *London* by certain Railways in 'the same Acts particularly mentioned, should be extended, and the same were by the Act now in recital 'imposed and authorized to be levied, until the said Fifth Day of *July* One thousand eight hundred and 'sixty-two, upon all Coals, Culm, and Cinders brought to any Place within the Port of *London*, or 'within the Cities of *London* and *Westminster* and the Borough of *Southwark*, or to any Place within 'the Distance of Twenty Miles from the General Post Office in the City of *London*, by any Railway 'then constructed or thereafter to be constructed, or by Inland Navigation, or by any other Mode of 'Conveyance, and the same Duties should be payable in like Manner and should be applied to the same 'Purposes to which the like Duties authorized to be levied by the said recited Acts should from Time to 'Time by Law be applicable; and it was by the Act now in recital also enacted, that in order to provide 'a Fund for the opening of poor and densely populated Districts in the Metropolis, and for keeping open 'Spaces in the immediate Vicinity of the same, the Duty of One Penny *per* Ton on Coals, Cinders, or 'Culm contained in any Ship arriving at her Moorings within any Part of the Port of *London* at or to 'the Westward of *Gravesend*, and also the like Duty of One Penny *per* Ton on Coals, Culm, and 'Cinders brought near *London* by the *Grand Junction* or *Paddington* Canals, or by the River *Thames*, 'imposed by the said Act of the First and Second Years of King *William* the Fourth, and by the Act 'now in recital and other Acts extended to Coals, Culm, and Cinders brought near *London* by Railway, 'Inland Navigation, or other Mode of Conveyance, should after the Thirty-first Day of *December* One 'thousand eight hundred and forty-five, be applied to the Creation of a Fund for the Execution of such 'Improvements in the Metropolis as Parliament might thereafter direct or sanction; and it was also 'enacted, that after the said Thirty-first Day of *December* One thousand eight hundred and forty-five 'the said Duty of One Penny *per* Ton on Coals, Cinders, and Culm so imposed and extended as aforesaid 'should from Time to Time, when and as received, be invested in the Purchase of Stock in some of the 'Public Stocks or Funds, or upon Government or Real Securities, at Interest, in the Names of the 'Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and 'Buildings, to an Account to be intituled "The Metropolis Improvement Fund Account," and that the 'said Commissioners should from Time to Time invest the yearly Dividends or Interest of the Stocks, 'Funds, and Securities so to be purchased in their Names on the Account aforesaid, in like Manner for 'the Purpose of Accumulation in the meantime and until the said Fund should be required for and 'appropriated by Parliament to the Execution of Improvements in the Metropolis: And whereas in 'pursuance of the said last-recited Act the Monies received from the Thirty-first Day of *December* One 'thousand eight hundred and forty-five to the Twenty-fifth Day of *March* One thousand eight hundred 'and forty-six, in respect of the said Duty of One Penny *per* Ton on Coals, Cinders, and Culm so 'created, imposed, and extended as aforesaid, have been laid out and invested in the Names of the said 'Commissioners in the Purchase of Three thousand and thirty-one Pounds Seven Shillings and Eight-pence 'Three Pounds *per Centum* Consolidated Bank Annuities, and such Annuities are now standing in the Names 'of the said Commissioners on the Account directed by the said Act: And whereas by an Act of Parlia-
3 & 4 Vict. c. 87. 'ment passed in the Session held in the Third and Fourth Years of Her present Majesty, intituled *An* '*Act to enable Her Majesty's Commissioners of Woods, Forests, Land Revenues, Works, and Buildings to* '*make additional Thoroughfares in the Metropolis*, it was amongst other things enacted, that it should 'be lawful for the said Commissioners, by and out of certain Monies and Funds therein specified, to form 'several new Streets and Improvements therein particularly mentioned, and, among others, a new Street 'from the *London Docks* to *Spitalfields* Church; and in the Act now in recital were contained divers 'Powers and Provisions for enabling the said Commissioners of Her Majesty's Woods, Forests, Land 'Revenues, Works, and Buildings to construct the several Streets therein mentioned, and to purchase 'the necessary Land and other Hereditaments, and for ascertaining the Value of such Land or Here-'ditaments, and for the Payment of the Purchase Money for the same, and otherwise: And whereas the 'Commissioners appointed by Her most Gracious Majesty to inquire into and consider the most effectual 'Means of improving the Metropolis, and of providing increased Facilities of Communication within the 'same, did, by their Report, dated the Twenty-third Day of *April* One thousand eight hundred and 'forty-five, (which has been laid before both Houses of Parliament by Her Majesty's Command,) humbly 'recommend to Her Majesty, that, out of any Monies to be thereafter raised as a Fund for Metropolitan 'Improvements, Provision should be made for the Completion of a Line of Street from *Spitalfields* 'Church to the Station of the *Eastern Counties* Railway in *Shoreditch*, in continuation of the new Street 'and Improvement now in progress of Formation by the said Commissioners of Her Majesty's Woods 'under the Authority of the said last-recited Act: And whereas Her Majesty has been graciously pleased 'to approve of the Recommendation of Her said Commissioners; and it is expedient, in accordance 'therewith, that the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and 'Buildings should be empowered to form and open (in continuation of the Street from the *London Docks* 'to *Spitalfields* Church herein-before mentioned) a new Street and Thoroughfare from the North End 'of *Commercial Street, Spitalfields*, into *Shoreditch*, such new Thoroughfare or Street to commence at 'the North End and in continuation of *Commercial Street* aforesaid, crossing the West End of *Fashion* 'Street and the East End of *White's Row*, and to pass Northwards in or nearly in a Line with and along 'Red Lion Street, crossing the Ends of *Union Street* and *Church Street* and the Ends of *Lamb Street* 'and *Brown's Lane*, and from thence to run in a North-west Direction across *Vine Street, Vine Place,*

'*Wheeler*

'*Wheeler Street, Fleur de Lis Street, Maidenhead Court, Elder Street,* and *Blossom Street,* to *Shoreditch,* 'South of and adjoining the present Terminus of the *Northern and Eastern Counties* Railway; and 'for the Purpose of providing a Fund to enable the said Commissioners of Her Majesty's Woods, Forests, 'Land Revenues, Works, and Buildings to effect the Objects aforesaid, it is expedient that the said 'Commissioners should be authorized to raise out of or to charge the said Funds and Duties by the said 'recited Act of the Eighth and Ninth Years of Her present Majesty made applicable to the Improvement 'of the Metropolis, as herein-before is mentioned, with a Sum or Sums not exceeding in the whole the 'Sum of One hundred and twenty thousand Pounds: And whereas the Commissioners of Her Majesty's 'Woods, Forests, Land Revenues, Works, and Buildings have, with the Consent and Approbation of the 'Commissioners of Her Majesty's Treasury, caused a Survey and Plan to be made of the said intended 'Thoroughfare or new Street herein-before mentioned, and the said Survey and Plan have been submitted 'to the said Commissioners of Her Majesty's Treasury, and have been approved by them:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being, and they are hereby authorized and empowered, to make, form, and complete the said intended new Street from the North End of *Commercial Street, Spitalfields,* into *Shoreditch,* and to carry the Purposes of this Act into execution in manner herein-after mentioned, and according to such Plan as aforesaid.

Commissioners of Woods, &c. empowered to make a new Street from Spitalfields to Shoreditch.

II. And be it enacted, That for the Purposes of this Act, and of all Matters and Things hereby authorized to be done under the Authority of this Act or of any other Act, the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being shall be and they are hereby constituted a Corporation by the Name and Style of "The Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings," in order to enable them to execute and carry into effect the several Powers and Purposes of this Act, and such other Powers and Purposes as aforesaid; and by that Name, for the Purposes aforesaid, they the said last-mentioned Commissioners shall and may have perpetual Succession, and use a Common Seal, to be by them from Time to Time altered as they shall think fit, and shall and may sue and be sued, implead and be impleaded, and take Lands and Hereditaments to them and their Successors for ever, for the Purposes of this Act.

Commissioners of Woods, &c. incorporated for the Purposes of this Act.

III. And be it enacted, That for providing a Fund for the Purposes of this Act, it shall and may be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, from Time to Time, with the Consent and Approbation of the Lord High Treasurer, or of the Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, from Time to Time, or at any one Time, to levy and raise, by the Sale of the whole or any Portion of the Stocks, Funds, and Securities from Time to Time constituting the said Fund called "The Metropolis Improvement Fund," so created or appropriated by the said Act of the Eighth and Ninth Years of Her present Majesty as aforesaid, or by Charge upon all and singular the Duties and Revenue in and by the same Act made applicable to the Formation of such Fund, any Sum or Sums of Money not exceeding in the whole the Sum of One hundred and twenty thousand Pounds, together with Interest on the Sum or Sums to be charged from the Time of charging the same, not exceeding Five Pounds *per Centum per Annum.*

Commissioners of Woods, &c. empowered to raise 120,000*l.* by Sale of or Charge upon the Metropolis Improvement Fund.

IV. And be it enacted, That the Duties and Revenue so to be charged as aforesaid shall be paid and applied in satisfaction and discharge of all Monies to be charged thereon by the said Commissioners for executing this Act as aforesaid, and the Interest thereof, in such Manner and from Time to Time as the same shall be received, and as the said Commissioners for executing this Act shall direct.

Fund to be applied in satisfaction of all Charges thereon.

V. And be it enacted, That for the Purposes of this Act it shall be lawful for the said Commissioners for executing this Act, with the Consent and Approbation of the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer, for the Time being, or any Three or more of them, to borrow and raise any Sum or Sums of Money, not exceeding in the whole the Sum of One hundred and twenty thousand Pounds, upon the Credit of the said Monies and Interest so made chargeable as aforesaid, and thereupon to assign and dispose of such Monies and Interest, in such Shares, and by way of Debenture or otherwise, and with such Priorities, and in such Manner, as the same Commissioners shall think fit, as a Security for the Monies so to be borrowed; and such Monies so to be raised shall be paid into the Office of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, by such Instalments, in such Proportions, at such Times, and in such Manner, as the same Commissioners shall direct.

Commissioners, with Consent of the Treasury, may borrow 120,000*l.* upon the Credit of Monies chargeable by this Act.

VI. And be it enacted, That the Sum and Sums of Money which the said Commissioners for executing this Act are hereby authorized to raise or charge, or which may be borrowed at Interest by the same Commissioners in pursuance of the Powers of this Act, shall be applied, in the first place, in paying all the Charges and Expences of or incident to the obtaining and passing this Act, and afterwards in paying and discharging the necessary Expences of surveying, designing, laying out, making, and completing the said intended new Street.

Application of Monies raised.

VII. And be it enacted, That the Receipts in Writing of any Two of the said Commissioners for executing this Act, for any Monies payable to them under or by virtue of this Act, shall be sufficient Discharges for the same to the Persons paying the same, who shall not afterwards be liable for any Misapplication thereof:

Receipts of Commissioners of Woods, &c. to be sufficient

Discharges for Monies received by them.

thereof: Provided nevertheless, that it shall be lawful for the said Commissioners to invest all or any Part of the Monies which may be raised for the Purposes of this Act in the Names of them, or any Two of them, in the Purchase of Public Stocks or Funds of *Great Britain*, or of Exchequer Bills, as a temporary Investment until such Monies shall be wanted for the Purposes of this Act.

Monies received by Commissioners of Woods, &c. to be paid into the Bank of England to their Account.

VIII. Provided always, and be it enacted, That, subject as aforesaid, all Sums of Money, Bills, and Drafts which shall be received by the said Commissioners for executing this Act shall from Time to Time, within Two Days after the same shall have been received, or within Two Days after any Bill shall have been accepted, completed, and perfected, if the same shall not be accepted, completed, and perfected at the Time it shall be received, be paid by them into the Hands of the Governor and Company of the Bank of *England*, for which the Receipt of the Cashier or One of the Cashiers of the Bank of *England* shall be a sufficient Discharge; and all such Monies, Bills, and Drafts so to be paid as aforesaid shall from Time to Time be placed to the Account in the Books of the said Governor and Company, intituled "The Account of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, making the Improvements in the Metropolis," and shall be applied and disposed of by the said Commissioners for executing this Act for and towards the carrying the several Purposes thereof into execution.

Monies for casual Payments not exceeding 1,000*l.* may be lodged with private Bankers.

IX. Provided nevertheless, and be it enacted, That it shall be lawful for the said Commissioners for executing this Act to reserve, out of the Monies to be received by them by virtue of this Act, for casual and ordinary Payments for the Purposes thereof, in the Hands of any private Banker, any Sum not exceeding at any One Time One thousand Pounds, to be drawn for by the said Commissioners for executing this Act, or any One of them; and if at any Time the Sum so reserved shall be reduced below Three hundred Pounds, then it shall be lawful for the Commissioners for executing this Act from Time to Time to make up the same to the Sum of One thousand Pounds by Drafts upon the Funds to be deposited in the Hands of the Governor and Company of the Bank of *England* as aforesaid.

Commissioners to make all Payments by Drafts on the Bank of England.

X. And be it enacted, That the Commissioners for executing this Act shall make all Payments required to be made out of the Monies to be deposited in the Bank of *England* by Drafts on the said Bank, to be signed by Two of the said Commissioners, and shall specify in every such Draft the particular Service, or other Charge, Purpose, or Cause, for which such Draft shall be given; and every such Draft shall also have marked in the Margin thereof a Figure corresponding to the Page of a Book to be kept by the said Commissioners, wherein Entry shall be made of the particular Service, Salary or other Charge, Purpose or Cause, for which such Draft shall be given.

Drafts drawn pursuant to this Act to be a sufficient Authority to the Bank to pay them.

XI. And be it enacted, That all Drafts drawn pursuant to the Directions of this Act shall be sufficient Authority to the Bank of *England* to pay the Amount thereof to the Persons mentioned in such Drafts, or to the Bearer of them, and that the said Commissioners for executing this Act, observing the Rules and Regulations hereby prescribed, shall not be answerable, either collectively or individually, for any Money which they or any of them shall have so paid into the Bank of *England*, and that the Governor and Company of the said Bank shall be answerable for all Monies which shall be actually received by them from the said Commissioners.

Annual Accounts to be rendered to both Houses of Parliament.

XII. And be it enacted, That there shall be yearly laid before each House of Parliament, within Twenty-one Days after the meeting of Parliament, a true Account, made up to the Thirty-first Day of *December* in the preceding Year, of the Receipts and Applications of the Sums of Money which shall be received and are directed to be applied by virtue of this Act.

Plan to be deposited in the Office of Woods, &c., and be open to Inspection.

XIII. And be it enacted, That the said Map or Plan describing the Line of the said intended Street, and the Places, Buildings, Tenements, and Hereditaments on the Site of which the same Street is proposed to be made, shall, when signed by the Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, be deposited at the Office of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings; and the Map or Plan so deposited at the Office of the said Commissioners shall remain at the said Office, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

No Alteration to be made in Plan, unless approved by the Treasury.

XIV. And be it enacted, That no Alteration or Change shall be made in the Line of the said intended Thoroughfare or Street as shown in such Plan, unless the same shall be approved by the Lord High Treasurer, or the said Commissioners for executing the Office of Lord High Treasurer for the Time being, or some Three or more of them.

Limits of Deviation from Plan.

XV. And be it enacted, That the said Commissioners for executing this Act, in making the said intended new Street, Alterations, and Improvements, shall not deviate more than Fifty Feet from the Line described in the aforesaid Map or Plan, without the Consent and Approbation of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Tenements such Deviation shall be made.

Commissioners of Woods, &c. empowered to appoint Clerks and Officers.

XVI. And be it enacted, That the said Commissioners for executing this Act shall and may and they are hereby empowered from Time to Time to appoint such and so many Clerks and other Officers and Persons as they shall deem necessary to employ in the Execution of this Act, and may from Time to Time remove such Clerks, Officers, and other Persons, or any of them, and appoint others in their Stead, and also shall and may, out of the Monies to be raised by virtue of this Act, allow to such Clerks and other Officers, and such other Persons as shall be assisting in or about the Execution of this Act, such Salaries

or

or Allowances as to them the said Commissioners shall seem meet, and as shall be approved of by the said Lord High Treasurer, or the said Commissioners for executing the Office of Lord High Treasurer for the Time being, or any Three or more of them: Provided always, that the said Commissioners for executing this Act shall and may, if they shall think proper so to do, take such Security, either to themselves or Her Majesty, from any Clerk, Officer, or other Person to be appointed by virtue of this Act, for the due and faithful Execution of his Office, as they the said Commissioners shall think fit.

Minute Books of Commissioners to be admitted as Evidence.

XVII. And be it enacted, That all Orders and Proceedings of the said Commissioners in the Execution of this Act which shall be entered in a Book or Books to be kept for that Purpose shall, when so entered and signed by the said Commissioners, or any Two of them, be deemed to be Originals, and such Book or Books shall be admitted as Evidence in all Courts whatsoever.

Powers and Provisions of recited Act 3 & 4 Vict. c. 87. extended to this Act.

XVIII. And be it enacted, That for the Purpose of laying down and constructing the said intended new Street the said Commissioners for executing this Act shall have such and the same Powers, Authorities, Privileges, and Exemptions as in and by the said recited Act of the Third and Fourth Years of Her present Majesty are given to the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for the Purpose of or with reference to the laying down and constructing the several new Streets and Improvements therein specified, so far as the same shall be applicable to the said intended new Street, and also that all Powers authorizing incapacitated Persons to convey in the said Act contained shall extend to all th Lands and Hereditaments to be taken under this Act; and that all and singular the Enactments, Exemptions from Stamp Duties, and Provisions in the said last-mentioned Act contained shall extend and be construed in all respects as if the said last-mentioned Act had been passed for the Purpose of authorizing the laying down and Construction of the new Street by this Act authorized to be laid down and constructed, and for the Purchase and taking of Hereditaments, and for the leasing, selling, managing, and disposing of the Hereditaments to be taken and the Buildings to be erected thereon, and as if the Hereditaments comprised in the Schedule to this Act had been comprised in the Schedule to the said last-mentioned Act, and as if the Monies authorized to be raised by this Act had been authorized to be raised by the said last-mentioned Act, and as if the said Street hereby authorized to be made had been by the said Act authorized to be made, except that, with respect to any Monies payable into the Bank of *England*, the same shall be paid to the Account of the Accountant General of the Court of Chancery, pursuant to the Method prescribed by an Act of the Twelfth Year of King *George* the First, intituled *An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of* East India *Bonds, and Indorsements thereon, and likewise Indorsements on* South Sea *Bonds*, and pursuant to the general Rules and Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of King *George* the Second, intituled *An Act to empower the High Court of Chancery to lay out, on proper Securities, any Monies, not exceeding a Sum therein limited, out of the common and general Cash in the Bank of* England *belonging to the Suitors of the said Court, for the Ease of the said Suitors, by applying the Interest arising therefrom for answering the Charges of the Office of the Accountant General of the said Court*, in like Manner as Monies are by the said Act of the Third and Fourth Years of Her present Majesty directed to be paid to the Account of the Accountant General of the Court of Exchequer; and such Monies shall be applied, under the Direction of the Court of Chancery, in like Manner as Monies are by the said last-mentioned Act directed to be applied under the Direction of the Court of Exchequer.

12 G. 1. c. 32.

12 G. 2. c. 24.

Penalties of recited Act 3 & 4 Vict. c. 87. extended to this Act.

XIX. And be it enacted, That all Pains and Penalties which may be incurred, imposed, or inflicted under or by virtue of the said Act of the Third and Fourth Years of Her present Majesty, for the Offences against the Provisions thereof therein specified, shall and may be incurred, imposed, and inflicted for similar Offences against the Provisions of this Act, and in all respects as if the same were here repeated.

Exchequer Bill Commissioners empowered to lend Money to Commissioners of Woods, &c. at such Rate of Interest as the Treasury may approve.

XX. And be it enacted, That it shall and may be lawful for the Commissioners for issuing Exchequer Bills for Public Works, acting in execution of an Act of the Fifty-seventh Year of King *George* the Third, and of the several subsequent Acts for amending and extending the same, and they are hereby authorized, to advance and lend to the said Commissioners for executing this Act any Sum or Sums of Money in Exchequer Bills on Mortgage of the Hereditaments to be acquired under this Act, and either before or after the same shall have been acquired, and also on the said Monies and Interest, and the growing Accumulations thereof, authorized and directed to be raised by the said Act of the Eighth and Ninth Years of the Reign of Her present Majesty, and at such Rate of Interest as the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, shall approve.

Commissioners of Woods, &c. to give Security to Exchequer Bill Commissioners for Advances made.

XXI. And be it enacted, That upon the said Commissioners for the issuing of Exchequer Bills making any such Advance as last aforesaid, the said Commissioners for executing this Act shall thereupon convey or agree to convey to the Secretary for the Time being of the said Commissioners for the issuing of Exchequer Bills, his Heirs and Assigns or as the same Commissioners shall direct, all or any Part of the Hereditaments to be acquired under this Act, or such Monies and Interest as aforesaid, or any Part thereof, as a Security for the Repayment of the Amount of the said Exchequer Bills, with Interest thereon, at such Time or Times as the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, shall appoint; and any such Advance may

may be made, although at the Time of the making thereof the Value of the said Hereditaments, or the Monies and Interest actually accumulated, may not be a sufficient Security for the Monies and Interest to be secured.

Act may be amended, &c.

XXII. And be it enacted, That this Act may be altered or amended by any Act to be passed in the present Session of Parliament.

Public Act.

XXIII. And be it enacted, That this Act shall be deemed to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

SCHEDULE to which the foregoing Act refers.

N° of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
47 and 20	Red Lion Street, West Side. / White's Row -	Thomas King - / Louis Robert Vestrisme - -	- - -	Thomas Griffin.
46	Red Lion Street, West Side.	Ditto - -	- - -	—— Cummins.
45	Ditto - -	Ditto - -	- - -	—— Chapple.
44 and 21	Ditto - - / Dorset Street -	Ditto - - / Ditto - -	- - -	Joseph Goodlad.
43 and 22	Red Lion Street, West Side. / Dorset Street -	Felix Ladbrooke -	Richard Sheffield and Joseph Hall Hurrell.	Ditto.
42	Red Lion Street, West Side.	Ditto - -	Ditto - -	Ditto.
41	Ditto - -	Ditto - -	Ditto - -	George Smith.
40	Ditto - Gateway to Yard, Sheds, Stables, Rooms, and Premises over ditto.	Ditto - -	Ditto - -	Richard Sheffield and Joseph Hall Hurrell.
	Yard, Premises, Lofts, &c., with Gates to Street, and large House facing Union Street.	Ditto - -	Ditto - -	J. F. Hart.
33	Church Street -	Samuel Mills -	- - -	Catharine La Porte.
12	Red Lion Street, the Bells Public House, East Side.	Truman, Hanbury, & Company.	Edward Waldron -	Edward Waldron.
13	Red Lion Street, East Side.	Ditto - -	Samuel Perkins -	Samuel Perkins.
14	Ditto - -	Thomas Newman, Beriah Drew, and George Drew.	Charlotte Smith & Son and Samuel Perkins.	Samuel Perkins, Charlotte Smith and Son.
15	Ditto - -	Ditto - -	Ditto - -	Ditto.
16	Ditto - -	Hugh Parnell -	- - -	William James Penry.
17	Ditto - -	Ditto - -	- - -	Ditto.
18	Ditto - -	Alexander Thomas La Porte, George Gow, Charles Ring, Mrs G. Gregory, John Gregory, Richard Sheffield, and Robert Green.	- - -	Alexander Thomas La Porte.
19	Ditto - -	Ditto - -	- - -	Robert Brockington.
1	Red Lion Court -	Ditto - -	- - -	Jacob Hyman.
2	Ditto - -	Ditto - -	- - -	Mary Small.
3	Ditto - -	Ditto - -	- - -	Caroline Judge.
4	Ditto - -	Hugh Parnell -	- - -	Ann Noble.

N° of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
5	Red Lion Court -	Alexander Thomas La Porte, George Gow, Charles Ring, Mrs G. Gregory, John Gregory, Richard Sheffield, and Robert Green.	- - -	James Goddard.
7	Ditto - -	Ditto - -	John Leschallas -	Thomas Haynes.
14	Ditto - -	Ditto - -	- - -	James George Telfer.
15	Ditto - -	John Leschallas and William Leschallas.	- - -	James Goddard.
16	Ditto - -	Benjamin Cherry -	- - -	Benjamin Cherry and his Under-tenants.
17	Ditto - -	Ditto - -	- - -	Ditto.
18	Ditto - -	Ditto - -	- - -	Ditto.
1	Lamb's Place -	Alexander Thomas La Porte, George Gow, Charles Ring, Mrs G. Gregory, John Gregory, Richard Sheffield, and Robert Green.	- - -	Henry James Tolley and his weekly Tenants.
2	Ditto - -	Ditto - -	- - -	Ditto.
3	Ditto - -	Ditto - -	- - -	Ditto.
4	Ditto - -	Ditto - -	- - -	Ditto.
5	Ditto - -	Ditto - -	- - -	Ditto.
6	Ditto - -	Ditto - -	- - -	Ditto.
7	Ditto - -	Ditto - -	- - -	Ditto.
8	Ditto - -	Ditto - -	- - -	Ditto.
20	Red Lion Street, East Side.	Ditto - -	Truman, Hanbury, & Company.	Thomas Gilkes.
20	Ditto - -	Ditto - -	Ditto - -	Abraham Hyman.
21	Ditto - -	John Farrow -	- - -	John Farrow.
22	Ditto - -	Samuel Wilson -	William Bailey -	William Bailey.
23	Ditto - -	Ditto - -	William Wall -	William Wall.
24	Ditto - and Premises at Back, with Gateway to Brown's Lane, Stables, Sheds, covered Buildings, &c.	William Thompson and Eleanor Hewett Halford.	Thomas Spencer Hall and William John Hall.	Hall & Company.
25	Red Lion Street, East Side.	Hugh Parnell -	James Wilson -	James Wilson.
26	Ditto - -	Mrs Broadbank -	J. Wilson - -	J. Wilson.
27	Ditto - -	William West -	Ditto - -	Ditto.
28	Ditto - -	James Soames -	Richard Hamer -	Richard Hamer.
28 and 1	Red Lion Street, West Side. / East Street -	Sir I. L. Goldsmid	John Spurling - / James Wing -	James Wing.
29	Red Lion Street, West Side.	Ditto - -	John Spurling and Joseph Proudman.	Joseph Proudman.
30	Ditto - -	Ditto - -	John Spurling and William Cobb.	William Cobb.
31	Ditto - -	Ditto - -	- - -	Robert John Stainton.
32	Ditto - -	Ditto - -	John Norman -	John Norman.
33	Ditto - -	Ditto - -	John Spurling -	James Shardelow.
34	Ditto - -	Ditto - -	Ditto - -	Thomas Newton.
35	Ditto - -	Ditto - -	Ditto - -	John Cook.
1	Brown's Lane -	Jane Tadd -	William Strode -	Richard Fryer and David Vaughan.
2	Ditto - -	Charles Greenwood	- - -	George Jeremiah Mercer.

N° of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
3	Brown's Lane -	William Thompson	- - -	Joseph Pervinckler and Charles Gantzman.
4	Brown's Lane and Gateway to Peake's Yard, &c.	Ditto - -	- - -	Joseph Jones.
37	Brown's Lane and large Workshop, &c.	John Leachman -	Robert Tatham -	Robert Tatham.
38	Brown's Lane -	Daniel Cronin -	- - -	William Bavin.
39	Ditto - -	Ditto - -	- - -	Charles Poupard.
40	Ditto - -	Henry Merceron -	Thomas Mitchell -	Thomas Mitchell.
41	Ditto - -	Eleanor Hewett Halford.	- - -	Eleanor Hewett Halford.
20	Lamb Street, with Yard and Ground, &c., called the Wheel Yard.	Mary Jane Marlow, the Rev. Henry Watts Wilkinson, the Rev. Marlow Watts Wilkinson, the Rev. Watts Wilkinson, Dr. Charles Wilkinson, Rebecca Ann Wilkinson, Sarah Wilkinson, Mary Ann Wilkinson, and Elizabeth Charlotte Stevens.	Henry Bilke, Thomas Piper, John Le Blond, and George Riddle.	Patent Iron Wheel Company.
21	Lamb Street -	Ditto - -	Henry Bilke -	Robert Boulton.
22	Ditto - -	Ditto - -	Henry Bilke and James Eaton.	James Eaton.
23	Lamb Street -	Ditto - -	Henry Bilke and Samuel Debenham.	Samuel Debenham.
	Stables and Lofts in Vine Court.	Ditto - -	Samuel Debenham -	John Day.
1	Vine Court -	Ditto - -	Henry Bilke -	—— Turnan.
2	Ditto - -	Ditto - -	Ditto - -	George Salter.
3	Ditto - -	Ditto - -	Ditto - -	Ditto.
4	Ditto - -	Ditto - -	Mary Holmwood and John Vernell.	Robert Brunson.
5	Ditto - -	Ditto - -	Ditto - -	—— Thorpe.
6	Ditto - -	Ditto - -	Ditto - -	—— Jenkins.
7	Ditto - -	Ditto - -	Ditto - -	Thomas Piper and John Le Blond.
8	Ditto, with Houses in New Court.	Ditto - -	- - -	Weekly Tenants.
24	Lamb Street -	William Death -	Nathan Negus and George Davy Negus.	George Davy Negus.
25	Ditto - and Warehouses, &c.	Phœbe Beck Walton and William Walton.	William Kennett and Thomas Hammor Reynolds.	Kennett & Reynolds.
15	Vine Court, West Side.	Robert Boyce -	- - -	William Parker and his weekly Tenants.
14	Ditto - -	William Walker -	- - -	William Walker and his weekly Tenants.
16	Ditto - -	James Boyce -	William Parker -	William Parker and his weekly Tenants.
17	Ditto - -	Ditto - -	Ditto - -	Ditto.
18	Ditto -	Ditto - -	Ditto - -	Ditto.
19	Ditto - and Warehouse, &c.	Henry Hyde and Edmund Hyde.	George Chapman -	George Chapman.

N° of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
20	Vine Court, West Side, and Warehouse, &c.	Henry Hyde and Edmund Hyde.	George Chapman -	George Chapman.
21	Vine Court (West Side), Gateway, Lofts, Stables, Sheds, Drying-houses, Store-houses, &c.	Edward Meyrick -	Charles Heaton -	Charles Heaton.
22	Vine Court, West Side.	William Death -	Nathan Negus -	Nathan Negus and his weekly Tenants.
23	Ditto - -	Ditto - -	Ditto - -	John Flood.
24	Ditto - -	Ditto - -	Ditto - -	John Taylor.
1	Boyce's Court -	William Walker -	- - -	Henry Cardoza.
2	Ditto - -	Ditto - -	- - -	Thomas Stone.
3	Ditto - -	Ditto - -	- - -	Ann Boston.
4	Ditto - -	Ditto - -	- - -	John Tilney.
6	Vine Place -	Robert Boyce -	- - -	William Parker and his weekly Tenants.
7	Ditto - -	Ditto - -	- - -	Ditto.
8	Ditto - -	Ditto - -	- - -	Ditto.
1	White Horse Court	Isaac Walker -	Joseph Edwards -	Joseph Edwards and his weekly Tenants.
2	Ditto - -	Ditto - -	Ditto - -	Ditto.
3	Ditto - -	Ditto - -	Ditto - -	Ditto.
4	Ditto - -	Ditto - -	Ditto - -	Ditto.
5	Ditto - -	Ditto - -	Ditto - -	Ditto.
6	Ditto - -	Ditto - -	Ditto - -	Ditto.
7	Ditto - -	Ditto - -	Ditto - -	Ditto.
8	Ditto - -	Ditto - -	Ditto - -	Ditto.
9	Ditto - -	Ditto - -	Ditto - -	Ditto.
10	Ditto - -	Ditto - -	Ditto - -	Ditto.
11	Ditto - -	Ditto - -	Ditto - -	Ditto.
12	Ditto - -	Ditto - -	Ditto - -	Ditto.
13	Ditto - -	Ditto - -	Ditto - -	Ditto.
14	Ditto - -	Ditto - -	Ditto - -	Ditto.
15	Ditto - -	Ditto - -	Ditto - -	Ditto.
4	Wheeler Street -	Ann Strachan -	Henry Taylor -	Mrs Collins.
5	Ditto - -	Ditto - -	Ditto - -	Ditto.
6	Wheeler Street and vacant Ground.	Ditto - -	Hallows Hatfield and Temple Tolley.	—
1	Hatfield Place -	Ditto - -	Hallows Hatfield -	Hallows Hatfield and his weekly Tenants.
2	Ditto - -	Ditto - -	Ditto - -	Ditto.
3	Ditto - -	Ditto - -	Ditto - -	Ditto.
4	Ditto - -	Ditto - -	Ditto - -	Ditto.
7	WheelerStreet, with Workshops and Stables.	Ditto - -	Ditto - -	Ditto.
8	Wheeler Street -	Ditto - -	Ditto - -	Thomas Mills.
9, now 11	Ditto - -	Ditto - -	Ditto - -	HenryJamesTolley& his weekly Tenants.
10	Ditto - -	Ditto - -	Hallows Hatfield and Henry James Tolley.	William Paxman.
9	Ditto - -	William John Rickaby Kiddle.	- - - -	Thomas Reid.
11 Houses unfinished	Ditto -	Charles Bratt, William Bratt.	—	—
Warehouse -	Ditto - -	Isaac Walker -	Thomas Gaskill and Edwin Downs.	Thomas Gaskill and Edwin Downs.

N° of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
17	Wheeler Street -	Isaac Walker -	Joseph Edwards -	John Hurst.
18	Ditto - -	Ditto - -	- - -	Joseph Edwards and his weekly Tenants.
19	Ditto - -	Ditto - -	John Mensbury -	Ditto.
20	Ditto - -	Ditto - -	Elizabeth Chamberlain.	Elizabeth Chamberlain.
21	Ditto - -	Ditto - -	—— Dean and Eliza Meredith.	Eliza Meredith.
20	White Lion Street, Warehouses, Stables, Gateway, and Buildings, also Gateway in Wheeler Street.	John Bartholomew	Eleazer Hart -	Eleazer Hart.
21 A	White Lion Street	Joseph Bartholomew	- - -	Mary Greenwood.
21	White Lion Street, with Gateway, Yard, and Premises.	Samuel Betterly -	Thomas Gaskill and Edwin Downs.	Thomas Gaskill and Edwin Downs.
63	Wheeler Street, West Side.	Charles Wheler -	William John Rickaby Kiddle and Charlotte Elizabeth Kiddle.	W. J. R. Kiddle, C.E. Kiddle, and their Under-tenants.
64	Ditto - -	Ditto - -	Ditto - -	Ditto.
65	Wheeler Street, West Side, and Stabling.	Ditto - -	James Soames and Louis Soames.	James Soames and Louis Soames.
65½	Wheeler Street, West Side.	Ditto - -	Edward Steele and —— Oliver.	James Taylor.
66	Ditto - -	Ditto - -	Ditto - -	Ditto, and his weekly Tenants.
67	Ditto - -	Ditto - -	Ditto - -	Ditto.
68	Wheeler Street, West Side, and back Premises.	James Nalson -	- - -	James Nalson.
69	Wheeler Street, West Side, and Stable.	Sir Francis Desange	George Augustus Dorington.	George Augustus Dorington.
70	Wheeler Street, West Side.	Ditto - -	John Witchalls -	John Witchalls.
71	Ditto - -	James Winch Grave and John Biggs Grave.	- - -	Jacob Walker.
72	Ditto - -	Ditto - -	William Palmer -	William Palmer.
73	Ditto - -	Samuel Ashe -	James Brown -	James Brown.
74	Ditto - -	Ditto - -	- - -	Elizabeth Kington and her weekly Tenants.
75	Ditto - -	William Williams, James Chamberlain, Thomas James, and Thomas Willatts.	- - -	Ditto.
Gateway and Part of Brewery -	Ditto - -	Thomas Gaskill and Edwin Downs.	- - -	Thomas Gaskill and Edwin Downs.
77	Ditto - -	William Westbrook Langmede.	- - -	William W. Langmede and William Causton.
78	Ditto - -	Thomas Brushfield	- - -	Thomas Brushfield and his weekly Tenants.

N° of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
79	Wheeler Street, West Side.	Charles Bratt and William Bratt.	- - -	Charles Bratt and William Bratt, and their weekly Tenants.
80	Wheeler Street, West Side.	Ditto - -	- - -	Ditto.
81	Ditto - -	Thomas Brushfield	- - -	Thomas Brushfield.
82	Ditto - -	Ditto - -	- - -	Thomas Brushfield and his weekly Tenants.
83	Ditto - -	Ditto - -	- - -	Ditto.
84	Ditto - -	Ditto - -	- - -	Ditto.
85	Ditto - -	Ditto - -	- - -	Ditto.
3	Fleur-de-Lis Court	Melinda Wilkinson, Committee of the Estate of Joshua Richard Wilkinson.	Charles Bratt -	Charles Bratt.
4	Ditto - -	Ditto - -	Ditto - -	Ditto.
5	Ditto - -	Ditto - -	Ditto - -	Ditto.
6	Ditto - -	Samuel Ash -	Thomas Griffith -	Thomas Griffith and his weekly Tenants.
7	Ditto - -	Ditto - -	Ditto - -	Ditto.
9	Ditto - -	Gray Rigge, Rev. Charles Moore, and Mary Moore.	C. E. Kiddle and W. J. R. Kiddle.	C. E. Kiddle, W. J. R. Kiddle, and their weekly Tenants.
10	Ditto - -	Ditto - -	Ditto - -	Ditto.
11	Ditto - -	Melinda Wilkinson, Committee of the Estate of Joshua Richard Wilkinson.	Charles Bratt -	Charles Bratt.
12	Ditto, with Yard and Passageway to Maidenhead Court.	Ditto - -	Ditto - -	Ditto.
13	Fleur-de-Lis Court and Passage to Reeves Court, and Four Houses in Reeves Court.	William Bradshaw	John Mackall Reeves	John Banstead, John Mackall Reeves, and his Under-tenants.
15	Fleur-de-Lis Court, and back Premises, Stables, &c., and Gateway to Maidenhead Court.	J. G. Biggs and J. W. Grave.	C. Parry and Henry M. Parry.	Catherine Parry and Henry M. Parry.
7	Fleur-de-Lis Street, Dyehouse, Yards, and Premises.	Rev. Richard Tillard	Executors of the late William Wilson and Edward de Boos.	Edward de Boos.
8	Fleur-de-Lis Street	Ditto - -	Ditto - -	Thomas Clarke Knight.
1	Maidenhead Court -	Isaac Gable -	- - -	Isaac Gable and his Under-tenants.
2	Ditto - -	David Thomas and John Ward.	- - -	David Thomas and John Ward, and their weekly Tenants.
3	Ditto - -	Ditto - -	- - -	Ditto.
4	Ditto - -	William Bradshaw	John Mackall Reeves	John Mackall Reeves and his Under-tenants.

N° of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
Gateway -	Maidenhead Court -	J.W.Grave and J.G. Biggs.	Catherine Parry and Henry M. Parry.	Catherine Parry, Henry M. Parry, and their Under-tenants.
5	Ditto, and Gateway to Premises in Fleur-de-Lis Court.	Ditto - -	Ditto - -	Ditto.
6	Maidenhead Court -	Ditto - -	Ditto - -	Ditto.
7	Ditto - -	Ditto - -	Ditto - -	Ditto.
8	Ditto - -	Charles Wheler -	James Soames and Louis Soames.	James Soames and Louis Soames.
9	Ditto - -	Ditto - -	Ditto - -	Ditto.
10	Ditto - -	Ditto - -	Ditto - -	Ditto.
11	Ditto - -	Ditto - -	Ditto - -	Ditto.
1	Elder Place	Richard Tillard -	Executors of William Wilson.	The Executors of William Wilson and their weekly Tenants.
2	Ditto - -	Ditto - -	Ditto - -	Ditto.
3	Ditto - -	Ditto - -	Ditto - -	Ditto.
4	Ditto - -	Ditto - -	Ditto - -	Ditto.
5	Ditto - -	Ditto - -	Ditto - -	Ditto.
6	Ditto - -	Ditto - -	Ditto - -	Ditto.
1	Elder Street, Stables, Warehouses, Sheds, &c. adjoining.	Richard Tillard -	James and Louis Soames.	James and Louis Soames.
2	Elder Street -	Ditto - -	- - -	Edmund Lucas.
Coach-house, Stable, &c.	Ditto - -	Ditto - -	Robert James Hendrie.	Robert James Hendrie.
Vacant Ground	Ditto.	—	—	—
Piece of Ground, Continuation of Street -	Now the Street -	Weavers Company	James Clarke.	—
Ditto -	Ditto - -	James Clarke and Louisa his Wife.	Robert James Hendrie.	—
1	Marshall's Buildings	James Clarke and Louisa his Wife.	- - -	James Clarke and his Under-tenants.
2	Ditto - -	Ditto - -	- - -	Ditto.
3	Ditto - -	Ditto - -	- - -	Ditto.
4	Ditto - -	Ditto - -	- - -	Ditto.
5	Ditto - -	Ditto - -	- - -	Ditto.
6	Ditto - -	Ditto - -	- - -	Ditto.
1	St. Leonard's Place	Ditto - -	- - -	Ditto.
2	Ditto - -	Ditto - -	- - -	Ditto.
3	Ditto - -	Ditto - -	- - -	Ditto.
4	Ditto - -	Ditto - -	- - -	Ditto.
1	St. John's Place -	Ditto - -	- - -	Ditto.
2	Ditto - -	Ditto - -	- - -	Ditto.
3	Ditto - -	Ditto - -	- - -	Ditto.
4	Ditto - -	Ditto - -	- - -	Ditto.
1	St. James's Place -	Ditto - -	- - -	Ditto.
2	Ditto - -	Ditto - -	- - -	Ditto.
3	Ditto - -	Ditto - -	- - -	Ditto.
4	Ditto - -	Ditto - -	- - -	Ditto.
Dye-house, Warehouse, Yard, &c. -	South of Terminus of Eastern Counties Railway adjoining the Weavers Almshouses -	Ditto - -	Thomas Grover Hatton -	Sophia Hatton.

N° of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
Dye-house, &c. adjoining above	- - -	James Clarke and Louisa his Wife.	Thomas Grover Hatton -	Sophia Hatton.
Stone-yard, with Messuage, Premises, &c. adjoining the above	- - -	Ditto - -	Samuel Rutty -	Samuel Rutty.
1	Blossom Terrace -	The Rev. Richard Tillard.	Henry Hunt and Joseph Ferry.	—— Culyer
2	Ditto - -	Ditto - -	Ditto - -	Daniel Hewitt.
3	Ditto - -	Ditto - -	Ditto - -	Edward Tyler.
4	Ditto - -	Ditto - -	Ditto - -	Esther Randall.
5	Ditto - -	Ditto - -	Ditto - -	Ebenezer John Marmory.
6	Ditto - -	Ditto - -	Ditto - -	John Lucombe.
7	Ditto - -	Ditto - -	Ditto - -	Mrs Breadinge.
8	Ditto - -	Ditto - -	Ditto - -	Joseph Isaacs.
9	Ditto - -	Ditto - -	Ditto - -	George Hollis.
Weavers Almshouses	Opposite Blossom Terrace.	—	—	—
1	Ditto - -	Weavers Company.	—	—
2	Ditto - -	Ditto.	—	—
3	Ditto - -	Ditto.	—	—
4	Ditto - -	Ditto.	—	—
5	Ditto - -	Ditto.	—	—
6	Ditto - -	Ditto.	—	—
Almshouses for Poor of Norton Folgate	—	—	—	—
14	Ditto - -	Trustees and Overseers of the Liberty of Norton Folgate.	- - -	Trustees and Overseers of the Liberty of Norton Folgate.
2	Ditto - -	Ditto - -	- - -	Ditto.
3	Ditto - -	Ditto - -	- - -	Ditto.
4	Ditto - -	Ditto - -	- - -	Ditto.
1	Blossom Court -	Ditto - -	- - -	Ditto and their Under-tenants.
2	Ditto - -	Ditto - -	- - -	Ditto.
Cooperage -	At Back of Norton Folgate Almshouses, &c.	Ditto - -	- - -	Trustees and Overseers of the Poor of Norton Folgate.
Two Warehouses, &c.	Ditto - -	Ditto - -	- - -	Ditto.
10	LittleBlossom Street	The Rev. Richard Tillard.	Mrs Howes -	Mrs Howes.
11 and 12	Ditto - -	Ditto - -	Ditto - -	Ditto.
13	Ditto - -	Ditto - -	Joshua Le Mare -	Joshua Le Mare.
Vacant Ground -	Between Railway Station and Shoreditch.	Eastern Counties Railway Company.	- - -	Eastern Counties Railway Company.
37	Shoreditch -	Ditto - -	- - -	Ditto.
36	Ditto - -	Mary Gordon and Elizabeth Sophia Rae.	John Doggett -	John Doggett.

N° of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
Unicorn or Griffin Public House 35	Shoreditch - -	Mary Gordon and Elizabeth Sophia Rae.	Truman, Hanbury, and Company.	George Nathaniel Edwards.
34	Ditto - -	Ditto - -	James Richard Hancorn.	James Richard Hancorn.
33 and 32	Ditto - -	Ditto - -	George Greenwood and Thomas Greenwood.	George Greenwood and Thomas Greenwood.
31	Ditto - -	Ditto - -	John Hopkins -	John Hopkins.

CAP. XXXV.

An Act to continue until the Thirty-first Day of *December* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, an Act of the Tenth Year of King *George* the Fourth, for providing for the Government of His Majesty's Settlements in *Western Australia* on the Western Coast of *New Holland*. [27th *July* 1846.]

[10 *G.* 4. *c.* 22. *continued as in Title.*]

CAP. XXXVI.

An Act to continue until the First Day of *January* One thousand eight hundred and fifty-one, and to the End of the then next Session of Parliament, and to amend, an Act for establishing an Office for the Benefit of Coalwhippers of the Port of *London*. [27th *July* 1846.]

1 & 2 W. 4. c. lxxvi.
1 & 2 Vict. c. ci.
8&9 Vict. c. 101.
6 & 7 Vict. c. ci.

'WHEREAS an Act was passed in the Session of Parliament held in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for regulating the Vend and Delivery of Coals in the Cities of* London *and* Westminster, *and in certain Parts of the Counties of* Middlesex, Surrey, Kent, Essex, Hertfordshire, Buckinghamshire, *and* Berkshire: And whereas an Act was passed in the Session of Parliament held in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to continue for Seven Years an Act for regulating the Vend and Delivery of Coals in* London *and* Westminster, *and in certain Parts of the adjacent Counties:* And whereas an Act was passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to continue until the Fifth Day of* July *One thousand eight hundred and sixty-two the Acts for regulating the Vend and Delivery of Coals in* London *and* Westminster, *and in certain Parts of the adjacent Counties; and to alter and amend the said Acts:* And whereas an Act was passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act for establishing an Office for the Benefit of Coalwhippers of the Port of* London, *and for staying certain Actions in respect of Fitters Certificates:* And whereas the said last-mentioned Act will expire at the End of the present Session of Parliament, and it is expedient that the same should be renewed and amended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and immediately after the End of this present Session of Parliament it shall be lawful for the Lords of the Committee of Her Majesty's Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations to appoint Four fit and proper Persons as Commissioners for carrying this Act into execution, and from Time to Time to remove any Person who shall have been so appointed by them, and also from Time to Time to fill up any Vacancy which shall occur in the Number of the Commissioners so appointed, either by reason of Removal, Resignation, Death, or otherwise.

I. *Government of Coalwhippers.*

Board of Trade may appoint Four Commissioners, and may remove them, and fill up Vacancies.

II. And be it enacted, That from and immediately after the End of this present Session of Parliament it shall be lawful for the Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled, to appoint Four other fit and proper Persons to be Commissioners for carrying this Act into execution, and also from Time to Time to remove any Person who shall have been appointed by virtue of this Enactment, and also from Time to Time to fill up any Vacancy which shall occur in the Number of the Commissioners appointed by them, either by reason of Removal, Resignation, Death, or otherwise.

The Corporation of London may appoint Four Commissioners, and may remove them, and supply Vacancies.

III. And be it enacted, That the Chairman of the Committee of the General Shipowners Society of *London* for the Time being shall be a Commissioner for carrying this Act into execution, and the said Chairman for the Time being of the said Committee of the said General Shipowners Society of *London*, and the said several Persons who shall be so from Time to Time respectively appointed by the said Lords

Chairman of Committee of the General Shipowners Society of Lon-

of

of the said Committee of Privy Council, and by the said Mayor, Aldermen, and Commons, in Common Council assembled as aforesaid, shall be and are hereby constituted Commissioners for carrying this Act into execution, and shall be styled "Commissioners for the Registration and Regulation of Coalwhippers in the Port of *London*." don to be a Commissioner. Style of Commissioners.

IV. Provided always, and be it enacted, That the Commissioners appointed by virtue of the said recited Act of the Sixth and Seventh Years of the Reign of Her present Majesty shall continue and be Commissioners for carrying this Act into execution, until Commissioners shall have been appointed, both by the said Lords of the said Committee of Her Majesty's Privy Council, and by the said Mayor, Aldermen, and Commons, in Common Council assembled, pursuant to the Provisions of this Act. Commissioners appointed under 6 & 7 Vict. c. ci. to remain in Office until removed.

V. And be it enacted, That all Contracts, Covenants, Agreements, Engagements, and Securities which at the Time of the Commencement of this Act shall have been entered into or given to or by the said Commissioners, or any Registrar, Branch Registrars, Clerks, or other Officers and Servants appointed by the said Commissioners under the Authority of the said Act of the Sixth and Seventh Years of the Reign of Her present Majesty, shall continue and may be enforced in the same Manner as if the same had been entered into or given under the Authority of this Act. Existing Contracts to remain in force.

VI. And be it enacted, That the Commissioners acting under or by virtue of this Act, or any Three of them, shall meet at such Time and Place as the Nine Commissioners to be appointed under or by virtue of this Act, or the greater Number of them, shall direct, by Notice in Writing, signed by the greater Number of the said Commissioners; and such Meeting shall be called a Board of Commissioners, and all Boards of the said Commissioners shall be held from Time to Time at such Time and Place and upon such Notice as may be resolved upon by Rules or Regulations of any Board for that Purpose: Provided always, that every Board of Commissioners shall consist of not less than Three Commissioners. Meetings of Commissioners. Quorum.

VII. And be it enacted, That at the first Meeting of the Commissioners in every Year they shall elect, by a Majority of Votes of the Commissioners present, some One Commissioner to be the Chairman of the said Commissioners for the Remainder of the Year, and some One other Commissioner to be the Vice-Chairman of the said Commissioners for the Remainder of the Year; and in case the Chairman shall be absent from any Meeting of the Commissioners, the Vice-Chairman shall in that Case act as Chairman; and in case at any Meeting of the Commissioners neither the Chairman nor the Vice-Chairman shall be present, the Commissioners then present shall elect a Chairman for that Meeting; and all Questions shall be determined by the Votes of the Majority of the Commissioners present at the Board, including the presiding Chairman, and in case of an Equality of Votes the presiding Chairman shall have the casting Vote. Chairman and Vice-Chairman to be appointed every Year. Presiding Chairman to have a casting Vote.

VIII. And be it enacted, That all and every the Powers and Authorities and Duties by this Act vested in or imposed upon the said Commissioners shall be exercised by the Board of Commissioners, and the Decision or Resolution of any Board shall be deemed to be the Decision and Resolution of the Commissioners. Powers of Commissioners vested in the Board.

IX. And be it enacted, That all Orders and Proceedings of any Board of Commissioners shall be entered in a Book to be kept by the Registrar, Clerk, or other Officer to be appointed by virtue of this Act, and shall be signed by the presiding Chairman of the Board. Proceedings to be entered in a Book.

X. And be it enacted, That the said Commissioners may sue and be sued, in all Actions, Suits, and other Proceedings, in the Name of their Registrar for the Time being, and that no Action, Suit, or Process shall abate or be stayed by reason of the Death or Removal of any such Registrar, but the Registrar for the Time being shall be deemed to be the Party, Plaintiff or Defendant, as the Case may be: Provided always, that all Costs, Charges, and Expences which may be incurred by the said Registrar in any such Action, Suit, or Proceeding shall be repaid to him by the said Commissioners out of the Monies applicable by them to the Purposes of this Act. Commissioners to sue and be sued in the Name of the Registrar.

II. *Coalwhippers Register.*

XI. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby required to provide and keep, at some convenient Place or Places in the City of *London*, or on the Banks of that Part of the River *Thames* which for the Purposes of this Act is to be deemed within the Port of *London*, One or more Book or Books for registering of Coalwhippers in the Port of *London*, and also to appoint some fit and proper Person to be the Registrar thereof, with such Salary or Remuneration, not exceeding Four hundred Pounds *per Annum*, as they may think reasonable, and as the Lords of the Committee of Privy Council may approve, and to regulate the Duties of the Office of Registrar, and to supply any Vacancy in the said Office caused by Death, Resignation, or by such Removal as herein-after is mentioned, or otherwise. Commissioners to keep a Register, and appoint a Registrar.

XII. And be it enacted, That the Registrar so appointed shall and he is hereby required, from Time to Time, upon the Application of any Person desirous of following or continuing to follow the Employment of a Coalwhipper, and upon Payment of such Fee (not exceeding Four-pence) as shall be prescribed in that Behalf under the Authority of this Act to enter or cause to be entered in the said Register the Christian Name and Surname, the Age, and the Place of Abode, and any other Particulars required under the Authority of this Act, of any Person who at the Time of the passing of this Act shall follow the Employment of a Coalwhipper, and who shall at the Time of such Application be desirous of continuing therein, and of any other able-bodied Male Person whatever who shall be desirous of entering on the said Employment; and immediately upon such Entry being made the said Registrar shall, without any further Fee or Reward, deliver or cause to be delivered to every Person so registered a Certificate of such Entry having been made, and of the Number, Date, and Particulars thereof; and the said Registrar shall Registrar to enter Names, &c. of Coalwhippers; and to deliver Certificates, and renew the same, and to

keep the Register according to the Act.

shall from Time to Time, upon Payment of such Fee as shall be prescribed, and in such Cases as shall be mentioned, in that Behalf respectively under the Authority of this Act, renew or cause to be renewed such Certificate; and the said Registrar shall at all Times and in all respects keep or cause to be kept the said Register in accordance with the Provisions and the Regulations to be established under the Authority of this Act: Provided always, that where any Person shall have been duly registered as a Coalwhipper under the Provisions of the said recited Act of the Sixth and Seventh Years of the Reign of Her present Majesty, and shall be in possession of a valid Certificate of his Registration, such Person shall not be required to be again registered under the Provisions of this Act, but his Registration shall be as effectual as if made under such Provisions, and the same, and the Certificate thereof, shall be subject to the same Regulations and Provisions as if the Registration had been made and the Certificate granted under this Act.

Where a Person has been duly registered he need not be again registered.

Register to be Evidence.

XIII. And be it enacted, That in all Courts, and before any Justices of the Peace, and upon all Occasions whatever, the Entries made or contained in such Register shall be received as Evidence, and be deemed sufficient Proof of all Matters and Things therein registered or contained, without any further Proof than the Production of such Register, and any Person shall be at liberty to inspect any such Register, during the Hours of Attendance at the Office, without Payment of any Fee or Reward; and that the Entries in such Register, and the Certificates to be delivered under this Act, and the Contracts made for the Discharge of Coals by Coalwhippers, registered and sent from the Coalwhippers Office under this Act, and the Receipts given for Wages under the Provisions of this Act, shall not be liable to any Stamp Duty; and that if any Person applying to be registered under this Act, or procuring or attempting to procure any such Certificate, shall make or cause to be made any false Representation in regard to his Name, Age, or Place of Abode, or if he shall not truly answer all Questions which shall be demanded of him in relation to such Application or Certificate, every Person so offending shall forfeit for every such Offence any Sum not exceeding Twenty Shillings; and that if any Person or Persons shall forge, counterfeit, or falsify, or cause or procure to be forged, counterfeited, or falsified, or act or assist in forging, counterfeiting, or falsifying, any Entry or Certificate of Registry, or any other Document to be made or given in pursuance of this Act, the Person or Persons so offending, and being thereof lawfully convicted, shall be deemed guilty of a Misdemeanor, and shall be liable to be punished by Fine or Imprisonment or by both, such Imprisonment to be in the Common Gaol or House of Correction, and either with or without hard Labour, as the Court shall think fit; and it shall be lawful for any Person to detain any such Certificate, and for any Peace Officer to seize and take away any such Certificate, in order that the same may be produced in Evidence against the Offender, or be disposed of, as the said Registrar shall think proper.

Entry and Certificate not subject to Stamp Duty.

Penalty on Persons making Misrepresentations.

No Person to follow the Employment of a Coalwhipper unless he be registered, and have Certificate.

Exception in favour of the Crews of Colliers, and of the actual Servants or Labourers of the Owner or Purchaser of the Cargo.

XIV. And be it enacted, That it shall not be lawful for any Person, except such Persons and in such Cases as is in this Act provided, to follow or exercise the Employment of a Coalwhipper, or to labour in the Discharge, by the Process of whipping, of the Cargo of any Vessels laden with Coals in the Port of *London*, unless such Person shall be registered as a Coalwhipper, and shall have a Certificate under this Act, and then remaining in force; and if any Person not so registered, or not having such Certificate, except as last aforesaid, shall follow or exercise the said Employment, or shall labour as aforesaid, he shall for every such Offence forfeit any Sum not exceeding Two Pounds: Provided always, nevertheless, that it shall be lawful for any Person or Persons being actually Part of the Crew of any Vessel in the Port of *London* to labour in the Discharge of Coals, by whipping or otherwise, from the same or any other Vessel, and also for the actual Servants or Labourers of the *bonâ fide* Owner or Purchaser of the Cargo of any Vessel laden with Coals, or of any Part thereof, such Servants and Labourers having been *bonâ fide* engaged in the Service of such Owner or Purchaser for a Period of not less than Fourteen Days, to labour in the Discharge of such Cargo by the Process of whipping, and also for the actual Servants or Labourers of the several Dock Companies having Docks near to the River *Thames*, such Servants and Labourers having been *bonâ fide* engaged in the Service of such respective Companies for a Period of not less than Fourteen Days, to labour in the Discharge of Coals, by the Process of whipping, from any Vessels in the Docks of such Companies respectively, and such Crews, Servants, and Labourers may so labour with or without the aid of One or more Person or Persons being registered Coalwhippers.

III. *Coalwhippers Office.*

Corporation of London may hire Lands and Buildings for Offices and Stations, and remove the same at Request of the Commissioners.

XV. And for the Purpose of providing a Head Office and convenient Branch Offices and Stations for the Resort of Coalwhippers in the Port of *London*, and the Deposit of the Implements and Tackle required in that Business, be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Commons, in Common Council assembled, at the Request of the said Commissioners, to be signified by a Resolution of their Board, signed by the Chairman, at any Time or Times and from Time to Time to treat and agree for the hiring or renting of, and to hire or rent, any Buildings, Ground, and Hereditaments, as the said Commissioners shall think necessary for the Purposes of this Act, and also to adapt and fit up the same for Offices and Stations for the Resort of Coalwhippers, and for the Deposit of the Tackle and Implements required in that Employment, and for the Transaction of the Business of the Commissioners under this Act, and also from Time to Time to repair and maintain the Buildings and Premises so acquired and held by virtue of this Act; and also at any Time or Times, at the Request of the said Commissioners, to be signified by a Resolution of their Board, signed by their Chairman, to remove any of the said Offices or Stations to any other Situation or Place which the said Commissioners shall deem more convenient: Provided always, that in case the said Mayor, Aldermen, and Commons, in Common Council assembled, shall, after such Request of the said Commissioners, signified as aforesaid,

neglect

neglect or refuse to comply with such Request, it shall be lawful for the said Commissioners from Time to Time to rent or hire any Buildings, Ground, and Hereditaments, and to adapt and fit up the same for the Purposes aforesaid, and also from Time to Time to repair and maintain the same, and to remove any of the said Offices or Stations to any other Situation or Place.

III. *Coalwhippers' Office.*

XVI. And be it enacted, That it shall be lawful for the said Commissioners to provide and keep from Time to Time such Stages, Planks, Gins, Baskets, Shovels, and other Tackle and Implements, as are commonly used in the Discharge of Cargoes of Coals, and of such Description and in such Quantities as they shall think sufficient, and to supply to such Ships as may require the same such Tackle and Implements, upon Payment of such Sum for the Use thereof as may be fixed by the said Commissioners, not exceeding in any Case the Sum of Seven Shillings and Sixpence *per* Cargo when the Vessel is of Two hundred and fifty Tons Burden or upwards, and not exceeding Five Shillings *per* Cargo when the Vessel is of less Burden than Two hundred and fifty Tons; and if any Person whomsoever shall let out to Hire, or permit to be used, for the Discharge of the Coals from any Vessel by registered Coalwhippers engaged from the Coalwhippers Office under this Act, any Tackle or Implements to or by any Person or Persons (except on behalf of the Coalwhippers Office), every Person so hiring out or permitting to be used any such Tackle or Implements shall, for each and every Occasion of hiring out or permitting to be used the same, forfeit the Sum of Five Pounds: Provided nevertheless, that nothing herein contained shall prevent the Master of any Vessel laden with Coals in the Port of *London* from using such of the aforesaid Tackle and Implements as may be required, and as may belong to the Owner of such Vessel, notwithstanding the Cargo of such Vessel shall be discharged by Coalwhippers engaged from the Coalwhippers Office, or shall prevent any such Master from hiring, or any Person whomsoever from letting out to Hire, any such Tackle or Implements as aforesaid, in any Case in which such Vessel shall be lawfully unladen according to the Provisions of this Act by Persons not being registered Coalwhippers.

Commissioners to provide Tackle for the Use of Vessels discharging their Cargoes.

Penalty on other Persons letting out Tackle or other Implements.

Nothing to prevent Owners, &c. from using their own Tackle.

XVII. And be it enacted, That it shall be lawful for the said Commissioners to appoint such and so many Branch Registrars, Clerks, and other Officers and Servants as they may think necessary for carrying this Act into execution, with such Salaries and Allowances as they may think reasonable, and as the said Lords of the said Committee of Her Majesty's Privy Council shall approve, and to supply Vacancies among them caused by such Removal as herein-after is mentioned, or by Death, Resignation, or otherwise: Provided always, that it shall be lawful for the said Lords of the said Committee of Her Majesty's Privy Council from Time to Time to remove the Registrar, Branch Registrars, Clerks, and other Officers and Servants appointed by the said Commissioners by virtue of this Act, and any Person so removed shall not be afterwards appointed to any Office or Situation under this Act without the Consent of the Lords of the said Committee: Provided always, that the present Registrar, Branch Registrars, Clerks, and other Officers shall continue in Office until they shall respectively die or resign, or be removed as aforesaid.

Commissioners to appoint Officers, and award such Salaries as Board of Trade shall approve of.

IV. *Coalwhipping.*

XVIII. 'And whereas, in order to secure the Objects of this Act, it is expedient to make certain 'Provisions respecting the Discharge of the Cargoes of Vessels laden with Coals in the Port of *London*;' be it therefore enacted, That the Master or Mate of every Vessel laden with Coals, the whole or Part of the Cargo whereof it shall be intended to discharge in the Port of *London* by Coalwhippers, or some other Person on behalf of the Master, shall make Application in Writing to the Head Office or the nearest Branch Office of Coalwhippers, stating the certificated Quantity of Coals, and, if only Part of the Cargo is wanted, the Quantity of Coals required to be discharged, and the Time at which he desires that the Discharge of such Coals shall commence, and the Time within which it shall be completed, and the Rate *per* Ton which he agrees to pay for the Discharge thereof.

Where Cargo to be discharged by Coalwhippers, Shipmaster to apply to the Coalwhippers Office.

XIX. And be it enacted, That the Clerk or other Officer appointed under this Act, upon every such Application for Coalwhippers as aforesaid, shall forthwith give Notice of the Application to the Gangs of Coalwhippers in attendance at the Office where such Application shall have been made; and, in case several Gangs shall offer to unload the Cargo mentioned in the Application at the Price named, shall permit the Gangs in attendance to tender to unload the Cargo at any lower Price, and shall select for the Performance of the Work the Gang who shall offer the lowest Terms; and in case of no such lower Tender, or of Equality of Tenders, the Gang who, according to the Bye Laws of the Commissioners, shall stand next in Rotation for Employment, and shall be willing to accept the same, shall be so selected; and if no Gang shall be willing to accept the Terms proposed in such Application, the said Clerk or other Officer shall permit the Gangs in attendance to tender to unload the Cargo mentioned in the Application at any higher Price, and shall select for the Performance of the Work (subject to the Consent of the Master or other Person as aforesaid making the Application) the Gang who shall offer the lowest Terms, and in case of Equality of Tenders, the Gang who shall stand next in such Rotation for Employment as aforesaid; and the said Clerk or other Officer shall forthwith, by Notification in Writing, acquaint the Master or other Person as aforesaid making the Application with the Price (if any) at which the selected Gang has agreed to perform the Work, or (as the Case may be) with the Fact that no Gang is willing to perform the Work; provided always, that such Notification in Writing shall be given to the Master or other Person making the Application within One Hour after the Receipt of the Application by the Clerk or other Officer of the Coalwhippers Office, if such Master or other Person shall still be in attendance at the Office, but if he shall have previously quitted the Office, then as soon afterwards as he shall apply for the Information: Provided also, that such Notification in Writing shall, in all Proceedings in any Court or before any Justice or Justices of the Peace against any Party for employing Persons not being registered Coalwhippers, contrary to the Provisions of this Act, be received

Duties of Clerks, &c. as to Employment of Coalwhippers in unloading Vessels.

IV. *Coalwhipping.*

as Evidence, and be deemed sufficient Proof of the Price at which the Gang or Gangs therein referred to have offered to perform the Work therein mentioned, or (as the Case may be) of the Fact that no Gang has offered to perform the Work therein mentioned.

Clerk to send a proper Gang with Tackle to the Vessel to be unladen.

XX. And be it enacted, That the said Clerk or other Officer shall send, and he is hereby required to send, within One Hour of the Time appointed in such Application for the Discharge of such Coals, the Gang or Gangs or Part of a Gang of Coalwhippers who shall have been so selected as aforesaid, with the necessary Tackle and Implements, if required, to the Vessel to be unladen, for the discharging of the Cargo or Part thereof; and if such Clerk or other Officer shall neglect or refuse on such Application to send such Gang or Part of a Gang with such Tackle and Implements, and within such Time as aforesaid, he shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

Penalty on Master not permitting Vessels to be discharged.

XXI. And be it enacted, That the Master or other Person having the Charge of the Vessel in respect of which the Application for the Discharge of Coals shall have been so made as aforesaid shall permit the same to be discharged by the Coalwhippers sent from the Coalwhippers Office, according to the Provisions herein contained; and if any Master or any other Person or Persons shall prevent, obstruct, or interrupt, or attempt to prevent, the Discharge of such Coals being proceeded in and completed by the Coalwhippers to be sent from the Coalwhippers Office in consequence of such Application, or shall wilfully obstruct or prevent any Person in the Execution of this Act, then and in every such Case the Person so offending shall forfeit any Sum not exceeding Ten Pounds.

Penalty on Shipmaster employing non-registered Persons as Coalwhippers.

XXII. And be it enacted, That if the Master of any such Vessel as aforesaid or any other Person shall employ, or permit or suffer to be employed, any Person not being a Coalwhipper registered and sent from the Coalwhippers Office under this Act (except such Persons or in such Cases as are mentioned in the Provisoes herein-after contained) to labour in the Discharge of the Coals from such Vessel, or of any Part thereof, by the Process of whipping, he shall for every such Offence forfeit a Sum not exceeding Ten Pounds: Provided nevertheless, that it shall and may be lawful for the Master or other Person having the Charge of any such Vessel as aforesaid to employ in the Discharge of Coals therefrom, by the Process of whipping, any Person or Persons being actually Part of the Crew thereof, or of any other Vessel in the Port of *London*, and also for the *bonâ fide* Owner or Purchaser of the Cargo of any Vessel laden with Coals, or of any Part thereof, to employ his actual Servants or Labourers, having been *bonâ fide* engaged in his Service for a Period of not less than Fourteen Days, to labour in the Discharge of such Cargo by whipping, and also for the several Dock Companies herein-before mentioned to employ such their Servants and Labourers as aforesaid to labour in the Discharge of Coals, by the Process of whipping, from any Vessel which shall be in the respective Docks of the said Companies respectively, and to make Application for and obtain, in the Manner herein-before mentioned, the Services of a sufficient Number of Coalwhippers, although less than a complete Gang, to assist the Persons so employed: Provided always, that it shall be lawful for the Master or other Person having the Charge of any such Vessel as aforesaid to employ Persons not being registered Coalwhippers to discharge such Coals by whipping in the following Cases; (that is to say,) in case he shall not, within the Time within which the Clerk or other Officer is herein-before required to send a Gang or Gangs of Coalwhippers for the Discharge of such Coals, be supplied with such Gang or Gangs and such requisite Implements and Tackle as are mentioned in his Application, or in case he shall receive from such Clerk or other Officer such Notification as aforesaid that no Gang of Coalwhippers have declared themselves willing to discharge such Coals at the Price named in his Application; and the several Persons not being registered Coalwhippers who shall be employed in the before-mentioned Cases shall not be liable to the Penalties herein-before imposed upon non-registered Persons for discharging Coals from Vessels by whipping: Provided nevertheless, that if such Clerk or other Officer shall state in such Notification that a Gang or Gangs of Coalwhippers are willing to discharge such Coals at some stated Price *per* Ton higher than that named in such Application, and such Master or other Person shall not agree to such higher Price, it shall not be lawful for such Master or other Person to pay to the Persons not being registered Coalwhippers whom he shall employ to discharge such Coals a greater Price than that which is so stated in such Application, or to allow to such Persons a longer Period or any other Advantage to complete the Discharge of such Coals than the Time mentioned in that Behalf in such Application; and if he shall pay to such Persons any such greater Price, or shall allow to such Persons any such longer Period or any other Advantage, he shall be liable to forfeit for every such Offence any Sum not exceeding Ten Pounds.

Shipmaster may employ Crews of Colliers to discharge the Coals by the Process of whipping.

Shipmaster may employ non-registered Coalwhippers in certain Cases.

Proviso.

After Discharge of Cargo, Shipmaster to pay Wages to the Person authorized to receive the same.

XXIII. And be it enacted, That immediately after the Discharge of the Cargo or the Part thereof undertaken to be discharged by the Coalwhippers sent from the Coalwhippers Office shall be finished, the Master of the Vessel in which they were employed, or such other Person as aforesaid, shall pay to some Person authorized by the said Commissioners the full Hire and Wages due in respect of the Labour of such Coalwhippers, and the Charge for Baulk Days by reason of Detention, and for the Hire of Tackle (if any), in current Money of the United Kingdom, and in default thereof the Master or such other Person as aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; and so much of the said Act passed in the First and Second Years of the Reign of Her present Majesty as relates to the Payment of the Wages of Persons employed in the Discharge or Delivery of Coals from Vessels laden therewith in the Port of *London* shall be and the same is hereby repealed: Provided always, that such Master or other Person as aforesaid shall not be compellable to pay such Hire or Wages except on board the Vessel.

So much of 1&2 Vict. c. 101. as relates to Payment of Wages, repealed.

Recovery of Wages, &c.

XXIV. And be it enacted, That all Money due for Labour performed and for the Hire of Tackle under the Provisions of the said Act of the Sixth and Seventh Years of the Reign of Her present Majesty

or

or of this Act, and for Baulk Days by reason of Detention, shall be recoverable in like Manner and in all respects as Wages due to Seamen for Labour performed on board Ship.

IV. *Coalwhipping.*

XXV. And be it enacted, That the Person so authorized as aforesaid by the said Commissioners shall receive the Money to be paid as Hire or Wages for the Labour of the Coalwhippers so discharging the Cargo, or Part thereof, of such Vessel as aforesaid, and for Baulk Days, and for the Hire of Tackle (if any), and shall forthwith pay the same at the nearest Head Office or Branch Office to the Clerk or other Person appointed by the said Commissioners to receive the same; and if any such authorized Person as aforesaid shall neglect or refuse to pay the Money received by him as aforesaid at the Time and Place aforesaid, he shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds; and the Person so authorized as aforesaid by the said Commissioners, after deducting therefrom the Sum or Proportion prescribed under the Authority of this Act, not exceeding One Farthing in each Shilling, shall forthwith pay and divide the Residue of the Monies so received for Wages and Baulk Days to and among the Coalwhippers so employed, without any other Deduction or Abatement, except as herein-after mentioned, and without imposing any Terms or Conditions whatever; and if any such Clerk or other Person as aforesaid shall make any other Deduction than as aforesaid, or shall impose any Terms or Conditions on making such Payment, he shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

Person authorized by Commissioners shall pay the Coalwhippers the Wages due to them, after making the requisite Deductions.

Penalty.

XXVI. 'And whereas in dividing the Monies aforesaid Fractions undivisible in the usual Coin of the 'Realm will occasionally occur;' be it therefore enacted, That it shall be lawful for the said Commissioners to deduct and retain such undivisible Fractions, and to distribute the same for the Benefit of the registered Coalwhippers as the said Commissioners shall see fit, and that an Account shall be kept of the same, to be called the "Fraction Fund."

Application of Fractions.

V. *Regulations.*

XXVII. And for better carrying into execution the Purposes of this Act, be it enacted, That it shall be lawful for the said Commissioners to make, when and as they shall deem necessary, Bye Laws and Regulations for keeping the Register by this Act established, and prescribing the Testimonials, Proofs, and Particulars to be required of Persons before or upon Registration therein, and settling the Terms of Entry therein, and of the Certificates to be delivered, and fixing the Fees, not exceeding in any Case the Sum of Four-pence, for any such Registration or renewed Certificate, to be paid for Registration and renewed Certificates under this Act, and for fixing the Amount, not exceeding the Sum herein-before limited, of the Deduction to be made out of such Hire or Wages for the Purposes of this Act; and for the settling of Demands, the paying in and withdrawing of Monies, the Payment of Orders, and the Disposal of Funds, and the keeping, auditing, and Publication of Accounts under this Act; and for determining the Time of Attendance of the Coalwhippers at the Coalwhippers Office or its Branches, their Division into Gangs, and the Rotation of their Employment; and for securing the due Performance on the Part of the Coalwhippers of their Contracts to discharge Coals, with reference to the Time, Price, and other Terms specified in each such Application as aforesaid; for the Completion of the Discharge of the Cargo, or Parts of Cargoes, as well as in other respects; and for annulling such Contracts in case of their Misbehaviour, or other sufficient Cause, and for promptly substituting other Coalwhippers in such Cases for the Fulfilment of such Contracts; and for the Guidance, Government, and Control in all respects of the Coalwhippers certificated, and for the Management of the Offices and Stations established, and the Officers and Servants appointed under this Act; and for securing the due Performance of the Contracts entered into by Masters of Ships and other Persons employing Coalwhippers or hiring Tackle under this Act, and for carrying this Act fully into execution; and to impose the Suspension or Forfeiture of the Employment of Coalwhippers, or of any Office or Place created under this Act, or to fix any reasonable Penalties (not exceeding the Sum of Five Pounds for any Offence) for the Breach or Non-observance of any such Bye Law or Regulation; and from Time to Time, by any other Bye Law or Regulation, to rescind, suspend, alter, or vary any Bye Law or Regulation by them made: Provided always, that the said Commissioners shall submit all Bye Laws and Regulations proposed to be made by them to the Lords of the said Committee of Her Majesty's Privy Council for their Consideration and Supervision, and shall receive and consider any Amendments which they may suggest therein; and One Week after such Submission the said Commissioners shall cause a Copy of such proposed Bye Laws and Regulations to be publicly affixed in some conspicuous Place in the Coal Market, and (if the same shall be established) in the Head Coalwhippers Office in *London;* and if such proposed Bye Laws and Regulations should be sanctioned by the Lords of the said Committee without Alteration, or if the Amendments which they shall suggest therein shall be adopted, or if the said Committee should fail to express an Opinion on the Bye Laws and Regulations to them submitted within the Space of Four Weeks next after such Submission, the said Commissioners shall make public such Bye Laws and Regulations by the Advertisement thereof once in the *London Gazette*, and by affixing Copies thereof in some conspicuous Place or Places in the Coal Market and Custom House of the City of *London*, and in the Head Coalwhippers Office (if any) established under this Act, and in the respective Custom Houses at *Gravesend, Newcastle, Sunderland, Stockton-on-Tees*, and *Leith*, and at such other Places and in such other Manner as to them shall seem fit: Provided also, that the Bye Laws and Regulations made under the Powers contained in the said recited Act of the Sixth and Seventh Years of the Reign of Her present Majesty, and now in force, shall continue and be the Bye Laws and Regulations under this Act, until the same shall have been rescinded, suspended, altered, or varied under the Provisions of this Act.

Commissioners to make Bye Laws for the Government of the Coalwhippers, and Management of the Offices.

Proposed Bye Laws to be submitted to the Board of Trade.

Publication of Bye Laws as sanctioned by the Board of Trade.

XXVIII. And be it enacted, That it shall be lawful for the said Lords of the said Committee of Her Majesty's Privy Council to sanction or to disapprove of such proposed Bye Laws and Regulations, or to suggest

Board of Trade to notify Sanction, Disap-

proval, or Amendment within Four Weeks.

suggest any Amendments therein, so that such Sanction or Disapproval or such suggested Amendments be notified to the said Commissioners within the Space of Four Weeks next after the Submission of such proposed Bye Laws and Regulations to the said Committee.

Time when Bye Laws to come in force.

XXIX. And be it enacted, That such Bye Laws and Regulations shall have full legal Effect at the Termination of Four Weeks from the Time when they were so made public by the said Commissioners, and a Copy purporting to be made of any such Bye Law or Regulation, and authenticated by the Signature of the Chairman for the Time being of the said Commissioners, shall, without any further Proof, be received as Evidence of the Bye Law or Regulation of which it purports to be a Copy, and of such Bye Law or Regulation having been duly made, submitted, issued, and published.

Penalty on Commissioners being interested in any Contract.

XXX. And be it enacted, That if any Person, being a Commissioner under this Act, shall be directly or indirectly interested or concerned in any Contract which shall be made or entered into by or on behalf of the said Commissioners for or concerning any Work to be done under this Act, or Materials to be employed therein, every such Contract shall be void, and the Person who, being a Commissioner, shall be so interested or concerned, shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same.

VI. *Legal Proceedings.*

Recovery and Application of Fines and Penalties not exceeding 25*l.*

If Penalties not paid the same may be levied by Distress.

XXXI. And be it enacted, That all Fines, Penalties, or Forfeitures by this Act, or by any Bye Law or Regulation made in pursuance thereof, imposed, not exceeding Twenty-five Pounds, shall be sued for within Three Calendar Months after the Offence or Offences committed; and all such Fines, Penalties, and Forfeitures shall be levied and recovered before any Justice or Justices of the Peace for the County, City, or Place where the Offence shall be committed; and such Justice or Justices is and are hereby empowered and required, upon Information or Complaint to him or them made, to grant a Summons or Warrant to bring before him or them such Offender or Offenders at the Time and Place as shall be in such Warrant specified; and if, on the Conviction of the Offenders respectively, either on his, her or their Confession, or on the Evidence of any One or more credible Witness or Witnesses upon Oath (which Oath such Justice or Justices is and are hereby empowered to administer), such Fine, Penalty, or Forfeiture shall not be forthwith paid, the same shall be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of such Justice or Justices; and the Overplus of the Money (if any) raised by such Distress and Sale, after deducting the Fine, Penalty, or Forfeiture, and the Costs and Charges of making such Distress and Sale, shall be rendered to the Owner of the Goods and Chattels so distrained; and for Want of Distress, or in case the Fine, Penalty, or Forfeiture shall not be forthwith paid, it shall and may be lawful to and for such Justice or Justices to commit every such Offender to the Common Gaol or House of Correction for the County, City, or Place where the Offence shall be committed, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unless such Fine, Penalty, or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid; and all such Fines, Penalties, and Forfeitures, when recovered, shall be paid as herein-after directed.

If Distress not sufficient, Offender may be committed.

Justices may proceed by Summons in the Recovery of Penalties.

XXXII. And be it enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable before a Justice of the Peace it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act, or any Bye Law or Regulation made in pursuance thereof, to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred; and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing was exhibited.

Power to the Justice to give Part of Penalties to Informers.

XXXIII. Provided always, nevertheless, and be it enacted, That it shall be lawful for any Justice or Justices before whom any such Conviction shall take place, if they or he shall think fit, to order and direct any Part, not exceeding One Half, of such Fines, Penalties, and Forfeitures, to be paid or applied to or for the Use of the Informer or Informers, or other Persons aiding or assisting in the Apprehension of the Offender or Offenders or any of them.

Power to Justices to order Expences of Witnesses, &c. to be paid.

XXXIV. And be it enacted, That it shall be lawful for any Justice or Justices before whom any Person or Persons shall be brought or convicted for any Offence for which a Penalty is imposed by this Act, or by any Bye Law or Regulation made in pursuance thereof, to direct all or any Part, according to the Discretion of such Justice or Justices, of the reasonable Expences of any Constable, Police Officer, or other Witness of the Matter which shall be charged, and of such Compensation (if any) for the Time and Trouble of such Witness, as such Justice or Justices shall think reasonable, to be paid either by the Offender or Offenders, or the Complainant or Complainants; and the Sum so ordered to be paid shall and may be recovered, together with any Penalty of which the Person by whom the same shall be ordered to be paid shall have been convicted, or without, in the same Manner as any Penalty is directed to be recovered by this Act, and shall be paid to such Constable, Police Officer, or other Witness.

Persons convicted may appeal to the Quarter Sessions, upon giving Security.

XXXV. And be it enacted, That it shall and may be lawful to and for any Person or Persons so convicted by any Justice or Justices of the Peace as before mentioned of any Offence or Offences against this Act, or against any Bye Law or Regulation made in pursuance thereof, to appeal to the Justices of the Peace assembled at the next General Quarter Sessions or General Sessions to be holden for the County, City, or Place where such Conviction shall be made, on giving immediate Notice of such Appeal, and finding sufficient Security to the Satisfaction of such Justice or Justices for prosecuting the said Appeal with effect, and abiding the Determination of the Court therein; and such Justices in such General Quarter Sessions

or

VI. *Legal Proceedings.*

or General Sessions shall hear and determine the Matter of such Appeal, and may either confirm or quash and annul the said Conviction, and award such Costs to either Party, as to them the said Justices shall seem just and reasonable; and the Decision of the said Justices therein shall be final, binding, and conclusive; and no Proceedings to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form only, or be removed by Certiorari or any other Writ or Process whatsoever into any of Her Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary thereof in anywise notwithstanding.

Justices may summon Witnesses.

XXXVI. And be it enacted, That it shall and may be lawful to and for any such Justice or Justices of the Peace before whom any such Fines, Penalties, or Forfeitures shall be sued for to summon before him or them any Person who shall, in or by the Complaint or Information made to him or them, appear to be a necessary Witness as to the Matters thereby charged, to appear before him or them at a Time and Place to be specified in the Summons; and in case such Person so summoned shall not appear according to such Summons, then, upon due Proof of the Service of such Summons in manner aforesaid, such Person so summoned, and not appearing in compliance therewith, shall forfeit and pay the Sum of Twenty-five Pounds, to be levied and recovered in such Manner and by such Ways and Means as are herein-before directed as to other Penalties; and it shall and may be lawful to and for the said Justice or Justices to cause such Person to be apprehended by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, and to be brought before him or them; and thereupon, whether such Person shall appear upon Summons as aforesaid, or shall be apprehended as aforesaid, such Justice or Justices shall and may proceed to examine him or her upon Oath as to the Matter of such Complaint or Information; and in case such Person shall refuse to be sworn or to answer or to give Evidence therein, then and in every such Case it shall and may be lawful to and for such Justice or Justices, by Warrant under his Hand and Seal or their Hands and Seals, to commit such Person so refusing to be sworn or to answer or to give Evidence as aforesaid to the Common Gaol or House of Correction of the City, County, or Place in or for which such Justice or Justices shall then act, there to remain for any Space of Time not exceeding Six Calendar Months.

Penalty on Persons refusing to attend when summoned.

Persons giving false Evidence liable to Punishment for Perjury.

XXXVII. And be it enacted, That if any Person or Persons, upon his, her, or their Examination upon Oath before any Justice or Justices of the Peace acting in execution of this Act, shall wilfully and corruptly give false Evidence touching any Matter or Thing relating to this Act, or if any Person or Persons shall take or make any false Oath or Affidavit with respect to any Matter or Thing relating to this Act, every such Person so offending, and being duly convicted thereof, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by any Law in force and effect Persons guilty of wilful and corrupt Perjury are subject and liable to.

Penalties above 25*l.* may be recovered by Action in Superior Courts.

XXXVIII. And be it enacted, That all Fines, Penalties, or Forfeitures exceeding the Sum of Twenty-five Pounds by this Act imposed for any Offence or Offences committed against this Act shall and may be recovered by Action of Debt, Bill, Plaint, or Information in any of Her Majesty's Courts of Record at *Westminster*, by the Person or Persons who shall inform and sue for the same within One Calendar Month after the Offence or Offences shall be committed; and one Moiety of all such Fines, Penalties, or Forfeitures shall be to and for the Use of our Sovereign Lady the Queen, Her Heirs and Successors, and the other Moiety thereof (together with full Costs of Suit) shall be to and for the Use of the Person or Persons who shall inform or sue for the same.

Distress not to be unlawful for Want of Form, nor the Parties to be deemed Trespassers ab initio.

XXXIX. And be it enacted, That when any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act the Distress itself shall not be deemed unlawful, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or the Proceedings relating thereto, nor shall the Party or Parties be deemed a Trespasser or Trespassers *ab initio* on Account of any Irregularity which shall be afterwards committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage sustained in an Action on the Case.

Form of Conviction.

XL. And for the more easy and speedy Conviction of Offenders against this Act, be it enacted, That every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn according to the following Form; (*videlicet*,)

'BE it remembered, That on the Day of in the Year of our Lord *A.B.* is convicted before me One of Her Majesty's Justices of the Peace for the [*here specify the Offence, and the Time and Place when and where committed, as the Case may be*], contrary to an Act of Parliament made in the Year of the Reign of Queen Victoria, intituled [*here insert the Title of this Act*]. Given under my Hand and Seal the Day and Year first above written.

'*C.D.*'

Plaintiff not to recover after Tender of Amends.

XLI. And be it enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants Twenty-one Days before such Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of sufficient Amends hath been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants, before such Action brought; and in case no Tender shall have been made it shall and may be lawful to and for the Defendant or Defendants in any such Action, at any Time before Issue joined, to pay into Court such Sum of Money as

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as he, she, or they shall think fit, whereupon such Proceeding, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

XLII. Provided always, and be it enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act after Three Calendar Months next after the Fact committed; and every such Action or Suit shall be brought and tried in the County or Place where the Cause of Action shall arise; and if any such Action or Suit shall be brought before Twenty-one Days Notice shall have been given, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover full Costs, and have such Remedy for recovering the same as any Defendant hath for Costs of Suit in any other Cases by Law.

Pecuniary Forfeitures to go to the Fund of the Act, unless otherwise applied. 2 & 3 Vict. c. 71.

XLIII. And be it enacted, That all pecuniary Penalties and Forfeitures which shall be recovered for any Offences against this Act, or any Bye Law or Regulation established under the Authority hereof, shall, unless the Application thereof be herein or therein or otherwise directed, be paid to some Officer on behalf of the Coalwhippers Office, and shall be applied in aid of the Fund established by this Act; and that the Enactments contained in an Act passed in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act for regulating the Police Courts in the Metropolis*, with respect to the Application of Penalties and Forfeitures, shall not extend to any Penalties or Forfeitures recovered under this Act.

VII. *Coalwhippers Fund.*

Monies received under the Act to be paid into the Chamber of the City, and to constitute a Fund.

Appropriation of the Fund.

XLIV. And in reference to the Monies to be received under or by the Authority of this Act, be it enacted, That all Monies which shall arise from the Deduction out of the Wages of Coalwhippers by this Act authorized to be made, and from the Fees or Payment for their Registration and for renewed Certificates to them delivered, and the pecuniary Penalties and Forfeitures which shall be recovered under this Act, and the Monies which shall remain (after Payment of all Expences) from the Produce of the Sale of any Materials or Hereditaments sold under this Act, or from the Hire of Tackle and the Rent of any Hereditaments let under this Act, shall be paid into the Chamber of the City of *London*, and shall be carried to the Account of the said Commissioners, and shall be and constitute the Coalwhippers Fund; and the said Monies in such Fund shall be appropriated and applied by the Order of the said Commissioners in Writing, signed by any Three or more of the said Commissioners, in the Order, Course, and Manner herein-after mentioned; (that is to say,) firstly, in defraying the Expences of or incident to the passing of this Act; secondly, in paying to the said Commissioners appointed or to be appointed under this Act, for their Attendance, such Sum or Sums of Money as the said Lords of the said Committee of Her Majesty's Privy Council may from Time to Time direct, not exceeding in the whole in any One Year the Sum of Two hundred and fifty Pounds; thirdly, in defraying the Salaries and Allowances of the Officers and Servants appointed under the Authority of this Act, the Rent, Repairs, Taxes, Interest, or Principal Money borrowed, and other current and incidental Expences of the Registrar, and the Offices and Stations to be established under the Provisions or Authority of this Act, or otherwise to be incurred in carrying this Act into execution; fourthly, in the Discharge of any Principal Money which shall have been raised on the Credit of the Coal Duty of One Penny *per* Ton for the Purposes of the said recited Act of the Sixth and Seventh Years of the Reign of Her present Majesty, or in refunding to the Stock or Fund created by the said first herein-before mentioned Act the Amount of any Principal Monies and Interest which shall have been so raised, and shall have been paid off and discharged by the said Duty; and the Residue, if any, shall be held over as a Balance of Account, or, if the Commissioners shall think fit, shall be invested in the Purchase of Stock in some of the Public Stocks or Funds, or upon Government or Real Securities, at Interest, in the Names of the Commissioners for the Time being, and shall from Time to Time be applied as the Commissioners shall think fit in diminution of the Deduction herein-before authorized to be made from the Hire or Wages of the Coalwhippers: Provided always, that all Monies which shall have accumulated at the Time of the Commencement of this Act, and shall then be in the Chamber of the City of *London* or otherwise to the Credit of the Coalwhippers Fund, shall be applied in the same Manner as if the same had been received under the Authority of this Act.

Account to be kept, and Statement laid before Parliament yearly.

XLV. And be it enacted, That there shall be provided and kept One or more Book or Books in which all the Monies which shall be received and paid by virtue of this Act shall be entered and set down, with the Dates, Occupations, and Particulars of such Receipts and Payments; and the said Commissioners shall in each and every Year lay before both Houses of Parliament, within Six Weeks after the Time of their meeting, an Account of the Sums received and paid under the several Heads of Receipt and Payment herein-before enumerated.

VIII. *Miscellaneous.*

Limits of the Port of London.

XLVI. And be it enacted, That for the Purposes of this Act the Limits of the Port of *London* shall be considered to be so much of the Port of *London*, not higher than *London Bridge*, and not lower than *Gravesend* in the County of *Kent*, as shall be fixed from Time to Time by the said Commissioners; and that this Act and the Provisions thereof shall extend to Coals laden, transhipped, or reshipped in the said Port by the Process of whipping, as well as to Coals unladen therein by that Process; and the Term "whipping" shall be construed to mean the discharging of Coal from a Vessel by raising the Coal from the Hold in a Basket or Box by manual Labour only, with the Aid of Ropes and a Pulley, and shall include

include not only the Persons who so raise the Coal, but also those who fill and empty the Basket or Box so raised; and that the Word "Gang" shall be construed to mean not only a complete Gang, consisting of Nine Coalwhippers, but also a Portion of a Gang when the Services of a Portion of a Gang are required.

VIII. *Miscellaneous.*

For staying certain Actions.

XLVII. And be it enacted, That no Action, Bill, Plaint, or Information for any Fine, Penalty, or Forfeiture imposed by the aforesaid Act of the First and Second Years of the Reign of His late Majesty King *William* the Fourth, or the aforesaid Act of the First and Second Years of the Reign of Her present Majesty, for not inserting in the Fitters Certificate the Day of the Month and Year of the Loading, or the usual Names of the several and respective Collieries out of which the Coals should be wrought and gotten, or the Price paid for the same, shall be commenced, or, if now or hereafter commenced, shall be prosecuted or carried on, by any common Informer, or by any other Person, except the Solicitor of the Corporation of *London*, or some Person interested in such Certificate, without the Consent in Writing of some Judge of one of the Superior Courts at *Westminster;* and that immediately from and after the passing of this Act it shall be lawful for any Person or Persons against whom any Action, Bill, Plaint, or Information shall have been or may be sued out, commenced, or prosecuted for the Recovery of any such pecuniary Penalty or Penalties incurred under the said Acts or either of them, except as aforesaid, without such Consent in Writing as aforesaid, to apply to the Court in which such Action, Bill, Plaint, or Information shall have been or may be sued out, commenced, or prosecuted, or to any Judge of any of the Superior Courts at *Westminster*, for an Order that such Action, Bill, Plaint, or Information shall be discontinued upon Payment of the Costs thereof incurred to the Time of such Application being made, such Costs to be taxed according to the Form of such Court; and every such Court and Judge is hereby authorized and required, upon such Application, to make such Order as aforesaid; and upon the making such Order and Payment or Tender of such Costs as aforesaid, such Action, Bill, Plaint, or Information shall be forthwith discontinued: Provided always, that if it shall appear to the Satisfaction of the said Court or Judge, by Affidavit or otherwise, that any Penalty or Penalties sought to be recovered in any such Action, Bill, Plaint, or Information has or have been incurred by the Fraud of the Defendant or Defendants in such Action, Bill, Plaint, or Information, then and in every such Case it shall be lawful for such Court or Judge to refuse to make such Order as to such Penalty or Penalties, and thereupon to make such other Order as the said Court or Judge shall deem expedient.

Public Act.

XLVIII. And be it enacted, That this Act shall be deemed a Public Act, and shall be judicially taken notice of as such.

Commencement and Continuance of Act.

XLIX. And be it enacted, That this Act, and the Provisions herein contained, shall take effect from and immediately after the End of this present Session of Parliament, and not before, and shall continue and be in force until the First Day of *January* One thousand eight hundred and fifty-one, and to the End of the then next Session of Parliament.

Act may be amended, &c.

L. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

CAP. XXXVII.

An Act to amend the Laws relating to the Office of Coroner and the Expences of Inquests in *Ireland*. [27th *July* 1846.]

'WHEREAS it is expedient to amend the Laws now in force in *Ireland* relating to the Election, Qualification, and Payment of Coroners, and to the Proceedings at Coroners Inquests, and to the Payment of Expences at such Inquests: And whereas it is expedient that the several Acts and Parts of Acts herein-after mentioned, relating to the several Matters and Things aforesaid, should be repealed:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act the several Acts and Parts of Acts herein-after mentioned, specified, and set forth shall cease and determine, and shall, except only so far as is herein-after excepted and provided for, be repealed; (that is to say,) an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to repeal an Act made in the Fifteenth Year of the Reign of His late Majesty, for regulating the Fees of Coroners in* Ireland *upon holding Inquisitions; and to make other Provisions for that Purpose;* an Act passed in the Third Year of His said late Majesty, intituled *An Act to regulate the Qualification of Persons holding the Office of Coroner in* Ireland; so much of an Act passed in the Fourth Year of His said late Majesty, intituled *An Act to regulate the Amount of Presentments by Grand Juries for Payment of the public Officers of the several Counties in* Ireland, as relates to the Payment of Coroners; so much of an Act passed in the Fifth Year of His said late Majesty, intituled *An Act to amend the Acts of the last Session of Parliament, relating to Presentments by Grand Juries for Payment of the Salaries of public Officers of the several Counties in* Ireland, as relates to the Payment of Coroners; so much of an Act passed in the Sixth Year of His said late Majesty, intituled *An Act to amend an Act of the last Session of Parliament, for amending former Acts relating to Presentments by Grand Juries for Payment of the Salaries of Treasurers and public Officers of the several Counties in* Ireland, as relates to the Payment of Coroners; so much of an Act passed in the Tenth Year of His said late Majesty, intituled *An Act to amend the Laws relating to Coroners in* Ireland, as relates to the Payment of Medical Witnesses and to the Duration of

From and after Commencement of this Act the following Acts and Parts of Acts repealed; viz.

1 G. 4. c. 28.

3 G. 4. c. 115.

4 G. 4. c. 43.

5 G. 4. c. 93.

6 G. 4. c. 52.

10 G. 4. c. 37.

Elections of Coroners; so much of an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in* Ireland, as relates to the Payment of Coroners and of Medical Witnesses; so much of an Act passed in the Seventh Year of His said late Majesty, intituled *An Act to amend an Act passed in the Seventh Year of His present Majesty, for consolidating and amending the Laws relating to the Presentment of Public Money by Grand Juries in* Ireland, as relates to the Payment of Medical Witnesses at Inquests held by and before Justices of the Peace; so much of an Act passed in the Seventh and Eighth Year of Her present Majesty, intituled *An Act to consolidate and amend the Laws for the Regulation of Grand Jury Presentments in the County of* Dublin, as relates to the Payment of Coroners, and the summoning and Payment of Medical Witnesses; and the said several herein-before recited Acts and Parts of Acts are hereby repealed accordingly, save and except so far as the said Acts or Parts of Acts respectively, or any of them, repeal the whole or any Part of any other Act or Acts, and save and except as to all Matters or Things done or performed before the passing of this Act, which shall be valid as if this Act had not passed.

6 & 7 W. 4. c. 116.

7 W. 4. & 1 Vict. c. 2.

7 & 8 Vict. c. 106.

Power to Lord Lieutenant to direct a Special Sessions to be holden in each County for dividing the same into Coroners Districts.

II. And be it enacted, That from and after the passing of this Act it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, if he or they shall so think fit, to order and direct that a Special Sessions shall be holden in each County, Riding, or Division in *Ireland*, for the dividing of such County, Riding, or Division into Coroners Districts, for the Purposes of this Act, and to fix the Time and Place or Times and Places for such Sessions, and to order and direct the Clerk of the Peace for such County to give Notice thereof to each Justice of the Peace for such County; and the said Clerk of the Peace shall give Notice of the Time and Place for holding such Sessions to each Justice of the Peace for such County within Fifteen Days after the Receipt of the said Order.

Justices at Sessions to divide their Counties into Districts, for carrying this Act into effect;

to affix to each District the Name of some Parish at which a Court shall be held for Election of Coroner;

and to cause Lists to be prepared of all Baronies, &c.

Clerks of the Peace to send Lists to each Coroner.

III. And be it enacted, That it shall be lawful for the Justices of the Peace of any such County in *Ireland* assembled at such Sessions, and they are hereby required, to divide such County, Riding, or Division into such convenient Districts as to the Majority of such Justices shall seem best calculated to carry the Purposes of this Act into effect, according to the Number of County Coroners by Law allowed for such County respectively, and with a due regard to the Extent of the Population, to the prevailing Employments in the respective Parts of such County, Riding, or Division, and to the Size of such Districts; and to affix to each of such Districts the Name of some principal Parish, Township, or Place within the same; and to fix and determine some convenient Place within such District at which the Court for the Election of Coroner for such District shall be holden; and also to fix and determine One or more Polling Place or Places in each District at which the Poll at such Election shall be taken; and they shall cause a List to be prepared by the Clerk of the Peace, containing the Names of the several Baronies and Parishes, or Parts of Baronies and Parishes, as the Case may be, in each of the several Districts into which the County, Riding, or Division shall be divided; and the said Clerk of the Peace shall specify in such List the Place at which the said Justices shall have appointed the Court for the Election of a Coroner for such District to be holden, and the Polling Place or Polling Places which the said Justices shall have fixed and determined; and the Chairman of the said Justices so assembled as aforesaid shall sign such List, and such List shall be enrolled by the Clerk of the Peace among the Records of the County; and the Clerk of the Peace for such County shall, within Fifteen Days after such List shall have been signed as aforesaid, send or cause to be sent a true Copy thereof, signed and certified by him, to each Coroner within the County.

Lord Lieutenant may from Time to Time order a new Division of Counties into Coroners Districts.

IV. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, if he or they shall so think fit, from Time to Time, upon the Receipt of any Memorial signed by Five Justices of the Peace of any County, praying that a new Division into Coroners Districts of such County, Riding, or Division shall be made, to order and direct that a Special Sessions for the Division of such County into Districts be holden, and to fix the Time and Place for such Sessions; and the Clerk of the Peace of such County shall give Notice thereof to the Justices of the Peace of such County in manner as aforesaid, and the Justices of the Peace assembled at such Sessions shall thereupon proceed to divide their respective County, Riding, or Division, or to amend and alter any Division of such County, Riding, or Division as shall have been heretofore made, into such convenient Districts as shall be best calculated to carry the Purposes of this Act into effect, and shall cause a List, or an amended List, as the Case may be, to be made in like Manner as was directed to be done when such County was first divided into Coroners Districts under the Authority of this Act; and the Clerk of the Peace shall enrol the same among the Records of the County, and shall send or cause to be sent a true Copy of such List, or of such amended List, signed and certified as aforesaid, to every Coroner within the County.

Order for Division of County, &c. into Districts to be valid after Publication.

V. And be it enacted, That the Justices of the Peace of each County, Riding, or Division assembled as aforesaid shall cause a Copy of the List, containing the Names of the several Baronies or Parishes, or Parts of Baronies or Parishes, as the Case may be, to be comprised within each of the Districts into which they shall have divided their respective County, Riding, or Division to be inserted Three Times in the County or other local Newspapers, and also once in the *Dublin Gazette;* and from and after the Publication thereof as aforesaid in the Gazette each such County, Riding, or Division shall be and be deemed to be divided into Districts for all the Purposes of this Act.

Appointment of present

VI. And be it enacted, That the Grand Jury assembled at the Assizes or Presenting Term next after the said Special Sessions shall appoint One of the Persons who shall then hold the Office of Coroner

of

of their respective County, Riding, or Division to be the Coroner of and for One of each of the Districts to be formed under the Authority of this Act, and shall, so far as may be practicable and convenient, appoint such Coroner to that District within which he shall have heretofore acted; and in case there shall be no Coroner for any of said Districts the Foreman of the Grand Jury shall certify such Vacancy in the Office of Coroner to the Lord Chancellor of *Ireland*, who shall, if he so think fit, order a Writ De coronatore eligendo to be issued: Provided always, that upon the Death or Removal of any Coroner his Successor shall be elected to the Office of Coroner according to the Provisions of this Act.

Coroners to Districts.

Future Appointments of Coroners.

VII. And be it enacted, That from and after the Division of any County, Riding, or Division into Coroners Districts, upon the issuing of such Writ, the Sheriff of the County wherein such District shall be situate shall hold a Court for such Election, at the Place fixed and determined for this Purpose as aforesaid, on some Day to be by him appointed, which Day shall not be less than Seven Days nor more than Fourteen Days after the Receipt of the Writ De coronatore eligendo; and in case the said Election be not then and there determined upon the View, with the Consent of the Electors there present, but that a Poll shall be demanded for Determination thereof, then the said Sheriff, or in his Absence his Under Sheriff, shall adjourn the said Court to Eight of the Clock in the Forenoon of the next Day but one, unless such next Day but one shall be *Saturday* or *Sunday*, and then to the *Monday* following; and the said Sheriff, or in his Absence the Under Sheriff, with such others as shall be deputed by him, shall then and there proceed to take the said Poll; and such polling shall continue for Two Days only, for Eight Hours in each Day; and no Poll shall be opened before Eight of the Clock in the Forenoon, or kept open later than Four of the Clock in the Afternoon, of either of the said Days.

Sheriff to hold a special Court for the Election of Coroner.

If Election not determined on the View, then to proceed to take a Poll.

Duration of Poll.

VIII. And be it enacted, That at the Election of a Coroner for any such District the Person so to be elected shall be chosen by the Majority of those Persons residing within the District who at the Time of such Election shall be qualified to vote at the Election of a Member or Members to serve in Parliament for the County within which such District shall be situate.

Qualification of Electors voting for Coroners.

IX. And be it enacted, That at every contested Election of a Coroner for any such District the Sheriff or his Under Sheriff shall, if required by any Candidate, or by any Person duly authorized, acting on his Behalf, at any Time before the Election, and if not so required may if it shall appear to him expedient, cause a Booth or Booths to be erected for taking the Poll at the Court or principal Place of Election, and also at each of the Polling Places within the District appointed as aforesaid, and shall cause to be affixed on the most conspicuous Part of each of the said Booths the Names of the several Baronies, Parishes, or Places for which such Booth is respectively allotted; and no Person shall be permitted to vote at any such Election, except at the Booth so allotted for the Barony, Parish, or Place within which he shall reside, or within which the Property with respect to which he claims to vote shall be situate, and if no Booth shall be allotted for the same then at any of the said Booths.

Sheriff empowered to erect Polling Booths for the Purposes of the Election.

No Voter to poll out of the District where he resides, &c.

X. And be it enacted, That for the more due and orderly Proceeding in the said Poll the Sheriff or his Under Sheriff as aforesaid shall appoint such Number of Poll Clerks as to him shall seem meet for the taking thereof, which Clerks shall take the said Poll in the Presence of the said Sheriff or his Under Sheriff, or such Person as he shall depute, and before they begin to take the said Poll every such Clerk shall be sworn truly and indifferently to take the same, and to set down the Names of each Elector, and the Place of his Residence, and for whom he shall poll, and to poll no Elector who is not sworn, if required to be sworn by any Candidate, or by any Person acting on his Behalf, as aforesaid (and which Oaths of the said Clerks the said Sheriff or his Under Sheriff is hereby empowered to administer); and the Sheriff, or in his Absence his Under Sheriff, shall appoint for each Candidate such One Person as shall be nominated to him by the Candidate, or by the Person acting on his Behalf, as aforesaid, to be Inspector of any such Clerk; and every Elector, before he is permitted to poll at such Election, shall, if required by any Candidate, or by the Person acting on his Behalf, as aforesaid, first take the Oath in the Schedule (A.) hereto annexed, which Oath the Sheriff or his Under Sheriff, or such sworn Clerk as aforesaid, shall have Authority to administer.

Sheriff to appoint Poll Clerks, who shall be sworn.

Sheriff to appoint Inspectors of Poll Clerks.

Electors, if required by Candidates, to be sworn.

XI. And be it enacted, That the said Poll Clerks shall at the Close of the Poll enclose and seal their several Poll Books, and deliver the same, so enclosed and sealed, to the Sheriff or his Under Sheriff, or to such Person as shall be deputed by him for that Purpose, who shall give a Receipt for the same; and every such Person so deputed as aforesaid, when he shall have received the said Poll Books, shall forthwith deliver the same, so enclosed and sealed, to the Sheriff or his Under Sheriff, who shall upon the re-assembling of the Court on the Day next but one after the Close of the Poll, unless such next Day but one shall be *Sunday*, and then on the *Monday* following, in open Court break the Seals thereon, and cast up the Number of Votes as they appear on the said several Books, and openly declare the State of the Poll, and make Proclamation of the Person chosen, not earlier than Ten of the Clock in the Forenoon nor later than Two of the Clock in the Afternoon of the said Day.

Custody of the Poll Books, and Declaration of the Poll.

XII. And be it enacted, That before any Candidate shall be put in nomination for the Office of Coroner he shall, if so required, lodge in the Hands of the said Sheriff or his Under Sheriff such Sum of Money as shall be necessary to defray all the reasonable Costs, Charges, and Expences which the said Sheriff or his Under Sheriff, or other Person so deputed by him as aforesaid, shall expend or be put to in and about the providing of Poll Books, Booths, and Clerks (the said Clerks not to be paid more than One Guinea each *per Diem*), for the Purpose of taking the Poll at any such Election; and the said Costs, Charges, and Expences shall be borne and paid by the several Candidates at such Election in equal Proportions.

Expences of Sheriff, &c. to be paid by Candidates in equal Proportions.

Candidates shall deliver a Statement of the Property whereby they mean to qualify to the Sheriff, who shall allow it to be inspected.

If Candidate fail to deliver such Statement, Sheriff not to allow him to be nominated.

Candidate, if required, to take the Oath in Schedule (B.)

XIII. And be it enacted, That every Candidate for the Office of Coroner shall, before he shall be put in nomination, deliver or cause to be delivered to the Sheriff or his Under Sheriff a Statement in Writing containing a full and correct Account of the Nature and Quality, Name, Situation, or other Description of the Property then in his Possession and Enjoyment, from, out of, or by reason of which he is qualified, as herein-after mentioned, to be elected and chosen and to hold the said Office of Coroner; and the Sheriff or his Under Sheriff shall permit such Statement to be inspected and examined by any Candidate or Elector at all reasonable Times before and during such Election; and if any such Candidate shall fail to deliver or cause to be delivered such Statement as aforesaid to the said Sheriff or his Under Sheriff, the said Sheriff or his Under Sheriff shall not allow such Candidate to be put in nomination; and if the said Sheriff or his Under Sheriff shall be called upon by any Candidate or any Elector so to do, he shall require every such Person who shall be a Candidate for the said Office at such Election to take the Oath in the Schedule (B.) hereto annexed (which Oath the said Sheriff or his Under Sheriff is hereby empowered to administer), as to the Nature, Name, and Sufficiency of the Property in right of which he is qualified to be chosen as Coroner for such County, Riding, or Division, or any District thereof; and if such Candidate shall refuse or neglect to make such Oath, when required by the Sheriff or his Under Sheriff so to do, the said Sheriff or his Under Sheriff, or Person deputed by him as aforesaid, as the Case may be, shall not permit or suffer such Candidate to be put in nomination, nor shall he receive or suffer to be received any Votes which shall or may be tendered to him for such Candidate until such Candidate shall have taken such Oath; and the said Sheriff or his Under Sheriff shall, within Ten Days after the Termination of such Election, deliver or cause to be delivered to the Clerk of the Peace of the County wherein such Election shall have been held the Statement as aforesaid of the Qualification of the Person so elected to the Office of Coroner, and the said Clerk of the Peace shall enrol the same among the Records of the County.

Oath to be administered without Fee.

XIV. And be it enacted, That no Fee or Reward shall be given or accepted by any Person for the administering of the said Oath.

Not to alter the Mode of Elections in Cities, &c.

XV. And be it enacted, That nothing herein contained shall extend to affect or alter the Mode whereby Coroners for Counties of Cities or Counties of Towns or Boroughs in *Ireland* are at present chosen or elected.

Qualification of Coroner.

XVI. And be it enacted, That from and after the passing of this Act no Person shall be elected or chosen to the Office of Coroner for any County, Riding, or Division, or District thereof, or for any County of a City, County of a Town, or Borough, or District thereof, who shall not at the Time of being so elected or chosen be seised to and for his own Use and Benefit of some Estate of Inheritance of the clear annual Value of Fifty Pounds Sterling, over and above all Charges and Incumbrances that may affect the same, or of an Estate of Freehold for his own Life, or for the Life or Lives of some other Person or Persons, either at Law or in Equity, of the clear yearly Value of One hundred Pounds Sterling, over and above all Charges and Incumbrances which may affect the same, of or in Lands, Tenements, or Hereditaments situate within the County, County of a City, County of a Town, or Borough for which or for any District of which he shall be elected or chosen as aforesaid, or within the County next thereto adjoining; and in case any Person shall be elected or chosen to serve the Office of Coroner, from and after the passing of this Act, who shall not at the Time of his being so elected or chosen be seised of such an Estate in Lands, Tenements, or Hereditaments as is herein-before required, such Election shall be null and void.

Two Justices of the Peace for the County, &c. for which any Coroner is elected, may, if he has lost his Qualification, give Notice to him of their Intention to complain to the Grand Jury.

Coroner to be summoned, to be examined touching the Matter of such Complaint.

If Coroner has lost his Qualification, Grand Jury to memorialize the Lord Chancellor.

XVII. And be it enacted, That if it shall appear to any Two or more Justices of the Peace for any County, Riding, or Division, or for any County of a City, County of a Town, or Borough, for which or for any District of which any Coroner shall be elected or chosen, under the Provisions of this Act, that such Coroner has lost or encumbered his Property, so as not to be then in possession or enjoyment of such an Estate as is hereby required to qualify him to be elected and chosen as aforesaid, the said Justices shall give to such Coroner, or cause to be left at his usual Place of Residence, Fifteen clear Days before the next ensuing Assizes or Presenting Term for such County, Riding, or Division, City, Town, or Borough, a Notice in Writing, to be signed by them, of their Intention to complain to the Grand Jury which shall next assemble that such Coroner has lost or encumbered his Estate, and is not then qualified in respect of Property as aforesaid to hold or continue to hold the said Office of Coroner; and if the said Justices of the Peace shall lodge such a Complaint in Writing with the Grand Jury which shall next assemble for such County, Riding, or Division, County of a City, County of a Town, or Borough, (as the Case may be,) it shall and may be lawful for the Foreman of such Grand Jury to issue a Summons or Summonses requiring such Coroner, and such Witnesses as he may deem necessary, to appear before the said Grand Jury, and to examine the said Coroner and Witnesses upon Oath (which Oath the Foreman of such Grand Jury is hereby empowered to administer) touching the Matter of such Complaint; and if it shall appear to the said Grand Jury that the said Coroner has lost or encumbered his Property, so as not to be then in possession and enjoyment of some Estate of Inheritance or Freehold as aforesaid within the County, City, Town, or Borough for which or for some District of which he shall have been elected or chosen Coroner, or within the County next thereto adjoining, of the clear yearly Value of Fifty Pounds Sterling, or One hundred Pounds Sterling, as the Case may be, or if such Coroner, upon Proof that such Summons as aforesaid had been duly served upon him, or left at his usual Place of Residence, shall neglect or fail to attend the said Grand Jury, or if such Coroner shall refuse to be sworn, or to answer any Question which may be put to him touching his said Qualification, then and in every such Case it shall

shall be lawful for the said Grand Jury to prepare or cause to be prepared a Memorial to the Lord Chancellor of *Ireland*, detailing such Facts concerning the Want of Qualification by such Coroner as shall appear to such Grand Jury to be true and correct, and praying that such Coroner may be removed from the Office of Coroner for such County, Riding, or Division, County of a City, County of a Town, or Borough, as the Case may be; and the Foreman of such Grand Jury shall sign the same, and shall direct that such Memorial shall forthwith be delivered to the said Lord Chancellor.

Foreman to sign Memorial.

XVIII. And be it enacted, That it shall and may be lawful for the Lord Chancellor of *Ireland*, upon the Receipt of any Memorial as aforesaid from the Grand Jury of any County, Riding, or Division, County of a City, County of a Town, or Borough, if he shall be satisfied that such Coroner was not then seised or possessed of such an Estate as would have qualified him to be elected Coroner under the Provisions of this Act, or if on any Complaint made in Writing he shall be satisfied that such Coroner has acted as Sub-Sheriff, contrary to the Provisions of this Act, to declare the Office of such Coroner to be vacated, and to direct a Writ to be issued for the Election of a Coroner for such County, Riding, or Division, County of a City, County of a Town, or Borough, or District thereof, (as the Case may be,) to or for which such Coroner may have been elected or chosen.

Lord Chancellor, upon Receipt of Memorial, may declare the Office to be vacant, and issue a Writ for a new Election.

XIX. And be it enacted, That from and after the passing of this Act no Person who shall hold the Office of Coroner shall be appointed or shall act, by himself, or by his Partner, directly or indirectly, as Sub-Sheriff in any County, City, Town, or Borough.

No Coroner shall act as Sub-Sheriff.

XX. And be it enacted, That whenever a Vacancy shall occur in the Office of Coroner of any County, Riding, or Division, County of a City, County of a Town, or Borough, or District thereof, and any Two or more Justices of the Peace of such County, City, Town, or Borough shall deliver or cause to be delivered to the Clerk of the Peace acting in and for such County, City, Town, or Borough a Certificate under their Hands and Seals of such Vacancy having occurred, the said Clerk of the Peace shall and he is hereby required, within Twenty-one Days after the Receipt of such Certificate, to transmit the same to the Lord Chancellor of *Ireland*, who shall thereupon direct a Writ to be issued for the Election of a Coroner for such County, Riding, or Division, County of a City, County of a Town, or Borough, or District thereof, (as the Case may be,) where such Vacancy shall have happened.

Lord Chancellor may, upon receiving Certificate from Two Justices of Vacancy, issue Writ for Election of Coroner.

XXI. And be it enacted, That when any County shall have been divided into Districts under the Authority of this Act, every Person elected or chosen to serve the Office of Coroner of any such District in *Ireland* shall reside within the District to or for which he shall be elected or chosen Coroner; and in case any such Coroner shall fail or neglect to reside within his District he shall forfeit and lose all Right and Claim to the Fees and Emoluments herein-after provided for the Payment of Coroners, so long as he shall so fail and neglect to reside within the same; and if it shall happen that any such Coroner shall have been absent from his District, except in the Case of Illness, for any Period exceeding in the whole Twenty-eight Days in any One Year, it shall be lawful for the Lord Chancellor of *Ireland*, upon the Complaint in Writing of any Two Magistrates of such District, to declare, if he shall so think fit, the Office of such Coroner to be vacant, and to order a Writ for the Election of a Coroner for such District to be issued.

Coroner to reside within his District, or forfeit his Emoluments.

XXII. And be it enacted, That when any dead Body shall be found, or any Case of sudden Death, or of Death attended with suspicious Circumstances, shall occur in any District, the Sub-Inspector of the Constabulary of such District, or the Constable or Sub-Constables acting in and for the Place where such dead Body shall be found or such Death happen, shall give or cause to be given immediate Notice thereof to the Coroner of such District, together with such Information as he or they shall have been able to obtain touching the finding of such dead Body or such Death; and the said Coroner shall, if upon the Receipt of such or other sufficient Notice and Information he shall deem it necessary to hold an Inquest upon such dead Body, issue his Precept to the Sub-Inspector of such District, or in his Absence to the Head or other Constable acting for him, to summon a sufficient Number of Persons to attend and be sworn as Jurors upon such Inquest at the Time and Place specified in such Precept; and the said Coroner shall issue a Summons for every Witness whom he shall deem necessary to attend such Inquest at the Time and Place therein specified, for the Purpose of giving Evidence relative to such dead Body; and he shall deliver or cause to be delivered all such Summonses to the Constable or some One of the Sub-Constables acting in and for the Place where such Inquest is to be held, who shall forthwith proceed to serve the same.

Notice of the finding of any dead Body, or of sudden Death, to be given to the Coroner, who shall issue Summonses for Jurors and Witnesses.

XXIII. And be it enacted, That such Sub-Inspector or Constable shall summon or cause to be summoned in Writing, as Jurors upon such Inquest, such Persons as shall be resident within the District and rated to the Relief of the Poor in a Sum of not less than Four Pounds: Provided always, that if the Attendance of a sufficient Number of Jurors, qualified as aforesaid, cannot conveniently be had, it shall be lawful for the Sub-Inspector or Constable as aforesaid to summon or cause to be summoned such and so many other fit and proper Persons being Householders, and residing within the County where such Inquest is to be holden, as shall be necessary, to attend and be sworn as Jurors upon such Inquest: Provided also, that no Person who is now exempted from serving upon Juries under and by virtue of an Act passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for consolidating and amending the Laws relative to Jurors and Juries in* Ireland, or of any Act amending the same, shall be liable to be summoned as a Juror upon any Inquest to be holden under the Authority of this Act.

Qualification of Jurors upon Inquests.

No Person now exempted under 3 & 4 W.4. c.91. to be summoned under this Act.

XXIV. And be it enacted, That every Coroner by or before whom any Inquest *post mortem* shall be taken shall make an Abstract of the Inquisition and Finding of the Jury, and shall state in such Abstract the

Coroner to make Abstract of the Inqui-

sition and Finding of the Jury; and annex an Account of Money paid; and Number of Miles he has travelled; and shall certify such Abstract and Account to be true, and lodge them with the Secretary of the Grand Jury;

the Names of the Jurors in any such Inquest, and the Names of all the Witnesses who shall have been examined at the same, and shall annex thereto an Account of all Sums of Money paid or advanced by him, as herein-after mentioned, for or on account of any such Inquest, or to or for or on account of any Witness or Witnesses who shall have attended the same, and also an Account of the Number of Miles which he shall have been compelled to travel from his usual Place of Residence to take such Inquest, and of the Number of Days during which such Inquest, or any Adjournment thereof (if any) shall have continued, and shall certify such Abstract and Account to be true and correct in all Particulars, and shall sign the same, and shall lodge such Abstract and Account with the Secretary of the Grand Jury of the County, Riding, or Division, County of a City, County of a Town, or Borough, as the Case may be, for which or for any District of which he is the Coroner, Ten clear Days at least before the assembling of the Grand Jury for such County, Riding, or Division, City, Town, or Borough; and the said Secretary shall permit such Abstracts and Accounts to be inspected and examined in his Office by any Rate-payer of such County, Riding, or Division, City, Town, or Borough, who shall apply to him for the Purpose, at all Hours between Ten of the Clock of the Forenoon and Four of the Clock of the Afternoon during the said Ten Days; and the said Secretary shall lay the same before the Grand Jury acting in and for such County, Riding, or Division, City, Town, or Borough, which shall next assemble; and the said Grand Jury shall examine such Abstracts and Accounts, and shall and may, if they shall deem it necessary, examine the said Coroner upon Oath (which Oath the Foreman of such Grand Jury is hereby empowered to administer) as to the Truth and Correctness of all or any of the Statements or Items contained in such Abstracts or Accounts, or as to the Belief which such Coroner may at the Time of holding any such Inquest have entertained of the Necessity for holding the same; and the said Abstracts and Accounts shall, when approved of by the said Grand Jury, be signed by the Foreman, and preserved among the Records of such County, Riding, or Division, City, Town, or Borough.

Grand Jury shall examine such Abstracts, &c.

Presentments for and Limitation of Payments to Coroners.

XXV. And be it enacted, That it shall and may be lawful to and for the Grand Jury of any County, Riding, or Division, when they shall have examined and approved of such Abstracts and Accounts as aforesaid, to present for the Payment of any Coroner within such County, Riding, or Division the Sum of One Pound Ten Shillings Sterling for each and every Inquest held by him respectively since the preceding Assizes, or since his last Application for a Presentment, but such Sums not to exceed in the whole the Sum of Fifty Pounds Sterling at any One Assizes; and such Grand Jury shall present in addition thereto, and over and above such Payment, such further and other Sum, at the Rate of Sixpence *per* Mile for every Mile which such Coroner shall have been obliged to travel from his usual Place of Residence for the Purpose of taking such Inquest: Provided always, that whenever any Coroner shall have held more than One Inquest on the same Day, then in respect of every such Inquest taken after the first the said Sum of Sixpence *per* Mile shall be computed and paid to such Coroner for every additional Mile only which he shall have been compelled to travel in consequence of holding more than One Inquest on the same Day.

Proviso as to more than One Inquest in One Day.

Payment of Coroners by Grand Jury for travelling when no Inquest is held.

XXVI. And be it enacted, That it shall and may be lawful to and for the Grand Jury of any County, Riding, or Division to present such Sum as to them shall seem fit for the Payment of the Allowances for travelling as aforesaid to any Coroner who shall show to the Satisfaction of such Grand Jury that he had been compelled in the Discharge of his Office to travel from his usual Place of Residence for the Purpose of taking an Inquisition, but which in the Exercise of his Discretion, he deemed to be unnecessary, and declined to take.

Grand Jury of City, &c. to present to Coroner 1*l.* 10*s.* for each Inquest.

Not to exceed 65*l.* at any Assizes or Presenting Term.

XXVII. And be it enacted, That it shall and may be lawful to and for the Grand Jury acting in and for any County of a City, County of a Town, or Borough in *Ireland*, when they shall have examined and approved of such Abstracts and Accounts as aforesaid, to present for the Payment of any Coroner within such City, Town, or Borough the Sum of One Pound Ten Shillings Sterling for each and every Inquest held by him respectively since the last Assizes or Presenting Term, or since his last Application for a Presentment: Provided always, that it shall not be lawful for any Grand Jury as aforesaid to present for the Payment of any Coroner any larger Amount or Sum than Sixty-five Pounds Sterling at any Assizes or Presenting Term.

Coroner may pay Witnesses as per Schedule, upon obtaining Receipts from Witnesses.

XXVIII. And be it enacted, That it shall and may be lawful for any Coroner who shall hold any Inquest to pay to any Medical or other Witness who, having been summoned by him, shall attend and be examined at such Inquest, or to any other Person who shall do or perform any Matter or Thing relating to such Inquest in pursuance of the Order of such Coroner, or to the Owner or Occupier of any private House (not being related to or connected with the Deceased) who shall afford the Accommodation necessary for the Deposit of such dead Body or for the holding of such Inquest, any Sum or Sums of Money not exceeding the Sum contained in the Schedule (C.) hereunto annexed, as to such Coroner shall seem just and reasonable, upon obtaining from such Witness or other Person a Receipt duly signed for such Payment; and the said Coroner shall deliver all such Receipts, together with the Abstract and Accounts of such Inquest, to the Secretary of the Grand Jury acting in and for the County, Riding, or Division, County of a City, County of a Town, or Borough, as the Case may be, for which or for any District of which he is a Coroner.

Coroner to deliver Receipts, &c. to Secretary of Grand Jury.

Grand Juries may present for Expences incident to the holding of Inquests, until the next Assizes.

XXIX. And be it enacted, That it shall be lawful for the Grand Jury of any County, County of a City, or County of a Town, other than the County of *Dublin*, if they shall so think fit, at any Assizes or Presenting Term, to present for the Board of Superintendence of the Gaols of such County, City, or Town such Sum or Sums of Money as they shall deem necessary for the Payment of all Expences incident to the holding of Coroners Inquests within the County, City, or Town, until the next ensuing Assizes

Assizes or Presenting Term; and the Treasurer of such County, City, or Town, out of the Public Monies which shall then be in his Hands or shall next come into his Hands, shall pay to such Board of Superintendence the Sum so presented; and it shall be lawful for the said Board of Superintendence, if they shall so think fit, to pay to every Coroner of such County, City, or Town such Sums as he shall have advanced in Payment of the Witnesses or other Expences, not exceeding the Sums mentioned in the Schedule (C.) hereto annexed, incident to the holding of any such Inquest, and to pay all Orders upon the Treasurer of such County, City, or Town which any Justices of the Peace may have issued to any Witnesses or other Person for or concerning any Inquest held by them as herein-after mentioned.

Board of Superintendence may pay to Coroner Sums advanced to Witnesses.

XXX. Provided always, and be it enacted, That in case the Grand Jury of any County, County of a City, or County of a Town shall have omitted to make such Presentment as last aforesaid, or in case the Presentment made by such Grand Jury shall have been insufficient to discharge all the Expences incident to the holding of Inquests in such County, City, or Town, it shall be lawful for the Grand Jury of such County, City, or Town, when they shall next assemble, and they are hereby required, to present for the Coroner of such County, Riding, or Division, City, Town, or Borough, or any District thereof, such Sum or Sums as shall be necessary to repay such Coroner the Monies paid and advanced by him in and about the holding of any Inquest, and shall also present, to and for the Treasurer of such County, City, Town, or Borough, such Sum or Sums as shall be necessary to pay and discharge all Orders for the Payment of Witnesses and other Persons upon such Treasurer as any Two Justices of the Peace acting for and in the Absence of a Coroner, as herein-after mentioned, shall have given to any Witness or other Person since the last Assizes or Presenting Term; and the said Treasurer, out of the Public Monies of such County, City, or Town which shall then be in his Hands or shall next come to his Hands, shall pay the said Sum or Sums so presented to the said Coroner or to the said Witnesses or other Persons as aforesaid; and it shall be lawful for the Grand Jury acting in and for any County, Riding, or Division, County of a City, County of a Town, or Borough to direct and order that all such Sums of Money necessary for the Payment of any such Coroner, or of the other Expences incident to the holding of any Inquest, or such Part and Proportion thereof as to them shall seem meet and right, shall be raised and levied off the whole of such County, Riding, or Division, City, Town, or Borough, or off such District, Barony, or Parish thereof, as the Case may be, as they shall appoint.

Grand Jury to present for such Sums as shall be necessary to pay Witnesses and Expences of Inquests.

Grand Jury may direct the Expences of Coroner or Inquests to be levied off any particular District, &c.

XXXI. And be it enacted, That it shall and may be lawful for any Coroner who shall consider an Analysis of any Matter or Thing of or concerning any dead Body necessary to order and direct that such Analysis be made by such legally qualified Medical Practitioner as he and the Majority of the Jury sworn upon any Inquest shall appoint; and he shall annex to the Abstract and Accounts of such Inquest a Certificate to be signed by him of such his Opinion, and of the Facts relating to such Analysis, which Certificate, together with the said Abstracts and Accounts, shall be laid before the Grand Jury acting in and for the County, Riding, or Division, County of a City, County of a Town, or Borough, as the Case may be, which shall next assemble; and it shall be lawful for the said Grand Jury to present to and for their Treasurer any Sum of Money not exceeding the Sum of Five Guineas for the Loss of Time, Labour, and Expence incurred by such Medical Practitioner in consequence of making such Analysis as to them shall seem fit; and the Sum so presented by the Grand Jury shall be paid to such Medical Practitioner by the Treasurer of such County, Riding, or Division, City, Town, or Borough in like Manner and shall and may be raised and levied in like Manner, as the Sums already presented by any such Grand Jury.

Coroner may order an Analysis to be made.

Grand Jury may present a Sum not exceeding Five Guineas for making such Analysis.

XXXII. And be it enacted, That when any Inquest shall be holden on the Body of any Person who has died in any public Hospital or Infirmary, or in any Building or Place belonging thereto, or used for the Reception of the Patients thereof, or who has died in any County or other Lunatic Asylum, or in any public Infirmary or other public Medical Institution, whether the same be supported by Endowments or by voluntary Subscriptions, then and in such Case nothing herein contained shall be construed to entitle the Medical Officer whose Duty it may have been to attend the deceased Person as a Medical Officer of such Institution as aforesaid to the Fees or Remuneration herein provided.

No Remuneration to be presented to Medical Officer of Hospitals, &c. for Inquests on Inmates.

XXXIII. And be it enacted, That from and after the passing of this Act, in all Cases where any Coroner shall hold an Inquest upon any dead Body, and shall deem the Attendance of some Medical Witness to be necessary at such Inquest, he shall summon as such Witness any legally qualified Medical Practitioner, being at the Time in actual Practice at or near the Place where such Death happened; and it shall be lawful for the Coroner, at any Time between the issuing of such Summons and the Termination of such Inquest, to direct the Performance of a *post-mortem* Examination by such Medical Witness; provided that if any Person shall state upon Oath before the Coroner that in his or her Belief the Death of the deceased Individual was caused partly or entirely by the improper or negligent Treatment of any Medical Practitioner or other Person, such Medical Practitioner or other Person shall not be allowed to perform or assist at the *post-mortem* Examination of the Deceased.

Coroner may summon Medical Practitioner to attend Inquest.

XXXIV. And be it enacted, That whenever it shall appear to the Majority of the Jurors upon any Inquest that the Cause of Death has not been satisfactorily explained by the Evidence of such Medical Practitioner, or of the Witness or Witnesses who shall have been examined at such Inquest, it shall be lawful for the said Jurors, by a Requisition in Writing, to call upon the Coroner to issue his Summons for the Attendance of some other legally qualified Medical Practitioner or Practitioners; and if the Coroner, on the Receipt of such Requisition, shall refuse or neglect to issue his Summons as aforesaid, he shall be deemed guilty of a Misdemeanor.

Jury may require further Medical Evidence.

Penalty on Coroner for Refusal.

XXXV. And

Coroner may fine Jurors or Witnesses for Nonattendance at Inquest, and transmit the Account of the same to the Clerk of the Peace.

XXXV. And be it enacted, That when any Person shall have been duly summoned to attend as a Juror or as a Witness at any Inquest, and such Person shall fail or neglect to attend at the Time and Place specified in such Summons, it shall be lawful for the Coroner to cause such Person to be openly called in his Court Three Times to appear and serve as a Juror, or to appear and give Evidence at such Inquest, and upon the Nonappearance of such Person, and Proof that such Summons had been served upon him, or left at his usual Place of Abode, to impose such Fine upon the Person so making default, not exceeding the Sum of Forty Shillings, as to such Coroner shall seem fit; and such Coroner shall make out and sign a Certificate, containing the Christian and Surname, the Residence, and Trade or Calling of every Person so making default, together with the Amount of the Fine which shall have been imposed, and the Cause of such Fine, and shall transmit such Certificate to the Clerk of the Peace acting in and for the County, Riding, or Division, City, Town, or Borough, in which such Person shall reside, on or before the First Day of the Quarter Sessions of the Peace then next ensuing, and shall cause a Copy of such Certificate to be served upon the Person so fined, by having it left at his usual Place of Residence, or by sending the same through the Post Office, addressed as aforesaid, Three Days at the least before the First Day of the said Quarter Sessions; and the said Clerk of the Peace shall copy the Fine or Fines so certified on the Roll on which all Fines and Forfeitures imposed at such Quarter Sessions of the Peace shall be copied, and the same shall be levied and applied in like Manner, and subject to the like Powers, Provisions, and Penalties in all respects, as if such Fine or Fines had been imposed at such Quarter Sessions; provided always, that nothing herein contained shall be construed to affect any Power now by Law vested in any Coroner for compelling any Person to appear as Juror, or to appear and give Evidence before him on any Inquest or other Proceeding, or for punishing any Person for Contempt of Court in not so appearing as Juror, or in not so appearing and giving Evidence, or otherwise.

Coroner may order dead Body to be deposited in the nearest Public House until Inquest held.

Owner or Occupier refusing to admit the same may be fined.

XXXVI. And be it enacted, That whenever any dead Body shall be found, and any Coroner shall in consequence of the Information received by him, consider it necessary to hold an Inquest thereon, it shall and may be lawful for such Coroner to order and direct that such dead Body shall be brought into the nearest convenient Tavern, Public House, or House licensed for the Sale of Spirits; and the Owner or Occupier of such Tavern, Public or other licensed House, shall and he is hereby required to permit and allow such dead Body to be deposited within the same, or within some Part of the Premises thereof, until the Inquest shall have taken place; and if such Owner or Occupier shall refuse to permit such dead Body to be deposited within the said House, or some Part of the Premises thereof, it shall be lawful for the said Coroner to impose such Fine, not exceeding the Sum of Forty Shillings, upon such Owner or Occupier, for such Refusal or Neglect, as to such Coroner shall seem fit.

Coroner not to act professionally in any Case which may have come before him as Coroner. Penalty.

XXXVII. And be it enacted, That from and after the passing of this Act, in all Cases in which any Person shall be charged by any Coroner's Inquisition with the Commission of any Crime, and shall be subsequently put upon his Trial, either on such Inquisition or in pursuance of any Bill of Indictment for the same Crime, the Coroner before whom such Inquisition shall have been found shall be wholly incompetent to act as an Attorney in Prosecution or Defence of such Person for such Crime, either by himself or his Partner, directly or indirectly; and that in all Cases in which it shall appear to the Judge before whom such Person shall be tried that any Coroner shall have so acted contrary to the Provisions and Intentions of this Act, such Judge shall impose upon every Coroner so offending such Penalty, not exceeding Fifty Pounds, as the said Judge shall in his Discretion think fit.

Coroner, although elected for a District, to be considered a Coroner of the County or City at large.

XXXVIII. And be it enacted, That every Coroner appointed or chosen under the Authority of this Act, although such Coroner may be designated as the Coroner of any particular District of a County, Riding, or Division, City, Town, or Borough, shall for all Purposes whatsoever, except as herein-after mentioned, be considered as a Coroner for the whole of such County, City, Town, or Borough, and shall have the same Jurisdiction, Rights, Powers, and Authorities throughout the said County, City, Town, or Borough, as if he had been elected by the Electors of such County, City, Town, or Borough at large.

Coroner to hold Inquests only in the District to which he is appointed, except in certain Cases.

XXXIX. And be it enacted, That every Coroner appointed or elected under the Provisions of this Act shall, except during the Illness, Incapacity, or Absence of the Coroner for any other District, or during a Vacancy in the Office of Coroner for any other District, hold Inquests only within the District to and for which he shall have been so appointed or elected; and that if any Coroner shall hold an Inquest in any District, save that to and for which he shall have been appointed or elected, he shall state in the Abstract of such Inquest as aforesaid the Reason of his having held such Inquest; and it shall be lawful for the Grand Jury before whom the Abstract and Accounts of such Inquest shall be laid to refuse, if they shall so think fit, to present any Sum of Money for the Payment of any Coroner who shall hold an Inquest beyond the Limits of the District to which he shall have been appointed or elected.

All Orders of Coroners, &c. to be signed and sealed.

Any Order not signed, &c. to be of no Effect.

XL. And be it enacted, That every Order which, by and under the Provisions of this Act, any Coroner, or any Two Magistrates acting for and in the Absence of such Coroner, shall make and issue, shall be signed and sealed by such Coroner or such Magistrates; and that any Order which any Coroner or Magistrate as aforesaid shall make or issue, and which shall not be signed and sealed as aforesaid, shall be of no Force or Effect whatsoever, nor shall any Person be subject to or visited with any Fine or other Punishment for Disobedience thereof.

Grand Jury not to present for

XLI. And be it enacted, That it shall not be lawful for the Grand Jury acting in and for any County, Riding, or Division, County of a City, County of a Town, or Borough to present any Sum of Money for the

the Payment of any Coroner, if such Coroner shall appear to them to have been guilty of Neglect of Duty in not attending to take any Inquest; nor shall it be lawful for any Grand Jury to present any Sum of Money for the Payment of any Coroner for or in respect of any Inquest other than such as he shall have held since the then last preceding Assizes or Presenting Term, or since his last Application for a Presentment. any Coroner guilty of Neglect, &c.

XLII. And be it enacted, That if any Coroner shall from and after the passing of this Act be convicted of any Extortion, or wilful Neglect of Duty, or Misdemeanor, in his Office, it shall be lawful for any Judge of Assize before whom he shall be so convicted to adjudge that he shall be removed from his Office, and thereupon a Writ shall issue removing him from his Office, and for electing another Coroner in his Stead. Coroner may be removed by Judge for Extortion or Neglect of Duty.

XLIII. And be it enacted, That if any Person shall have been removed from the Office of Coroner in consequence of any such Conviction as aforesaid he shall be for ever afterwards incapable of being re-elected as Coroner for any District, nor shall it be lawful for any Sheriff or Sub-Sheriff to put any such Person in nomination when a Vacancy in the Office of Coroner in any County, Riding, or Division, City, Town, or Borough, shall occur. Coroner, if once removed from his Office, incapable of being again elected.

XLIV. And be it enacted, That when any dead Body shall be found, or any Death attended with suspicious Circumstances shall occur, and no Inquest shall be held on the same within the Space of Two Days from the finding of such dead Body or of such Death, it shall be lawful for any Two Magistrates of such District to hold an Inquest relative to the Death of any such Person, and to summon such Jurors and such medical and other Witnesses to attend such Inquest, and to administer all necessary Oaths, and to give such Orders and Directions, and to impose such Fines for Neglect or Refusal, in like Manner as any Coroner is empowered to do under the Provisions of this Act, and also to sign and issue to such medical or other Witnesses summoned and examined before them, and to the Owner or Occupier of any private House (the same not being related to or connected with the Deceased) wherein such dead Body shall have been deposited, or wherein such Inquest shall have been held, and to any Person or Persons who shall do or perform any Matter or Thing relating to such Inquest, in pursuance of the Order of such Magistrates, an Order upon the Treasurer of the County, County of a City, County of a Town, or Borough, as the Case may be, for such Sum or Sums of Money as such Coroner is hereby empowered to pay to such Witnesses or other Persons, and as to them shall seem just and reasonable; and the said Magistrates shall make out and lodge with the Secretary of the Grand Jury for such County, Riding, or Division, City, Town, or Borough, an Abstract of the Inquisition and Finding of the Jury, together with the Names of the Jurors and of the Witnesses who shall have been examined at such Inquest, and an Account of all Orders upon the Treasurer for Payment of such Witnesses or other Persons, issued by them, Ten Days at least before the Grand Jury acting in and for such County, Riding, or Division, County of a City, County of a Town, or Borough, shall next assemble. In the Absence of Coroner, Two Magistrates may hold Inquest, and summon Jurors and Witnesses.

XLV. And be it enacted, That if any Elector or other Person shall wilfully and falsely take any Oath or Affirmation appointed by the Authority of this Act to be taken, or if any Person shall corruptly procure or suborn any Elector or other Person wilfully and falsely to take any Oath or Affirmation hereby appointed to be taken, for the Purpose of such Person being polled at any Election of a Coroner, and he or they shall be convicted thereof, he or they shall for every such Offence incur all such Pains and Penalties as are by Law inflicted on Persons guilty of Perjury or Subornation of Perjury. Persons swearing falsely guilty of Perjury.

XLVI. 'And whereas it is expedient to make Provision for supporting Coroners Inquisitions, and 'for preventing the same from being quashed on account of technical Defects;' be it therefore enacted, That from and after the passing of this Act no Inquisition found upon or by any Coroner's Inquest, nor any Judgment recorded upon or by virtue of any such Inquisition, shall be quashed, stayed, or reversed for Want of the Averment therein of any Matter unnecessary to be proved; nor for the Omission of Words "with Force and Arms," or of the Words "against the Peace," or of the Words "against the Form of the Statute;" nor for the Omission or Insertion of any other Words or Expressions of mere Form or Surplusage; nor for the Insertion of the Words "upon their Oath" instead of the Words "upon their Oaths;" nor for omitting to state the Time at which the Offence was committed, when Time is not the Essence of the Offence; nor for stating the Time imperfectly; nor because any Person or Persons mentioned in any such Inquisition is or are designated by a Name of Office or other descriptive Appellation, instead of his, her, or their proper Name or Names; nor by reason of the Noninsertion of the Names of the Jurors in the Body of any such Inquisition, or of any Difference in the spelling of the Names of any of the Jurors in the Body of any such Inquisition, and the Names subscribed thereto; nor because any Juror or Jurors shall have set his or their Mark or Marks to any such Inquisition, instead of subscribing his or their Name or Names thereto; nor because any such Mark or Marks is or are unattested, provided the Name or Names of such Juror or Jurors is or are set forth; nor because any Juror or Jurors has or have signed his or their Christian Name or Names by means of an initial or partial Signature only, and not at full Length; nor because of any Erasures or Interlineations appearing in any such Inquisition, unless the same shall be proved to have been made therein after the same was signed; nor for Want of a proper Name, where the Inquest shall appear or purport to have been taken by a Coroner or any Two Magistrates of or for the County, Riding, or Division, City, Town, or Borough, or Place, in which it shall appear or purport to have been taken; nor (except only in Cases of Murder or Manslaughter) for or by reason of any such Inquisition not being duly sealed or written on Parchment; nor because the Inquisitions not to be quashed on account of technical Defects.

the Coroner and Jury did not all view the Body at one and the same Instant, provided they all viewed the Body at the first Sitting of the Inquest; nor because all or any of the Jurors upon such Inquest may not have been rated to the Relief of the Poor; and in all or any of such Cases of technical Defect as are herein-before mentioned it shall be lawful for any Judge of either of Her Majesty's Courts in *Dublin*, or any Judge of Assize or Gaol Delivery, if he shall so think fit, upon the Occasion of any such Inquisition being called in question before him, to order the same to be amended in any of the respects aforesaid, and the same shall forthwith be amended accordingly.

Nothing in this Act to affect the Provisions of 7 & 8 Vict. c. 106. s. 31.

XLVII. 'And whereas it was provided by the herein-before recited Act passed in the Seventh and 'Eighth Years of the Reign of Her present Majesty, that it shall be lawful for the Grand Jury of the 'County of *Dublin* at each Presenting Term to present any Sum, not exceeding in the whole in any 'One Year the Sum of One hundred Pounds, for the Payment of each and every Coroner in such County 'respectively; provided that no Coroner shall receive more than at the Rate of One Pound Ten Shillings 'for each Inquest so held by him;' be it enacted, That nothing in this Act contained shall extend or be construed to extend to repeal or alter the said Provision.

Grand Jury of the County of Dublin to present for Expences of Inquests in advance.

XLVIII. And be it enacted, That it shall be lawful for the Grand Jury of the County of *Dublin* at each Presenting Term to present in advance such Sum as they shall deem necessary for the Payment of all Expences incident to the holding Inquests within the said County during the ensuing Year, which Sum shall be applotted and levied in like Manner, and with the same Powers and Authorities, and subject to the same Rules and Regulations, as are enacted with reference to all other Sums presented by the said Grand Jury under and by virtue of the said last-recited Act.

Finance Committee of County of Dublin to pay the Expences of Coroner, &c.

XLIX. And be it enacted, That it shall be lawful for the Finance Committee of the County of *Dublin* to pay to any Coroner of the said County all Sums of Money which he shall have advanced to any Witness or other Person under the Provisions of this Act, or to pay all Orders for Money which any Two Magistrates shall under the Provisions of this Act have given to any Witness or other Person for or concerning any Inquest held by them: Provided always, that such Payments shall not in any Case exceed the Sums of Money contained in the Schedule (C.) hereto annexed.

Coroners to make Returns yearly of Inquests to Lord Lieutenant.

L. And be it enacted, That from and after the passing of this Act every Coroner in *Ireland* shall, on or before the Tenth Day of *January* in each Year, make out and transmit to the Lord Lieutenant of *Ireland* a Return in Writing, according to such Form as the said Lord Lieutenant shall from Time to Time direct, of all the Cases in which he shall have been called upon to hold an Inquest touching the Death of any Person during the Year ending on the Thirty-first Day of *December* immediately preceding, and a Copy of the Finding of the Jury on every such Inquest.

Commencement of Act.

LI. And be it enacted, That this Act shall commence and take effect on the First Day of *January* One thousand eight hundred and forty-seven.

Interpretation of Act.

LII. And be it enacted, That in this Act the Word "Oath" shall in all Cases be construed and interpreted to signify and include all Affirmations which may now by Law be made and tendered by or to any Person or Persons in *Ireland*.

Act may be amended, &c.

LIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

Form of Oath to be taken by Electors at any Election for the Office of Coroner.

I *A.B.* do swear [*or* affirm], That I am a registered Elector of the County [*or* Borough] of in right of my [*state the Nature of the Franchise, whether it be an Estate of Freehold, Leasehold, or of any other Nature, and the Townland, Parish, and Barony where situate*], and that the Place of my Abode is at [*if it be a Place consisting of more Places or Streets than One, specify what Street or Place*], and that I have not been polled before at this Election [*adding, except in Cases of Affirmation*] So help me GOD.

SCHEDULE (B.)

Form of Oath to be taken by Candidates at any Election for the Office of Coroner.

I *A.B.* do swear [*or* affirm], That I truly and bonâ fide have, to and for my own Use and Benefit, such an Estate of Inheritance of the annual Value of Fifty Pounds Sterling [*or* of Freehold for my own Life, *or* for the Life of *or* for the Lives of of the annual Value of One hundred Pounds Sterling, *as the Case may be*], in Law or Equity, as I have described in the Statement thereof delivered by me to the Sheriff [*or* Under Sheriff] of of and in the Lands, Tenements, or Hereditaments, over and above all Charges and Incumbrances that may affect the same, and as doth qualify me to be elected and chosen to serve the Office of Coroner for the County of [Riding, *or* Division, County of a City, County of a Town, *or* Borough, *or District thereof, as the Case may be*], according to the Tenor and Meaning of an Act passed in the Ninth and Tenth Years of Her present Majesty, intituled "An Act to amend the Laws relating to the Office of Coroner

Coroner and the Expences of Inquests in Ireland;" and that my said Lands, Tenements, or Hereditaments are lying and being at [*if in a Street in a City, Town, or Borough, or other Place, specify what Street,*] in the Parish of in the Barony of [*or* Ward of *as the Case may be*] and County of [County of the City of County of the Town of *or* Borough of *as the Case may be,*] aforesaid.

So help me GOD.

SCHEDULE (C.)

Table of Payments which any Coroner, or any Two Magistrates in his Absence, may make to any Witness or other Person who, being summoned, shall attend and give Evidence at any Inquest, or shall do any other Act or Thing in obedience to the Order of such Coroner or of such Two Magistrates as aforesaid.

	£	s.	d.
To any poor Witness, for each Day of Attendance at any Inquest, any Sum not exceeding, per Diem	0	1	0
To the Owner or Occupier of any private House who shall permit any dead Body to be deposited therein (if such Owner or Occupier be not related to or connected with the Deceased), any Sum not exceeding, per Diem	0	3	6
To the Owner or Occupier of any private House who shall afford Accommodation to the Coroner (or to any Two Magistrates during his Absence), Jurors and Witnesses, for the holding of an Inquest therein (in case such Owner or Occupier shall not be related to or connected with the Deceased), any Sum not exceeding, per Diem	0	3	6
To the Person or Persons who shall, pursuant to an Order from any Coroner or of any Two Magistrates, disinter and afterwards bury any dead Body	0	5	0
To any legally qualified Medical Practitioner who, in pursuance of the Summons and Order of any Coroner or of any Two Magistrates, shall attend and examine any dead Body, and give Evidence as a Witness, at any Inquest held thereon, the Sum of	1	1	0
To any legally qualified Medical Practitioner who, in obedience to the Order of any Coroner or of any Two Magistrates, shall make a post-mortem Examination of any dead Body, and shall attend and give Evidence at the Inquest held thereon, the further Sum of	1	1	0
To any Person or Persons who shall, pursuant to an Order in Writing from any Coroner or any Two Magistrates, have provided a Coffin, and buried the Body of any Stranger on which an Inquest shall have been held, the Sum of	0	10	0

CAP. XXXVIII.

An Act to empower the Commissioners of Her Majesty's Woods to form a Royal Park in *Battersea Fields* in the County of *Surrey*. [3d *August* 1846.]

'WHEREAS the Commissioners appointed by Her most Gracious Majesty to inquire into and consider the most effectual Means of improving the Metropolis, and of providing increased Facilities of Communication within the same, did by their Fifth Report, dated the Twenty-third Day of *July* One thousand eight hundred and forty-five, (which has been laid before both Houses of Parliament by Her Majesty's Command,) humbly recommend to Her Majesty that a Royal Park should be formed on the Site of the Lands now called *Battersea Fields* in the Parish of *Saint Mary Battersea* in the County of *Surrey*, or certain Parts thereof, consisting in the whole of Three hundred and twenty Acres or thereabouts, together with an Embankment on the Right Bank of the River *Thames:* And whereas Her said Majesty has been graciously pleased to assent to the Recommendation of Her said Commissioners; but the same cannot be carried into effect without the Authority of Parliament: And whereas the Queen's most Excellent Majesty in right of Her Crown claims to be seised of the Ground or Soil and Bed of the River *Thames*, and the Shores thereof so far as the Tide flows and reflows in the same River, and the Mayor and Commonalty and Citizens of the City of *London* are Conservators of the same River, and claim also to be entitled to so much of the Ground and Soil and Bed of the said River and the Shores thereof as lie within the Limits and Bounds of their Jurisdiction as Conservators, and a Suit has been instituted by Her Majesty's Attorney General, on behalf of Her Majesty, against the said Mayor and Commonalty and Citizens, for the Purpose of ascertaining and determining the Rights of Her Majesty and of the said Mayor and Commonalty and Citizens respectively, and such Suit is still pending: And whereas the Plan of the said Embankment has, without Prejudice to the Right and Title of the Crown, been submitted to and received the Approval of the Lord Mayor of the City of *London*, the Conservator of the said River *Thames:*' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being shall and may, with the Consent and Approbation of the Lord High Treasurer, or of the Commissioners for executing the Office of Lord High Treasurer of the United Kingdom of *Great Britain*

Commissioners of Woods, &c. empowered to purchase Lands for a Royal

Park, to be called Battersea Park.

Britain and *Ireland* for the Time being, or any Three or more of them, form a Royal Park in *Battersea Fields* in the Parish of *Saint Mary Battersea* in the County of *Surrey*, and for that Purpose lay out and apply any Monies which shall from Time to Time come into their Hands as such Commissioners as aforesaid from the Sale of any of the Possessions of the Crown, not exceeding in the whole the Sum of Two hundred thousand Pounds, in the Purchase of the Lands and Hereditaments required for the Purposes of this Act, and in laying out and planting the same, and forming the Embankment and other Works hereinafter mentioned, and carrying the other Purposes of this Act into execution; and such Lands and Hereditaments, when purchased, shall be conveyed and assured to Her Majesty, Her Heirs and Successors, and when so conveyed shall for ever thereafter be a Royal Park by the Name of *Battersea Park*, and Part and Parcel of the Possessions and Land Revenues of Her Majesty in right of the Crown; and all Laws, Provisions, and Regulations now in force or hereafter to be in force with respect to Royal Parks shall be taken to extend and apply to such Park, except that the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being may, in such Manner as by Law is provided with regard to the Hereditary Revenues of the Crown, not being Royal Parks, lease such Parts of the said intended Park as, with such Consent and Approbation as aforesaid, they shall deem it expedient to lease, for the Purposes of Sites for Dwelling Houses or ornamental Buildings, and Offices and Gardens thereto annexed; and that all and every the Powers and Provisions with regard to Leases for the Purposes aforesaid, to be made or granted by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being, of the Hereditary Revenues of the Crown, not being Royal Parks, shall extend to such Part or Parts of the said intended Park so to be leased as aforesaid.

Commissioners of Woods, &c. may lay out, plant, and enclose the intended Park, erect Buildings, &c., make Regulations, and appoint Officers.

II. And be it enacted, That the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being may, by and out of the aforesaid Monies, lay out, plant, and enclose the said intended Park, and build any Lodge or Lodges, Museums, or other ornamental Buildings therein, and in such Manner as they may think fit; and it shall be lawful for the said Commissioners from Time to Time to make Orders and Regulations for opening and closing the Gates and Entrances of the said Park, or any of them, at such Hours as they shall think fit, and to appoint Park-keepers and other Officers to preserve Order therein, and generally to exercise as ample Powers of Control and Management in and over the said Park as the said Commissioners, or the Rangers of any other of Her Majesty's Royal Parks, may lawfully exercise in or over any of such other Royal Parks.

Treasury empowered to authorize Exchequer Bill Commissioners to advance Monies on the Credit of the Land Revenues of the Crown.

III. And be it enacted, That it shall be lawful for the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer for the Time being, or any Three or more of them, if he or they shall think fit, from Time to Time to authorize the Commissioners for issuing Exchequer Bills for Public Works, acting in the Execution of an Act passed in the Fifty-seventh Year of the Reign of King *George* the Third, and of several subsequent Acts for amending and extending the same, to advance and lend to Her Majesty's Commissioners of Woods, Forests, Land Revenues, Works, and Buildings, for the Time being, any Sum or Sums of Money in Exchequer Bills not exceeding in the whole the said Sum of Two hundred thousand Pounds, and the Repayment thereof, with Interest from the Time or respective Times of advancing the same, not exceeding the Rate of Four Pounds *per Centum per Annum*, shall be secured in such Manner as the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer for the Time being, or any Three or more of them, shall direct; and the said Lord High Treasurer, or Commissioners for executing the Office of Lord High Treasurer, may authorize and direct such Sum of Money to be advanced by such Instalments and from Time to Time as he or they shall think fit.

Commissioners of Woods, &c. empowered to mortgage Hereditaments purchased under this Act, to secure the Repayment of Loans.

IV. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for the Time being, with such Consent and Approbation as aforesaid, notwithstanding any Provisions, Restrictions, or Clauses contained in any Act or Acts of Parliament relating to Her Majesty's Land Revenue, from Time to Time to take up and borrow, at any Rate of Interest not exceeding the Rate of Five Pounds *per Centum per Annum*, and on such Terms and Conditions as they shall think proper, such Sum or Sums of Money as the said Commissioners, with such Consent and Approbation as aforesaid, shall judge necessary for the Purposes of this Act, not exceeding the said Sum of Two hundred thousand Pounds, and to secure the Repayment of any Sum or Sums so to be advanced to them as aforesaid, with Interest for the same, by Mortgage of all or any Part or Parts of the Hereditaments to be purchased under the Authority of this Act, and for that Purpose, with such Consent and Approbation as aforesaid, to execute any Grant, Demise, or Mortgage of all or any Part of the same Hereditaments to any Person or Persons, Bodies Politic or Corporate, his or their Executors, Administrators, Successors, or Assigns, for any Term of Years, so that every such Grant, Mortgage, or Security be made with a Proviso or Condition to cease and be void when the Sum or Sums of Money thereby to be secured, and the Interest thereof, shall be fully paid and satisfied; and every such Grant, Mortgage, or Security may be in a Form similar to that set forth in an Act of the Fourth and Fifth Years of Her present Majesty, intituled *An Act to empower the Commissioners of Her Majesty's Woods to raise Money for certain Improvements in the Metropolis on the Security of the Land Revenues of the Crown within the County of* Middlesex *and City of* London; and every such Grant, Demise, or Mortgage as aforesaid, and every Assignment thereof, shall be enrolled in the Office of Land Revenue Records and Enrolments, and entered in the Office of Woods, within Three Calendar Months from the Date thereof; and every such Grant, Demise, or Mortgage shall be good and valid, notwithstanding any Provisions, Restrictions, or Clauses contained in any such Act or Acts of Parliament as aforesaid.

4 & 5 Vict. c. 40.

V. And

V. And be it enacted, That it shall be lawful for the said Commissioners in all respects to make and grant such Leases and Agreements for Leases, and to accept a Surrender of any Lease or Leases granted or to be granted of any Hereditaments comprised in any Mortgage made or to be made in pursuance of this Act, and on any such Surrender to grant any other Lease or separate Leases of the Hereditaments so to be surrendered, for any Term which they are or may be authorized to grant, in all respects whatsoever as if such Mortgage or Mortgages had not been made, so as the Rent to be reserved in respect of any Hereditaments to be comprised in any new Lease to be made on the Surrender of a former Lease be not less in Amount than the Rent which was reserved by the surrendered Lease, or (when more than One Lease shall be granted of any Hereditaments comprised in a Lease which shall have been surrendered) so as the aggregate Amount of Rents to be reserved by the separate Leases be not less in Amount than the Rent reserved by the Lease so surrendered.

Commissioners empowered to lease notwithstanding Mortgages.

VI. And be it enacted, That the Person or Persons, Body or Bodies, to whom any such Mortgage as aforesaid shall be granted, shall (in respect of such Leases so to be granted, and during the Continuance of such Mortgage Securities,) have such and the same Powers of Distress, Entry, and otherwise, for the Recovery of the Rents by any such Leases so to be granted reserved, and shall have such and the same Benefit of the Covenants in such Leases to be contained, and on the Part of the Lessees to be performed, as they would have had if they had been Parties to such Leases, and the Rents and Rights of Distress and Entry had been reserved to them, and the Covenants entered into with them, in all respects whatsoever, but not so as to give any subsequent Mortgagee any Right or Priority over the prior Mortgagee.

Saving Rights of Distress and Entry of Mortgagees.

VII. And be it enacted, That the Maps or Plans already made, describing the Site or intended Site and Boundaries or intended Boundaries of the said intended Park, after the same shall have been authenticated in Duplicate by the Signature of the Right Honourable the Speaker of the House of Commons, shall be deposited in the Office of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and in the Office of Land Revenue Records and Enrolments respectively, and the Maps or Plans so authenticated and deposited shall remain in such Offices respectively, to the end that all Persons may at all seasonable Times inspect and peruse the same at their Will and Pleasure, on paying the Sum of One Shilling for every such Inspection.

Maps or Plans to be deposited in the Office of Woods and in the Land Revenue Record Office.

VIII. And be it enacted, That the said Commissioners, in making, forming, and completing the said intended Park, shall not deviate more than Fifty Yards from the Lines described in the aforesaid Maps or Plans as the Boundaries or intended Boundaries of the said Park, nor, in the Case of Ground or Hereditaments belonging to the *Southwark and Vauxhall* Waterworks Company, make any Deviation from such Lines, without the Consent of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Tenements such Deviation shall be made.

No Deviation to be made from such Plans without Consent.

IX. And be it enacted, That it shall be lawful for the said Commissioners to stop up, divert, widen, or alter all or any of the Roads, Ways, Paths, or Passages, Drains or Watercourses, which now lead into, upon, through, across, or over any Part or Parts of the Site or intended Site of the said intended Park, and to set out and make such other Roads, Ways, Paths, or Passages, Sewers, Drains, or Watercourses, as to the said Commissioners may seem fit and necessary, and to make and form such convenient Approaches to the said Park as they may deem suitable and proper; and the Ground and Soil of such Roads, Ways, Paths, or Passages, Drains or Watercourses, as shall be so stopped up, and the Fee Simple and Inheritance thereof, shall be and the same is hereby vested in Her Majesty, Her Heirs and Successors, for the Purposes of this Act.

Power to stop up and alter Roads, and to make Approaches to the Park.

X. And be it enacted, That all Sewers and Drains which shall be made and constructed for the Sewerage and Drainage of Houses and Buildings to be erected on such Parts of the said intended Park as shall be leased by the said Commissioners for the Purposes of Sites for Dwelling Houses or ornamental Buildings and Offices and Gardens thereto annexed, and the Power and Authority of rating the said Houses, Buildings, and Premises, or the Owners or Occupiers thereof respectively, shall be under the Care, Management, Control, and Jurisdiction of the Commissioners of Sewers for the Limits extending from *East Moulsey* in the County of *Surrey* to the *Ravensbourne* in the County of *Kent:* Provided always, that no Outlet shall at any Time be made from any Sewer into the River *Thames* through or under any Part of the said intended Embankment, or through, under, or in front of any Lands or Tenements lying between the extreme Limits comprised in the Schedule to this Act.

Sewers for Drainage of Houses to be under Jurisdiction of Commissioners of Sewers, but no Outlet to be made into the Thames.

XI. And be it enacted, That it shall be lawful for the said Commissioners to enclose and embank so much of the Shore and of the Ground and Soil of the River *Thames* on the Right Bank thereof as bounds or is adjacent to the Hereditaments comprised in the Schedule to this Act, and to stop up, remove, or alter any Piers, Stairs, Hards, or Landing Places on so much of the Right Bank of the said River as bounds the said Hereditaments comprised in the Schedule of this Act as shall be necessary for that Purpose, and to construct Piers, Stairs, Hards, or Landing Places at such Part or Parts of such Embankment and the Ground and Soil so to be embanked as are described upon the said Plan, either on the Sites marked on such Plan, or within the Distance of Fifty Feet from such Sites respectively; and all such Piers, Stairs, Hards, or Landing Places so to be constructed as aforesaid shall be and remain vested in Her said Majesty, Her Heirs and Successors, for an Estate in Fee Simple, for the Purposes of this Act.

Power to embank the Shore of the River adjacent to the Park.

XII. And be it enacted, That for the Purpose of forming such Embankment, Piers, Stairs, Hards, or Landing Places as aforesaid it shall be lawful for the said Commissioners to remove Shoals and to excavate and deepen the Bed of the River *Thames*, in any Places between *Battersea* and *Vauxhall* Bridges where it shall require to be deepened, or may be deepened without Injury, and to take away the Gravel, Sand, Earth, Ballast, or other Materials which shall be raised from the Bed of the said River

Soil raised from the River may be used to form Embankment.

River in executing any such Works: Provided always, that all Gravel, Sand, Earth, Ballast, or other Materials which shall be raised as aforesaid shall be wholly removed and taken away from the said River without screening or returning any Part thereof into the said River after the same shall have been so raised: Provided also, that the said Commissioners shall and they are hereby required to level all Holes and Pits that shall be dug or caused by such Excavation as aforesaid, and in all Places where they shall deepen the Bed of the said River to deepen the same uniformly.

Saving Rights of Her Majesty.

XIII. And be it enacted, That nothing contained in this Act shall be deemed or construed to extend, either directly or by Implication or otherwise, to prejudice or affect any Right of Property or Title belonging to Her Majesty, Her Heirs or Successors, in or to the Ground or Soil and Bed of the River *Thames* or the Shores thereof, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Saving Rights of the Corporation of London.

XIV. Provided always, and be it enacted, That nothing in this Act contained shall prejudice or be deemed or construed to extend to prejudice any Right of Property or Title of the said Mayor, Commonalty, and Citizens of the City of *London*, or their Successors, in or to the Soil and Bed of the River *Thames* or the Shores thereof, or prejudice or derogate from any of the Estates, Rights, Privileges, Franchises, Jurisdiction, or Authority of the Mayor and Commonalty and Citizens of the City of *London*, or their Successors, or the Lord Mayor for the Time being of the same City, or prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of passing this Act the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time being, as Conservator of the River *Thames*, or otherwise, did or might lawfully claim, use, or exercise.

Power to take Lands and Houses.

XV. And be it enacted, That for the Purpose of making, forming, and completing the said intended Park, it shall be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being, on behalf of Her Majesty, and they are hereby authorized and empowered, to take and use, or cause to be taken and used, any Lands, Tenements, or Hereditaments, and pull down and remove or cause to be pulled down and removed any Houses or Buildings which they may deem necessary and expedient to take, use, or pull down and remove for the Purposes of this Act, at any Time, at the Expiration of Six Calendar Months after Notice in Writing from the said Commissioners, or their Agent duly authorized, of the Intention to take or use the same shall either be given to the principal Officer of the Body Politic, Corporate, or Collegiate, or to the Person or Persons who shall be the Owners and Occupiers of such Tenements or Hereditaments, or, in case he, she, or they cannot be found or ascertained left at the usual or last Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of the same Tenements or Hereditaments, or shall be fixed upon the same Premises; and for the Purposes of this Act the Owner shall be any Person hereby capacitated to sell.

No House, &c. to be taken without Consent, unless in Schedule.

XVI. Provided always, and be it enacted, That no Lands, Hereditaments, Houses, or Buildings shall be taken or made use of for the Purposes of this Act, except such as are mentioned in the Schedule hereunto annexed, or as are situated within the Limits of the Deviation herein-before authorized, without the Consent in Writing of the Owner or Owners thereof being first had and obtained for that Purpose.

Houses and Lands may be taken, notwithstanding Errors in the Schedule.

XVII. And be it enacted, That it shall be lawful for the said Commissioners to purchase, take down, and use, for the Purposes of this Act, any of the Houses, Buildings, Lands, and other Hereditaments described in the said Plan or Plans to be deposited as aforesaid, as intended to be taken for the Purposes of this Act, although the same Houses, Buildings, Lands, and other Hereditaments, or the Name or Names of the Owner or Owners, Occupier or Occupiers thereof, may happen to be erroneously stated or omitted in the Schedule hereunto annexed, in case it shall appear to any Two or more Justices of the Peace for the County of *Surrey*, and be certified under their Hands, that such Error or Omission proceeded from Mistake or erroneous Information.

Power to enter and survey Houses and Lands.

XVIII. And be it enacted, That it shall be lawful for the Commissioners, and for their Surveyors, Officers, and Workmen, from Time to Time, at all seasonable Times in the Daytime, upon giving for the first Time Twenty-four Hours and afterwards from Time to Time Twelve Hours previous Notice in Writing, to enter into and upon all or any of the said Lands, Tenements, and Hereditaments authorized to be taken and used as aforesaid, or any of them, for the Purpose of surveying or valuing the said Premises, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment on account of entering or continuing upon any Part or Parts of the said Lands, Tenements, or Hereditaments, for the Damages that shall be thereby occasioned.

Commissioners empowered to treat for the Purchase of Lands.

XIX. And be it enacted, That it shall be lawful for the said Commissioners on behalf of Her Majesty, and they are hereby empowered to treat and agree for the Purchase of any Lands, Tenements, and Hereditaments which they may deem necessary for the Purposes of this Act to be taken and used by them, and of any subsisting Leases, Terms, Shares, Estates, and Interests therein, and Charges thereon, or such of them, or such Part or Parts thereof respectively as the said Commissioners shall think proper, and for that Purpose to enter into any Contract or Contracts which they may think fit.

Bodies Politic and Trustees empowered to sell and convey.

XX. And be it enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, and for all Trustees and Feoffees in Trust for charitable and other Purposes, and all Executors and Administrators, not only for and on behalf of themselves, their Successors, Heirs, Executors, and Administrators respectively, but also for and on behalf of their respective Cestuique Trusts, whether Infants, Femes Covert, Idiots, Lunatics, or Persons not born or not ascertained, or any other Person or Persons whomsoever, and to and for all Tenants for Life or for Years absolute or determinable on any Life or Lives, and all Persons having any other partial or qualified Estate

or

or Interest, not only for and on behalf of themselves, their Heirs, Executors, Administrators, and Issue, but also for and on behalf of the Person or Persons entitled in remainder, reversion, expectancy, or contingency, or for any other future Estate or Interest, where such Person or any of such Persons, whether entitled to the next or any subsequent Estate or Interest, or any Part thereof, shall not be ascertained, or shall be incapable of contracting for, selling, and conveying the same, and for all Guardians on behalf of their respective Wards, Husbands on behalf of their respective Wives, Committees on behalf of the Persons of whose Estates they shall be Committees, and the Heirs, Executors, and Administrators, and Issue of such Wards, Wives, or Persons respectively, and to and for all Femes Covert entitled in their own Right to any such Lands, Tenements, or Hereditaments, or to Dower or other Interest therein, on behalf not only of themselves but also of their respective Heirs, Executors, Administrators, and Issue, and also, where such Wards, Wives, Persons, or Femes Covert respectively shall be Tenants for Life or in Tail or for Years, or have any other partial or qualified Estate or Interest, to and for such Guardians, Husbands, Committees, and Femes Covert on behalf of the Person or Persons on behalf of whom such Wards, Wives, Persons, or Femes Covert respectively, if of full Age, unmarried, and of sound Mind, might have contracted for, sold, and conveyed the same Lands, Tenements, or Hereditaments, and to and for all and every other Person or Persons whomsoever who are or shall be seised or possessed of or interested in any Lands, Tenements, or Hereditaments which by the said Commissioners shall be thought necessary for any of the Purposes of this Act, to contract for, sell, and convey the same and every or any Part thereof to the Queen's most Excellent Majesty, Her Heirs and Successors, or to such Person or Persons as a Trustee or Trustees on behalf of Her Majesty, Her Heirs and Successors, as the said Commissioners, or any Two of them, shall direct; and all Contracts, Agreements, Bargains, Sales, Conveyances, and Assurances, Acts and Deeds, which shall be made by such Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons as aforesaid, shall be valid and effectual in Law, and all Bodies Politic, Corporate, or Collegiate, and all Persons whomsoever, contracting or conveying as aforesaid, are hereby indemnified for or in respect of any such Sale which they, he, or she, or any of them, shall respectively make by virtue or in pursuance of this Act.

Satisfaction may be accepted for Lands taken.

XXI. And be it enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, and other Person and Persons herein-before capacitated to contract for, sell, and convey any such Lands, Tenements, or Hereditaments as aforesaid, and any other Owner or Owners of any such Lands, Tenements, or Hereditaments, or any Share or Shares, Estate or Estates, Interest or Interests therein or Charge or Charges thereon, may accept and receive such Satisfaction and Recompence for the Value thereof, and such Body or Bodies, Trustee or Trustees, Person or Persons, Owner or Owners, and also any Tenant or Tenants or other Occupier or Occupiers of any such Premises entitled to any Compensation for Tenants Fixtures, or for any other Injury or Damage which shall be sustained on account of the Execution of this Act, or in anywise relating thereto, may accept and receive such Sum of Money in respect thereof as shall be agreed upon between them respectively and the said Commissioners on behalf of Her Majesty; and in case the said Commissioners and the said Parties interested in such Lands, Tenements, or Hereditaments, or Fixtures, or sustaining any Injury or Damage, cannot or do not agree as to the Amount or Value of such Satisfaction, Recompence, or Compensation, the same respectively shall be ascertained and settled by a Jury in manner herein-after directed.

Parties to deliver Statements of their Claims within One Month after Notice.

XXII. And be it enacted, That on or before the Expiration of One Calendar Month next after Notice in Writing from the said Commissioners, or any Two of them, or their Agent duly authorized, of the Intention to take or use any Lands, Tenements, or Hereditaments, or any Part thereof, for the Purposes of this Act, shall have been given, left, or affixed as herein-before is mentioned, all and every Body and Bodies Politic, Corporate, and Collegiate, Trustee and Trustees, and other Person and Persons, seised, possessed of, or interested in, or authorized by this Act to accept and receive Satisfaction or Recompence for the Value of the same, or any Estate, Share, or Interest therein or Charge thereon, having or claiming to be entitled to any Compensation for any Tenants Fixtures, or for any Injury or Damage sustained on account of the Execution of this Act, shall deliver or cause to be delivered to the said last-named Commissioners for the Time being, by leaving the same at their Office, a Statement in Writing of the Particulars of the Estate, Share, Interest, or Charge which he, she, or they claim to be entitled to or to be authorized to receive Satisfaction or Recompence for, and of the Tenants Fixtures, and of the Injury or Damage (if any) sustained by him, her, or them, and of the Amount of the Sum or Sums of Money which he, she, or they may expect and be willing to receive in satisfaction or discharge for the Value of such Estate, Share, Interest, or Charge, and also the Amount of the Sum or Sums of Money which he, she, or they may expect and be willing to receive as Compensation for such Fixtures, and for such Injury or Damage respectively.

If Parties refuse to treat, or shall not agree, a Jury to be summoned.

XXIII. And be it enacted, That if any Owners or Proprietors, Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Trustees, Femes Covert, or any other Person or Persons, seised, possessed of, or interested in any Lands, Tenements, or Hereditaments, or in any Share or Shares, Estate or Estates, Interest or Interests therein or Charge or Charges thereon, which the said Commissioners, on behalf of Her Majesty, are hereby empowered to purchase, take, and use for the Purposes aforesaid, shall neglect or refuse to treat or shall not agree in the Premises, or by reason of Absence or Disability shall be prevented from treating with the said Commissioners, or with the Person or Persons authorized by them, for the Sale and Disposal of their respective Estates and Interests therein, or cannot be found or known, or shall not produce and evince a clear Title to the Premises they may be in possession of, or to the Interest they shall claim therein, to the Satisfaction of the said Commissioners,

missioners, then and in every or any such Case the Sheriff of the County of *Surrey*, or his Under Sheriff, or in case such Sheriff or Under Sheriff shall be in anywise interested in the Matter in question, then some One of the Coroners of the said County of *Surrey* not interested therein shall, upon the Warrant of the said Commissioners, in manner herein-after mentioned, and he or they is and are hereby required and authorized to cause it to be inquired into and ascertained, upon the Oaths of a Jury of Twelve indifferent Men of the said County of *Surrey* (which Oaths the said Sheriff, Under Sheriff, or Coroner is and are hereby empowered and required to administer), what Recompence and Satisfaction shall be made to such Owners, Occupiers, or other Person or Persons interested, for the Value of such Lands, Tenements, or Hereditaments, and of the proportionable Value of the respective Estates and Interests of every Person or Persons seised or possessed thereof or interested therein, or of or in any Part thereof, and assess or award the Sum or Sums of Money to be paid to such Person or Persons, Party or Parties respectively, for the Purchase of such Lands, Tenements, or Hereditaments, and of such respective Estates and Interests therein, and also for any Injury or Damage whatsoever that may affect any such Person or Persons, Party or Parties, provided such Compensation shall be estimated by what in the Opinion of such Jury the Premises would have been worth in case the Alterations or Improvements intended by this Act had not been in contemplation; but no Sum of Money shall be awarded for or in respect of any Building or Improvement which in the Opinion of such Jury shall have been constructed or made with a view to obtaining Compensation under this Act, beyond the actual Cost of building and the Materials used; and the said Jury, in estimating such Recompence and Satisfaction, shall take into their Consideration the Increase in Value of the Residue of any contiguous Property of which such Lands, Tenements, or Hereditaments shall form Part; and in order thereto the said Sheriff or Coroner is and are hereby empowered and required, from Time to Time, as Occasion shall require, to summon and call before the said Jury, and examine upon Oath, all and every Person or Persons whomsoever who shall be thought necessary and proper to be examined as a Witness or Witnesses touching or concerning the Premises (which Oath the said Sheriff, Under Sheriff, or Coroner is and are hereby empowered to administer); and such Sheriff, Under Sheriff, or Coroner respectively shall order and cause the Jury to view the Places in question, if there be Occasion, and use all other lawful Ways and Means, as well for his and their own as for the Jury's better Information in the Premises, as the said Sheriff, Under Sheriff, or Coroner shall think fit; and after the said Jury shall have inquired of and ascertained and settled such Damage, Recompence, and Satisfaction, the said Sheriff, Under Sheriff, or Coroner shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said Commissioners to the said Owners or Occupiers of or other Persons interested therein, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition and Order so had and made shall be final, binding, and conclusive, to all Intents and Purposes, upon and against all Bodies Politic, Corporate, or Collegiate, and Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Parties and Persons whomsoever; and for the summoning and returning of such Jury or Juries the said Commissioners are hereby empowered to issue their Warrant or Warrants to the said Sheriff, Under Sheriff, or Coroner to summon, impannel, and return, at some convenient Place in the said County of *Surrey*, a Jury of not less than Thirty-six or more than Forty-eight honest and indifferent Men, qualified according to Law to be returned for Trials of Issues in Her Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff, Under Sheriff, or Coroner at such Time and Place as in such Warrant shall be appointed; and Fourteen Days Notice at the least in Writing under the Hands of the said Commissioners or any Two of them, of the Time and Place at which such Jury are so required to be returned, shall be given to such Owners, Proprietors, Occupiers, Corporations, Trustees, or any other Person or Persons interested in the Premises, before the Time of meeting of the said Jury, by leaving such Notice at the Dwelling House of such Person or Persons, or of the head Officer of such Body or Bodies Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises respectively intended to be valued; and the said Sheriff, Under Sheriff, or Coroner is and are hereby empowered and required to impannel, summon, and return such Number accordingly, and out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Sheriff, Under Sheriff, or Coroner shall swear or cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen the said Sheriff, Under Sheriff, or Coroner shall return other honest and indifferent Men of Standers-by, or that can be speedily procured to attend that Service (being qualified as last aforesaid), to the Number of Twelve; and it shall be lawful for all Persons concerned, by themselves, their Counsel, Solicitors, and Agents, to attend and be heard, and to adduce Evidence before the Sheriff, Under Sheriff, or Coroner respectively; and such Persons shall also have their lawful Challenge against any of the said Jurymen when they come to be sworn, but shall not challenge the Array.

Where Part of an Estate is taken, the Remainder to be valued.

XXIV. And be it enacted, That if the Owner, Lessee, or Occupier of any Lands, Tenements, or Hereditaments authorized to be taken by virtue of this Act shall not be inclined to sell or part with the whole thereof, or his or her Interest in the whole thereof, and it shall not be found necessary to take the whole for the Purposes of this Act, and the said Parties cannot agree as to the Sum of Money to be paid for the Part which the said Commissioners, or any Person or Persons authorized by them, shall think it necessary to purchase, then and in such Case the Jury which shall be summoned to value the said Premises shall assess the Value of the whole Premises according to the Condition in which they are at the Time of taking the View, and also the Value of that Part of the Premises which will remain after the said Commissioners, or the Person or Persons authorized by them, have taken away so much as they shall think necessary

necessary for the Purposes of this Act; and in such last Valuation the said Jury shall take into their Consideration the Improvements or Depreciation which the Remainder of the Premises is likely to receive or sustain from the Alteration intended to be made; and the Jury having made these Two Valuations, the Difference between them shall be the Price to be paid by the said Commissioners on behalf of Her Majesty for that Part which they shall have Occasion for, and such Price shall be recorded as the Verdict of the Jury for the Value of the same.

Notice to be given of Compensation claimed.

XXV. And be it enacted, That no Jury to be summoned by virtue of this Act shall be allowed to assess or award any Sum or Sums of Money to any Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, by way of Compensation for Tenants Fixtures, or any Injury or Damage alleged to have been sustained by him or them by reason or means of this Act, or any thing which shall or may be done in the Execution hereof, unless such a Statement as herein-before is mentioned of the Particulars of every such Claim, and how and in what Manner the Amount thereof is made out and computed, shall have been given to the said Commissioners, or left at their Office as aforesaid, by and on behalf of such Person or Persons, Ten Days at least before the Time of the Meeting of such Jury.

Penalty on Sheriff, Jury, and Witnesses for Neglect of Duty.

XXVI. And be it enacted, That if the Sheriff, Under Sheriff, or Coroner, so directed to summon and return a Jury as aforesaid, shall make default in the Premises, he shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds to the Party who shall be prejudiced or injured thereby, to be recovered, with full Costs of Suit, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*; and if any Person, so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any Person so summoned as a Witness shall not appear, or appearing refuse to be examined or to give Evidence, any Person so offending, having no reasonable Excuse, to be allowed by the Justices hereinafter mentioned, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; which several and respective Penalties shall and may be levied, by virtue of any Warrant under the Hand and Seal of One of Her Majesty's Justices of the Peace for the said County of *Surrey*, by Distress and Sale of the Goods and Chattels of the Person so offending, the Person making such Distress and Sale rendering to him or her the Overplus of the Money thereby produced (if any) after such Penalty and the Charges of such Distress and Sale shall be deducted, and all such Fines shall be paid to the said Commissioners, to be applied for the Purposes of this Act.

Jury shall, if required, assess Value of Fee Simple, and then apportion the Values of respective Interests therein.

XXVII. And be it enacted, That in all Cases in which a Verdict shall be given for the Value of any Lands, Tenements, or Hereditaments, or Share or Shares therein, the Jury shall, if required so to do by or on behalf of the said Commissioners, inquire of, assess, and ascertain the Value of the Fee Simple of the Entirety of the said Premises, and shall afterwards apportion and divide the Value so ascertained between and among all the different Shares and Charges which shall be claimed, and also between different Parts of the said Lands, Tenements, or Hereditaments alleged to be held under different Titles: Provided always, that the Verdict of any Jury shall not defeat or prejudice any Contract or Sale which shall have been previously made of any Share or Charge, although the Value of the same may be ascertained to be different from the Amount of the Price, Recompence, or Satisfaction agreed to be paid for the same.

Value of Lands and Damages to be awarded separately.

XXVIII. And be it enacted, That the Jury and Juries so to be summoned as aforesaid shall award all Determinations, Judgments, and Verdicts which they shall make and give in execution of the Powers hereby vested in them concerning the Value of the Lands, Tenements, or Hereditaments, or of any Share or Shares, Estate or Estates, Interest or Interests therein or any Charge or Charges thereon, separately and distinctly from the Consideration of any Loss or Damage to be sustained by any Person or Persons in consequence of the Execution of any of the Powers of this Act, and shall distinguish the Value set upon the Hereditaments, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charges thereon, and the Money assessed or adjudged for such Loss or Damage as aforesaid, separately and apart from each other; and when any Money shall be assessed or adjudged for such Loss or Damage as aforesaid the Jury shall, if required by the said Commissioners, award and declare whether the Statement delivered by the Claimant or Claimants of the Manner in which any Amount of the Money which shall have been demanded as a Compensation for the same has been computed and made up gave sufficient Particulars to enable the said Commissioners to make a proper Offer.

Providing for Expences of Jury.

XXIX. And be it enacted, That in case any Jury to be summoned and sworn pursuant to the Authority of this Act shall give in a Verdict or Assessment for more Money as a Recompence, Compensation, or Satisfaction for the Rights, Interests, or Property of the Person or Persons in any such Lands, Tenements, or Hereditaments, or for any such Injury or Damage as aforesaid, than shall have been agreed to be given and offered for the same in the aggregate by the said Commissioners before the summoning and returning of such Jury, or where, by reason of Absence in Foreign Countries or other Incapacity or Disability as aforesaid, there shall not be found any Person or Persons legally capacitated to enter into any Contract with the said Commissioners on behalf of Her Majesty, then and in every such Case all the reasonable Costs, Charges, and Expences of causing and procuring such Recompence, Compensation, or Satisfaction to be assessed by a Jury shall be settled by the Sheriff, Under Sheriff, or Coroner before whom such Claim shall have been tried, and shall be paid by the said Commissioners on behalf of Her Majesty; but in every Case in which any Jury so summoned and sworn as aforesaid shall be of opinion that the Statement delivered by the Claimant or Claimants of the Manner in which any Amount of Money which shall have been demanded as a Compensation has been computed and made up did not

give sufficient Particulars to enable the said Commissioners to make a proper Offer, and in every other Case in which any such Jury shall give in a Verdict or Assessment for no more or for less Money as such Recompence, Compensation, or Satisfaction as aforesaid than shall have been agreed to and offered by the said Commissioners in the aggregate for the same, before the summoning and returning of the said Jury, or in case no Damages shall have been given by the Verdict where the Dispute is for Damages only, or where the causing or procuring such Jury to be summoned shall have arisen from a Refusal to treat or agree with the said Commissioners by any Body or Bodies Politic, Corporate, or Collegiate, or by any Person or Persons whomsoever, who is or are by the Provisions of this Act or otherwise legally empowered to treat, then (except where by reason of Absence such Person shall be prevented from treating with the said Commissioners) all such Costs, Charges, and Expences, to be settled by such Sheriff, Under Sheriff, or Coroner in manner aforesaid, shall be paid to the said Commissioners on behalf of Her Majesty by the said Body or Bodies Corporate or Collegiate, or other Person or Persons so claiming such Compensation, or refusing to treat and agree as before-mentioned respectively (save only and except where by reason of Absence or other like Cause any Person shall have been prevented from treating or agreeing as aforesaid, in which Case no Costs, Charges, or Expences shall be allowed to either Party as against the other), and all Costs, Charges, and Expences hereby directed to be paid to the said Commissioners on behalf of Her Majesty, shall and may be deducted and retained by them out of the Money so adjudged or assessed to be paid by them as so much Money advanced to or for the Use of the Person and Persons entitled to such Money so adjudged, and Payment or Tender of the Remainder of such Money shall be deemed and taken to be a Payment or Tender of the whole Sum or Sums so adjudged or assessed, or in case no Money or no sufficient Sum of Money shall be awarded or assessed to be paid by the said Commissioners on behalf of Her Majesty, whereout such Costs, Charges, and Expences can be deducted, then the same shall and may be recovered, by virtue of any Warrant under the Hand and Seal of One of Her Majesty's Justices of the Peace for the said County of *Surrey*, by Distress and Sale of the Goods and Chattels of the Person or Persons liable to the Payment of the same, the Party making such Distress and Sale rendering to such Person or Persons as aforesaid the Overplus of the Money thereby produced (if any), after such Costs, Charges, and Expences, and the Charges of such Distress and Sale, shall be deducted.

Judgments and Verdicts to be recorded.

XXX. And be it enacted, That all the said Judgments and Verdicts shall be recorded in the Office of Land Revenue Records and Enrolments, and a Minute or Docquet thereof respectively entered in the Office of the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and all such Judgments and Verdicts shall be afterwards deposited with the Clerk of the Peace of the said County of *Surrey*, to be kept and preserved by him amongst the Records of the Quarter Sessions of the said County, and shall be deemed to be Records to all Intents and Purposes whatsoever, and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever, and all Persons shall have Liberty to inspect the same, paying for each such Inspection the Sum of One Shilling, and to take Copies thereof, paying for every Copy the Sum of Sixpence for every Seventy-two Words, and so in proportion for any less Number of Words.

Commissioners to purchase the whole, if the Owners decline to sell a Part.

XXXI. And be it enacted, That if in any Case the Owner or Owners of any House or Building, or of any Yard or Curtilage occupied therewith, Part only of which Premises shall at any Time be required by the said Commissioners to be applied for the Purposes aforesaid, shall be unwilling to sell or dispose of such Part only of such House, Building, Yard, or Curtilage as shall be required by the said Commissioners, it shall be lawful for the said Commissioners, on behalf of Her Majesty, and they are hereby required, at the Option of any Owner or Owners of any such House, Building, Yard, or Curtilage, to purchase of and from the said Owner or Owners the whole or such Part thereof, over and above such Part thereof as may be wanted for the Purposes of this Act, as such Owner or Owners shall think fit, and to apply so much and such Part thereof as they the said Commissioners shall see fit for the Purposes aforesaid; and that if such Owner or Owners shall not or cannot agree with the said Commissioners for the Price to be paid for the Purchase of the whole or such Part as aforesaid of such House, Building, Yard, or Curtilage, then the Value thereof shall be settled and ascertained by a Jury in such Manner as the Price for any Premises to be taken in pursuance of this Act is directed to be settled and ascertained; and all such other Proceedings shall take place respecting the said Premises as are herein-before mentioned and directed with respect to the Premises the Value of which shall be ascertained by a Jury in the Manner aforesaid.

Persons holding under Leases to produce the same.

XXXII. And be it enacted, That in all Cases in which any Person or Persons shall claim any Satisfaction or Compensation for or in respect of any unexpired Term or Interest which he, she, or they shall claim to be possessed of or entitled unto in any Lands, Tenements, or Hereditaments intended to be taken or used under the Authority of this Act, under or by virtue of any Demise or Lease, or Agreement for Demise or Lease, or Grant thereof, the said Commissioners are hereby authorized to require such Person or Persons to produce or show the Demise or Lease, or Agreement for Demise or Lease, or Grant, in respect of which such Claim to Satisfaction or Compensation shall be made, or the best Evidence thereof in his, her, or their Power; and if such Demise or Lease, or Agreement for Demise or Lease, or Grant, or such best Evidence thereof as aforesaid, shall not be produced or shown within Twenty-one Days after Demand made by the said Commissioners, or any Person by them authorized, the Person or Persons claiming such Satisfaction or Compensation shall be considered and treated as holding only from Year to Year.

XXXIII. And

Conveyance of Copyhold Land to be enrolled.

XXXIII. And with respect to any Lands, Tenements, or Hereditaments which shall be of Copyhold or Customary Tenure, or of the Nature thereof, be it enacted, That every Conveyance of any such Lands, Tenements, or Hereditaments to a Trustee or Trustees on behalf of Her Majesty, Her Heirs and Successors, shall be entered on the Rolls of the Manor or Manors of which the same shall be held or Parcel, and on Payment to the Steward of the Manor of such Fees as would be due to him on the Surrender of the same Lands, Tenements, or Hereditaments, to the Use of a Purchaser thereof, he shall make such Enrolment; and every such Conveyance, when so enrolled, shall have the like Effect, in respect of such Copyhold or Customary Lands, Tenements, or Hereditaments, as if the same had been of Freehold Tenure.

Copyhold Lands to be enfranchised, making Compensation to the Lords, &c. of Manors.

XXXIV. And be it enacted, That before the said Commissioners, on behalf of Her Majesty, shall make use of any such Copyhold or Customary Lands, Tenements, or Hereditaments for the Purposes of the said intended Park, they shall procure the same to be enfranchised, and for that Purpose they shall, with all reasonable Speed after the Enrolment of the Conveyance thereof, apply to the Lord or Lords, Lady or Ladies of the Manor or Manors whereof such Lands are held, to enfranchise the same, and shall pay to him, her, or them such Compensation in respect thereof as shall be agreed upon between Her Majesty's said Commissioners, on behalf of Her Majesty, and the Lord or Lords, Lady or Ladies of such Manor or Manors; and if the Parties fail to agree respecting the Amount of the Compensation to be paid for such Enfranchisement, the same shall be determined as in other Cases of disputed Compensation; and in estimating such Compensation the Loss in respect of Fines, Heriots, and other Services payable on Death, Descent, or Alienation, which will be lost by the vesting such Copyhold or Customary Lands, Tenements, or Hereditaments in Her Majesty, Her Heirs and Successors, or in a Trustee or Trustees on behalf of Her Majesty, Her Heirs and Successors, or by the Enfranchisement of the same, shall be allowed for.

In case Parties disagree as to Compensation, &c.

Lords of Manors to enfranchise on receiving Compensation.

XXXV. And be it enacted, That, upon Payment or Tender of the Compensation so agreed upon or determined, the Lord or Lords, Lady or Ladies of the Manor or Manors whereof such Copyhold or Customary Lands, Tenements, or Hereditaments shall be holden, shall enfranchise such Lands, Tenements, or Hereditaments; and the Lands, Tenements, or Hereditaments so enfranchised shall for ever thereafter be vested in Her Majesty, Her Heirs and Successors; and if upon such Payment or Tender to the Lord or Lords, Lady or Ladies of such Manor or Manors, he, she, or they fail to enfranchise such Lands, or fail to produce a good Title to the Manor or Manors whereof such Lands, Tenements, or Hereditaments shall be holden or parcel, the said Commissioners, on behalf of Her Majesty, shall pay the Amount of such Compensation into the Bank of *England* in manner required in other like Cases of Monies required to be deposited, and thereupon such Lands, Tenements, or Hereditaments shall be deemed to be enfranchised, and well and effectually vested in Her Majesty, Her Heirs and Successors for ever.

As to Commons and Wastes.

XXXVI. And be it enacted, That in all Cases where there shall be Occasion to cut through, take, or use, for the Purposes of this Act, any Part or Parts of any Commons or Waste Grounds, or other Lands or Hereditaments which shall be charged with or subject to any Right or Rights of Common, whether of Pasture, Turbary, Estover, or Piscary, or other Easements whatsoever, appendant, appurtenant, or in gross, or whether created or subsisting by Grant, Prescription, Custom, or otherwise howsoever, the Conveyance thereof by any Body Politic, Corporate, or Collegiate, or other Person or Persons, having such and the like Estate and Interest of and in the Manor wherein such Lands, Commons, Waste Grounds, or Hereditaments shall be situate, or if the same shall not be the Waste of any Manor, then having such and the like Estate and Interest of and in the Soil of such Lands, Commons, Wastes, and Hereditaments as the Body or Bodies Politic, Corporate, or Collegiate, or Persons, who are hereby enabled to sell and convey other Lands and Hereditaments, shall be a good and sufficient Conveyance of the Fee Simple and Inheritance of such Waste Grounds or Common or other Lands or Hereditaments, for the Purposes of this Act, as fully and effectually as if every Person having such Right or Rights of Common upon such Common or Waste Ground, Lands, or Hereditaments were seised thereof in Fee Simple in possession, and had joined in and executed such Conveyance; and that the Compensation to be paid for any Right of Common upon any such Common or Waste Ground, Lands, or Hereditaments which shall be settled by a Jury in manner herein-before mentioned shall be paid to the Churchwardens of the Parish or respective Parishes in which such Common or Waste Lands shall lie, and shall be by such Churchwardens applied for such general and public Purposes within such Parishes respectively as a Vestry of such respective Parishes, to be convened by such Churchwardens for that Purpose, shall direct; and that in Cases in which such Rights, Commons, or Easements shall be and extend over and be enjoyed and taken out of any other Lands or Hereditaments other than such Wastes and Commons, the Compensation shall be paid or tendered to the Person or Persons, Bodies Politic, Corporate, or Collegiate, having such Estate or Interest as aforesaid in the said Rights, Commons, and Easements, or in the Lands, Tenements, or Hereditaments whereunto the same shall be appendant or appurtenant, or shall be deposited in the Bank of *England* in manner by this Act directed, as the Case may be; provided that in all Cases where any such Manor is vested in Freeholders or Inhabitants at large, or in any greater Number of Persons than Three, or where it is not known to what Lord or Lady such Manor belongs, or in what Manor such Common or Waste Ground is situate, the Conveyance aforesaid, executed by Four at least of the Freeholders whose Estates have Common Rights in such Common or Waste Ground, and whose said Estates amount in yearly Value as assessed to the Poor Rates to Three Fifths at least of the whole of the Estates which have such Common Right, shall also be a good and sufficient Conveyance.

Apportionment of Copyhold Rents.

XXXVII. And be it enacted, That if any Copyhold or Customary Lands, Tenements, or Hereditaments, as herein-before mentioned, be subject to any Customary or other Rent, and Part only of the Lands, Tenements, or Hereditaments subject to any such Rent be required to be taken for the Purposes of this Act, the Apportionment of such Rent may be settled by Agreement between the Owner of the Lands and the Lord or Lords, Lady or Ladies of the Manor or Manors on the one Part, and the said Commissioners on behalf of Her Majesty on the other Part; and if such Apportionment be not so settled by Agreement, then the same shall be settled by Two Justices; and the Enfranchisement of any Copyhold or Customary Lands, Tenements, or Hereditaments taken by virtue of this Act, or Apportionment of such Rents, shall not affect in other respects any Custom by or under which any such Copyhold or Customary Lands, Tenements, or Hereditaments not taken for the Purposes of this Act shall be held; and if any of the Lands, Tenements, or Hereditaments so required be released from any Portion of the Rents to which they were subject jointly with any other Lands, Tenements, or Hereditaments, such last-mentioned Lands, Tenements, or Hereditaments shall be charged with the Remainder only of such Rents; and with reference to any such apportioned Rents the Lord or Lords, Lady or Ladies of the Manor or Manors shall have all the same Rights and Remedies over the Lands, Tenements, or Hereditaments to which such apportioned Rents shall have been assigned or attributed as he had previously over the whole of the Lands, Tenements, or Hereditaments subject to such Rents, for the whole of such Rents.

For settling Disputes as to Damages of small Amount.

XXXVIII. And be it enacted, That in case any Difference shall arise between the said Commissioners and any of the Owners or Occupiers of the Property to be taken or used for the Purposes of this Act as to the Amount or Value of the Damage done by the said Commissioners, their Agents or Workmen, to such Property, in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted and settled between the Parties, the same shall, in case the Amount of Damages claimed does not exceed the Sum of Fifty Pounds, be ascertained and determined by some Two or more Justices of the Peace of the said County of *Surrey*, and who, upon Application made to them by both or either of the said Parties, shall examine into the Matter in dispute, and shall determine and settle the Amount of Compensation which shall be payable by the said Commissioners on behalf of Her Majesty; and such Magistrates may examine Witnesses and administer Oaths, in all respects and with the same Consequences as to false swearing as if the same were a judicial Matter brought before them on which they were by Law entitled to adjudicate.

Commissioners not to take possession till Purchase Money is paid or tendered.

XXXIX. Provided always, and be it enacted, That all Sums of Money, or other Consideration, Recompence, or Satisfaction to be made or paid pursuant to any such Agreement or Verdict as aforesaid, shall be paid or tendered to the Party or Parties entitled to the same, or into the Bank of *England*, as herein mentioned, before the said Commissioners, or any Person or Persons authorized by them, shall proceed to take possession of, on behalf of Her Majesty, or pull down, any House or Houses or other Erections or Buildings comprised in or affected by such Agreement or Verdict respectively, or to use the Ground for any of the Purposes of this Act.

Commissioners may take possession on Payment of Purchase Money into the Bank of England.

XL. And be it enacted, That if any Body or Bodies, Person or Persons seised or possessed of or interested in any such Lands, Tenements, or Hereditaments, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, as aforesaid, cannot be found, or shall not be known or ascertained, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, or shall refuse to execute a Conveyance or Conveyances thereof, then and in any of such Cases, upon Payment of such Sum or Sums of Money as shall have been contracted and agreed, or shall have been assessed and awarded by any Referee or Referees, or by any Jury or Juries, in manner aforesaid, to be paid for the Purchase of or for the Value of the same Premises, into the Bank of *England*, as herein-after directed and required (in case the same shall be requisite,) for the Use of such Person or Persons so interested in or entitled as aforesaid, such Lands, Tenements, or Hereditaments, or Parts, Shares, Estates, Interests, or Charges, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and in Equity, of the Body or Bodies, Person or Persons, or unknown Person or Persons, to whose Credit such Money shall be paid in, to and out of the Lands, Tenements, Hereditaments, and Premises to be purchased as aforesaid, shall from thenceforth vest in the Queen's most Excellent Majesty, Her Heirs and Successors, as Part and Parcel of the Possessions and Land Revenues of Her Majesty in right of the Crown, who shall be deemed in Law to be in the actual Seisin and Possession thereof to all Intents and Purposes, freed and discharged from all former and other Estates, Rights, Titles, Interests, Liens, Claims, and Demands, as fully and effectually as if every Body or Person having any Estate in the Premises had actually conveyed the same by Lease and Release, Bargain and Sale enrolled, or Feoffment with Livery of Seisin, or any other Conveyance or Assurance whatsoever, and with the Assent of any Protector of the Settlement whose Assent might be necessary; and such Payment shall not only bar all Right, Title, Interest, Claim, and Demand of the Body or Bodies, Person or Persons, or unknown Person or Persons, of, in, and to the same Premises, to whose Credit such Payment or Tender shall have been made, but also shall extend to and be deemed and construed to bar the Dower and Dowers of the Wife and Wives of such Person or Persons, and all Estates Tail and other Estates in possession, reversion, remainder, expectancy, or contingency, and the Issue and Issues of such Person or Persons, and every other Person whomsoever; and the same Premises shall and may thereupon be pulled down, made use of, and employed for the Purposes aforesaid, according to the Direction of the said Commissioners, and under the Regulations in this Act mentioned and contained.

XLI. And

Application of Purchase Money when amounting to 200*l.*

XLI. And be it enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or for any other Right, Matter, or Interest of what Nature or Kind soever, purchased, taken, or used by virtue of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Feme Covert, Infant, Lunatic, or other Person or Persons under any Disability or Incapacity, or not legally entitled absolutely to dispose of the Premises by the Sale of which such Money shall be produced, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there, *ex parte* "The Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings," pursuant to the Method prescribed by an Act passed in the Twelfth Year of the Reign of His late Majesty King *George* the First, intituled *An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of* East India *Bonds and Indorsements thereon, and likewise Indorsements on* South Sea *Bonds*, and pursuant to the General Rules and Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act to empower the High Court of Chancery to lay out on proper Securities any Monies not exceeding a Sum therein limited, out of the common and general Cash in the Bank of* England *belonging to the Suitors of the said Court, for the Ease of the said Suitors, by applying the Interest arising therefrom for answering the Charges of the Office of Accountant General of the said Court;* and such Money shall remain so deposited until the same be applied under the Direction of the said Court, to be signified by an Order made upon Petition, to be preferred in a summary Way by the Body or Bodies, Person or Persons, who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts or other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Trusts, Intents, or Purposes, or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance or Settlement shall be existing and undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

12 G. 1. c. 32.

12 G. 2. c. 24.

When less than 200*l.* and amounting to 20*l.*

XLII. Provided also, and be it enacted, That if any Lands, Tenements, or Hereditaments, or any Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, purchased, taken, or used for the Purposes aforesaid, belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments, or Parts, Shares, Estates, Interests, or Charges so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed, or otherwise the same shall be paid at the like Option to Two or more Trustees, to be nominated by the Body or Bodies, Person or Persons making such Option, and approved of by the said Commissioners, such Nomination and Approbation to be signified in Writing under the Hands and Seals of the nominating and approving Parties, in order that such Principal Money and the Dividends arising thereon may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Where less than 20*l.*

XLIII. Provided always, and be it enacted, That where such Money so agreed or assessed to be paid, as herein-before mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the Hereditaments, Parts, Shares, Estates, Interests, and Charges so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners shall think fit, or in case of the Infancy or Lunacy of such Person or Persons, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

XLIV. And

In case of not making out Titles.

XLIV. And be it enacted, That in case the Body or Bodies, Person or Persons to whom any Sum or Sums of Money shall be agreed to be paid, or shall be awarded by any Referee or Referees or Umpire, or by any Jury or Juries, for the Purchase of any Lands, Tenements, or Hereditaments, or any Parts, Shares, Estates, or Interests therein or Charge thereon, to be purchased, taken, or used by virtue of this Act, shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, or shall refuse to execute a Conveyance or Assignment thereof, or in case the Person or Persons to whom such Sum or Sums of Money shall be so agreed or awarded to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges be not known or discovered, then and in every such Case it shall be lawful for the said Commissioners to pay the said Sum or Sums of Money so awarded or agreed to be paid as aforesaid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Chancery, to be placed to his Account to the Credit of the Party or Parties, if known, who shall be interested in the said Lands, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges (describing such Tenements or Hereditaments), but if such Party or Parties shall not be known, then to the Credit of the said Commissioners, subject to the Order, Control, or Disposition of the said Court of Chancery, which said Court, on the Application of any Body or Bodies, Person or Persons making claim to any such Sum or Sums of Money or any Part thereof, by Motion or Petition, shall be and the same is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Body or Bodies, Person or Persons making claim thereunto, and to make such other Order in the Premises, as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Persons in possession shall be deemed entitled, until the contrary be shown.

XLV. Provided always, and be it enacted, That where any Question shall arise touching the Title of any Body or Bodies, Person or Persons to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or Part or Parts thereof, or of any Estate, Right, Title, Charge, or Interest in, to, or upon any Lands, Tenements, or Hereditaments to be purchased or taken in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends of any such Bank Annuities, the Body or Bodies, Person or Persons who shall have been in possession of such Lands, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges, at the Time of such Purchase, and all Body or Bodies, Person or Persons claiming under such Body or Bodies, Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, and Hereditaments, Parts, Shares, Estates, Interest, or Charges, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or Part or Parts thereof, or to some Estate or Interest therein or Charge thereon.

Court may order Expences of Purchases to be paid by the Commissioners.

XLVI. Provided also, and be it enacted, That where, by reason of any Disability or Incapacity of the Body or Bodies, Trustee or Trustees, Corporation, or other Person or Persons entitled to any Lands, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein or Charge or Charges thereon, to be purchased or taken under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order so much of the Expences of any Purchase to be made in pursuance of this Act as the said Court shall deem reasonable to be paid by the said Commissioners, who shall pay the same out of the Monies applicable to the Purposes of this Act, as the said Court shall direct.

Where the Title is defective by reason of the Lands required for the Act being subject with other Lands to any Rent, the Money paid into the Bank to be laid out in the Purchase of other Estates, which shall be

XLVII. And be it enacted, That where the Money awarded to be paid for any Lands, Tenements, or Hereditaments which shall be taken for the Purposes of this Act shall be paid into the Bank of *England* in the Manner herein-before directed, in consequence of a good Title not having been made to such Lands, Tenements, or Hereditaments to the Satisfaction of the said Commissioners, or any Person or Persons authorized by them, by reason of the same Lands, Tenements, or Hereditaments respectively being subject, together with other Hereditaments not required for the Purposes of this Act, to a Rent payable to some Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, unable or unwilling to release therefrom the Lands, Tenements, or Hereditaments so to be taken, then and in every or any such Case the Lands, Tenements, or Hereditaments for the Value of which the Money to be paid into the Bank, together with the Money (if any) to be retained for Costs and Charges, under the Authority of this Act, shall be assessed and be awarded to be paid, shall be and are hereby released and for ever discharged from such Rent, and all Claims and Demands in respect thereof; and the Money to be paid into the Bank of *England* shall be laid out and invested, under the Direction and with the Approbation of the Court

Court of Chancery, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Body or Bodies, Person or Persons, who would have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments for the Value of which such Monies respectively shall have been paid as aforesaid, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled (subject, together with such other Lands, Tenements, or Hereditaments, to such Rent,) to the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, or Hereditaments so to be taken as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court, upon Application thereto, be invested by the Accountant General of the said Court, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per* Cents Reduced Bank Annuities; and in the meantime and until the Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid the Dividends and annual Produce of the said Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments hereby directed to be purchased, in case such Purchase and Settlement were made; and the Lands, Tenements, or Hereditaments so to be purchased and settled shall be subject to the Rent to which the same shall be declared as aforesaid in the Conveyance and Settlement thereof to be subject, in the same Manner, to all Intents and Purposes, as the Lands, Tenements, or Hereditaments taken or to be taken for the Purposes of this Act as aforesaid were subject thereto; and the Body or Bodies, Person or Persons to whom such Rent shall be payable shall have such and the same Powers and Remedies for enforcing the Payment thereof or of any Part thereof, out of or upon the Lands, Tenements, or Hereditaments to be comprised in such Conveyance and Settlement, and declared to be subject thereto, as they, he, or she would have been entitled to if such Rent had originally been reserved out of or charged upon the same, instead of the Lands, Tenements, or Hereditaments to be taken for the Purposes of this Act, and in the same Manner, to all Intents and Purposes, as such Rent was reserved out of or charged upon such last-mentioned Lands, Tenements, or Hereditaments, together with the other Lands, Tenements, or Hereditaments subject thereto; and in the meantime and until such Purchase shall be made, it shall be lawful for the said Court, if the said Court shall think proper, upon Application thereto, to order any Part of the Dividends and annual Produce of the Bank Annuities in which the said last-mentioned Money shall be invested, to be paid from Time to Time to the Body or Bodies, Person or Persons for the Time being entitled to the said Rent, in discharge thereof or Part thereof, as the Case may be.

subject to the Rent in lieu of the Lands required for the Act.

XLVIII. And be it enacted, That where any Lands, Tenements, or Hereditaments purchased or wanted or intended to be purchased by the said Commissioners on behalf of Her Majesty shall be subject solely, or jointly with other Lands, Tenements, or Hereditaments not intended or wanted to be purchased, to or with any Rent Service, Rent-charge, or Chief Rent, or other Rent, Payment, or Incumbrance, it shall be lawful for the said Commissioners, on behalf of Her Majesty, to agree for the Release of the Lands, Tenements, or Hereditaments so purchased or wanted or intended to be purchased from such Rent, Payment, or Incumbrance, and also (where necessary or convenient) for an Apportionment of such Rent, Payment, or Incumbrance, for such gross Sum as shall be agreed upon between the said Commissioners and the Party who under the Provisions of this Act shall agree to sell or apportion the same, and which Agreement may be entered into by all Persons and Corporations by this Act authorized and empowered to sell or convey Lands, and the Monies to be paid shall be paid and applied in manner herein-before directed with regard to the Purchase Monies on the Sale of Lands; and in case any Difference shall arise respecting the Value of such Rent, Payment, or Incumbrance, or respecting the Apportionment thereof, the same shall be determined by a Jury, if required, in like Manner as the Price of Lands is by this Act directed to be settled in case of Dispute as to the Value thereof, which Jury shall assess and determine the Value of the Rent, Payment, or Incumbrance affecting the Lands, Tenements, or Hereditaments purchased or wanted or intended to be purchased, and shall also (where necessary or convenient) apportion the Rent, Payment, or Incumbrance affecting the Lands, Tenements, or Hereditaments jointly subject to Rent, Payment, or Incumbrance, as herein-before mentioned, according to the respective Values of the Lands, Tenements, or Hereditaments purchased or wanted or intended to be purchased, and of the Lands, Tenements, or Hereditaments not purchased or wanted or intended to be purchased by the said Commissioners; and all Contracts which shall be made by and between the said Commissioners, on behalf of Her Majesty, and any such Party as aforesaid, respecting such Release, shall be valid and effectual in the Law; and all Conveyances and Assurances which shall be made to Her Majesty, Her Heirs and Successors, respecting such Releases, shall extinguish the whole or a proportionate Part of such Rent, Payment, or Incumbrance (as the Case may be): Provided always, that when the Party entitled to such Rent, Payment, or Incumbrance shall consider the remaining Part of the Lands, Tenements, or Hereditaments so jointly subject to be sufficient Security for such Rent, Payment, or Incumbrance, and shall be willing to release the Lands, Tenements, or Hereditaments so purchased by the said Commissioners, on behalf of Her Majesty, therefrom, then and in such Case it shall be lawful for the Party entitled or by this Act capacitated as aforesaid to apportion such Rent, Payment, or Incumbrance, or to release the Lands, Tenements, or Hereditaments so purchased (with the Consent of the Owner of the Lands so purchased) from the Rent, Payment, or Incumbrance so affecting the same as aforesaid jointly with other Lands, Tenements, or Hereditaments, on condition or in consideration of such other Lands, Tenements, or Hereditaments continuing

Power to purchase Release of Incumbrances, or to apportion the same.

continuing or remaining wholly and exclusively subject to the whole of such Rent, Payment, or Incumbrance, and thereupon such other Lands, Tenements, or Hereditaments shall in all respects continue wholly and exclusively subject to the whole of such Rent, Payment, or Incumbrance; and the Release of Part of the Hereditaments theretofore charged or subject shall not operate to release the remaining Parts of such Hereditaments, or to prejudice the Title to such Rent, Payment, or Incumbrance, or the Remedies for Recovery thereof, wholly and exclusively out of such remaining Parts: Provided also, that when any of the Lands, Tenements, or Hereditaments purchased by the said Commissioners shall be released from a Part only of any Rent, Payment, or Incumbrance affecting the same jointly with other Lands, Tenements, or Hereditaments not purchased by the said Commissioners, such last-mentioned Lands, Tenements, or Hereditaments shall be charged only with the Remainder of such Rent, Payment, or Incumbrance; and such Apportionment shall not prejudice the Title to the remaining Rent or the Remedies for such Remainder, but the same shall at all Times thereafter remain as effectual as if the Lands not so purchased had been originally charged with that Amount only: Provided also, that when a Part of any Rent, Payment, or Incumbrance shall be released it shall be lawful for the said Commissioners, on Tender for that Purpose of any Deed or Instrument creating or transferring such Rent, Payment, or Incumbrance, to endorse a Memorandum on such Deed or Instrument declaring what Part of the Lands, Tenements, or Hereditaments originally subject to such Rent, Payment, or Incumbrance shall have been purchased by virtue of this Act, and what Proportion of the said Rent, Payment, or Incumbrance shall continue payable; and such Memorandum shall be Evidence in all Courts of the Facts therein stated, but shall not exclude any other Evidence of the same Facts.

Rents reserved in Leases to be apportioned.

XLIX. And be it enacted, That in all Cases in which a Part only of any Lands, Tenements, or Hereditaments comprised in any Lease or Agreement for Lease for a Term of Years unexpired, or for a Life or Lives, or for a Term determinable on a Life or Lives, shall be required for the Purposes of this Act, the Rent payable in respect of any Lands, Tenements, or Hereditaments comprised in such Lease or Agreement for Lease shall be apportioned between the Lands, Tenements, or Hereditaments required for the Purposes of this Act and the Residue of such Lands, Tenements, and Hereditaments; and such Apportionment shall, in case the same shall not be settled by Agreement between the Parties, be ascertained and settled by the Verdict of a Jury, if required, in like Manner as the Price of any Lands, Tenements, or Hereditaments to be taken in pursuance of this Act is directed to be settled in case of Dispute as to the Value thereof; and in case such Apportionment shall be settled by Agreement between the Parties, such Agreement shall be made with, and not be valid without, the Consent and Approbation of the Lessor from whom such Lands, Tenements, or Hereditaments are holden or agreed to be holden; and any Person hereby capacitated to sell who shall be a Lessor shall be capacitated to assent and to bind the Property in respect of such Assent; and after such Apportionment the Tenant or Lessee of the Lands, Tenements, or Hereditaments comprised in such Lease or Agreement for Lease shall, as to all future accruing Rent, be liable only to so much of the Rent reserved in such Lease or Agreement for Lease as shall have been apportioned in respect of the Lands, Tenements, or Hereditaments not required for the Purposes of this Act; and the Lessor of the said Lands, Tenements, or Hereditaments shall have all such and the same Remedies for Rent so apportioned, in respect of the Lands, Tenements, or Hereditaments not required for the Purposes of this Act, as before such Apportionment he had or was entitled to in respect of the Rent reserved or agreed to be reserved in such Lease or Agreement for Lease; and such Apportionment shall not prejudice or affect any of the Covenants, Conditions, or Agreements in such Lease or Agreement for Lease contained, so far as the same relate to the Lands, Tenements, or Hereditaments comprised in such Lease or Agreement for Lease, and not required for the Purposes of this Act; but the same shall, as to such last-mentioned Lands, Tenements, or Hereditaments, but not further or otherwise, continue in full Force and Operation.

Persons having Mortgages on Lands, &c. required for the Purposes of this Act shall, on Payment or Tender of Money secured thereon, convey the same to Her Majesty.

L. And be it enacted, That all Bodies Politic, Corporate, and Collegiate, Trustee and Trustees, and all other Persons having any Mortgage on any Lands, Tenements, or Hereditaments which shall be required to be taken for the Purposes of this Act, (and whether entitled thereto in their own Right, or in trust for any other Body or Bodies, Person or Persons, and whether in possession of such Lands, Tenements, or Hereditaments, by virtue of such Mortgage or not, and whether such Mortgage shall affect such Lands, Tenements, or Hereditaments solely or jointly with any other Lands, Tenements, or Hereditaments which shall be so required,) shall, on Payment or Tender by the said Commissioners, or by any Person by them authorized, of the Principal Money and Interest due on or secured by such Mortgage, and whether the Principal Monies thereby secured shall under the Terms of such Mortgage be then actually payable or not, and the just Costs (if any) then due, together with the Amount of Six Calendar Months Interest on the said Principal Money, (which Tender and Payment the said Commissioners are hereby authorized to make, and to deduct the same from any Sum agreed or directed to be paid for the Estate or Interest of the Party or Parties entitled to the Equity of Redemption of and in the Lands, Tenements, or Hereditaments so mortgaged, in case the same shall be sufficient for the Purpose,) immediately convey, assign, and transfer the respective Interests of such Mortgagees in the Lands, Tenements, or Hereditaments which shall be so required, to the Queen's most Excellent Majesty, Her Heirs and Successors, or to such Person as the said Commissioners on behalf of Her Majesty, shall appoint; or in case such Mortgagees shall have Notice in Writing from the said Commissioners, or from the Party or Parties entitled to the Equity of Redemption of and in the same Lands, Tenements, or Hereditaments, that they will pay off the Principal Money and Interest which shall be due on or secured by such Mortgage, at the End of Six

or a less Number of Calendar Months, to be computed from the Day of giving such Notice, then at the End of Six or any less Number of Calendar Months on Payment or Tender by the said Commissioners of the Principal and the Interest which would become due at the End of Six Calendar Months from the Time of giving such Notice, together with any Costs then due, such Mortgagees shall convey, assign, and transfer their respective Interests in the Lands, Tenements, or Hereditaments which shall be so required for the Purposes of this Act, to the Queen's most Excellent Majesty, Her Heirs and Successors, or as the said Commissioners shall direct; and in case any such Mortgagee shall refuse to assign or transfer as aforesaid, on such Payment or Tender respectively as aforesaid, then, on Payment of such Money, Interest, and Costs into the Bank of *England*, as herein-after mentioned, all Interest on every such Mortgage Debt, and all Claim and Right of every such Mortgagee thereto, shall thenceforth cease and determine: Provided always, that in case any such Mortgagee shall in either of the Cases aforesaid neglect or refuse to convey, assign, or transfer as aforesaid, then, upon Payment of the Principal Money and Interest, and the Costs (if any) due on any such Mortgage as aforesaid, into the Bank of *England*, at the End of Six Calendar Months from the Time of giving such Notice as aforesaid, or as soon after as possible, or in lieu of such Notice, and in addition to the said other Monies of Six Calendar Months Interest in advance, for the Use of such Mortgagee, at any Time after Tender of the Principal, Interest, and Costs, and Six Calendar Months Interest in advance, as aforesaid, the Cashier of the said Bank shall give a Receipt for the said Money, in like Manner as is by this Act directed in Cases of other Payments into the said Bank; and thereupon, or upon such Conveyance, Assignment, or Transfer by any such Mortgagee as aforesaid, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of such Mortgagee, and of all Persons in trust for him, or for whom he shall be Trustee, shall vest in the Queen's Majesty, Her Heirs and Successors, who shall be deemed to be in the actual Possession of the Premises and Estate comprised in such Mortgage, or so much thereof as shall be required for the Purposes of this Act, to all Intents and Purposes whatsoever.

As to Cases where Mortgage Money is more than the Value of the Premises, or a Part only of the Premises is taken.

LI. And be it enacted, That in all Cases in which any Lands or Hereditaments subject to any Mortgage shall be required for the Purposes of this Act, which Lands, Tenements, or Hereditaments shall be of less Value than the Principal Monies, Interest, and Costs secured thereon, or in which a Part only of the Lands, Tenements, or Hereditaments subject to any Mortgage shall be required for the Purposes of this Act, and such Part shall be of less Value than the Principal Monies, Interest, and Costs secured on such Lands, Tenements, or Hereditaments, and the Mortgagee or Mortgagees thereof shall not consider the remaining Part of such Lands, Tenements, or Hereditaments to be a sufficient Security for the Monies charged thereon, or shall not be willing to release the Part required for the Purposes of this Act from the Principal or Mortgage Money, and all Interest due and to become due thereon, and all Costs, the Value of such Lands, Tenements, or Hereditaments, or, as the Case may be, of such Part of the said Lands, Tenements, or Hereditaments as shall be so required for the Purposes aforesaid, and also the Compensation (if any) for any Damage done in respect of the Parts so required, shall be settled and agreed upon by and between such Mortgagee or Mortgagees, and the Body or Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, Person or Persons entitled to the Equity of Redemption of such Lands, Tenements, or Hereditaments, whether absolutely, or for such Estate as might capacitate him, her, or them to convey for the Purposes of this Act, on the one Part, and the said Commissioners, on behalf of Her Majesty, on the other Part, and in case of any Difference between them then such Value and Compensation shall be determined by the Verdict of a Jury, in the same Manner as in other Cases of Difference; and the Amount of such Value and Compensation, being so agreed upon or determined as aforesaid, shall be paid to such Mortgagee or Mortgagees in satisfaction of his, her, or their Claim, so far as the same will extend; and such Mortgagee or Mortgagees shall thereupon convey, assign, and transfer all his, her, or their Interest in such mortgaged Lands, Tenements, or Hereditaments, the Value whereof shall so have been agreed upon or determined as aforesaid; or in case of his, her, or their neglecting or refusing to convey, assign, or transfer, as herein-before directed, then the Amount of such Value and Compensation shall be paid into the Bank of *England*, to the Credit of the said Mortgagee or Mortgagees, as by this Act is provided in Cases of a like Nature; and such Payment to the Mortgagee or Mortgagees, or into the Bank, as last aforesaid, shall be accepted in satisfaction of the Claim of such Mortgagee or Mortgagees, so far as the same will extend, and also in full Discharge and Exoneration of such Part of the mortgaged Premises as shall be so taken or used from all Principal and Interest and other Money due or secured thereon; and thereupon such mortgaged Lands, Tenements, or Hereditaments shall become absolutely vested in the Queen's Majesty, Her Heirs and Successors, who shall be deemed to be in the actual Possession thereof to all Intents and Purposes whatsoever: Provided nevertheless, that all Mortgagees shall have the same Powers and Remedies for recovering or compelling Payment of their Mortgage Money or the Residue thereof, (as the Case may be,) or the Interest thereof respectively, upon and out of the Residue of the mortgaged Lands, Tenements, or Hereditaments not required for the Purposes aforesaid, as they would have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Lands, Tenements, or Hereditaments originally comprised in such Mortgage: Provided also, that when a Part only of the Lands, Tenements, or Hereditaments (subject to any Mortgage) shall have been taken for the Purposes of this Act as aforesaid, and the Value of the Lands, Tenements, or Hereditaments so taken shall, on the Assignment or Conveyance thereof to the Queen's Majesty, Her Heirs and Successors, have been paid to the Mortgagee or Mortgagees thereof in part Satisfaction of his, her, or their Mortgage Debt, a Memorandum of what shall have been so paid shall be endorsed

endorsed on the Deed creating such Mortgage at the Time of executing such Assignment or Conveyance to Her Majesty, and shall be signed by such Mortgagee or Mortgagees; and a Copy of such Memorandum shall at the same Time (if required) be furnished by the said Commissioners to the Person or Persons so entitled as aforesaid to the Equity of Redemption of the Lands, Tenements, or Hereditaments comprised in such Mortgage Deed.

Tenants at Will or from Year to Year to quit after Notice.

LII. And be it enacted, That every Tenant at Will or Lessee for a Year, or any other Person or Persons in possession of any such Lands, Tenements, or Hereditaments, or any Part thereof, which shall be purchased by virtue of this Act, or vested in Her Majesty for the Purposes aforesaid, who shall have no greater Interest in the Premises than as Tenant at Will or Lessee for a Year or from Year to Year shall, at the End of Six Calendar Months next after Notice in Writing, signed by the said Commissioners, shall have been given to him, her, or them, or left at the Premises which are the Subject of such Notice, and whether such Notice be given with reference to the Time or Times of such Tenants Holding or not, quit and relinquish the said Premises unto the said Commissioners, or to such Person or Persons as shall be by them authorized to receive Possession thereof; and in case any such Lessee shall be compelled to quit before the Expiration of his or her Term or Interest in any such Premises, then and in such Case the said Commissioners shall give Satisfaction and Compensation for the Loss or Damage which he or she shall sustain thereby; and in case of any Difference as to the Amount of such Satisfaction or Compensation, the same shall or may be settled and ascertained by a Jury in the same Manner as the Sums of Money to be paid for the Purchase of any Lands, Tenements, or Hereditaments are herein-before directed to be ascertained; or, if the said Commissioners and the other Parties in difference shall agree, the same may be settled by a Reference to the Award of Arbitrators, to be chosen by the Parties in difference; and that all and every Person or Persons, Bodies Corporate or Collegiate or Ecclesiastical, Corporations Aggregate or Sole, in possession of any Lands, Tenements, or Hereditaments which shall or may be purchased in pursuance of this Act by the said Commissioners, or vested in Her Majesty for any of the Purposes aforesaid, shall upon Tender or Payment as aforesaid of such Recompence or Satisfaction for any of his, her, or their Term, Estate, or Interest in the Premises as shall be mutually agreed upon, or as shall be settled, ascertained, and awarded by any Referee or Referees or Umpire, or by Verdict or Inquisition of a Jury, in manner aforesaid, quit and relinquish the said Premises so in their respective Possessions unto the said Commissioners, or to such Person or Persons as shall be by them authorized to receive Possession of the same; and all the Leases, Demises, Contracts, and Agreements whatsoever under or by virtue whereof any such Person or Persons shall hold the said Premises shall at and from the End and Expiration of such Six Calendar Months, or upon such Payment or Tender as aforesaid, be absolutely void and of none Effect as against Her Majesty, Her Heirs and Successors, or the said Commissioners; and if any such Tenant at Will or Lessee, or other Person or Persons, Bodies Corporate or Collegiate or Ecclesiastical, Corporations Aggregate or Sole, as aforesaid, shall refuse or neglect to deliver up the Premises in his, her, or their Possession at the Expiration of such Six Calendar Months, or upon such Payment or Tender as aforesaid, it shall be lawful for any Justice of the Peace for the said County of *Surrey* to issue his Precept or Warrant to the Constables of the said County or any of them, or to any Person or Persons to be by such Justice appointed a Constable or Constables for that especial Purpose, commanding and requiring such Constable or Constables, or any of them, to cause Possession of the said Premises to be taken, and afterwards delivered to such Person or Persons as shall in such Precept or Warrant be nominated to receive the same by such Commissioners, on behalf of Her Majesty; and the said Constables and every of them are and is thereupon hereby authorized and required to cause such Possession to be taken and delivered accordingly.

Persons authorized to sell may refer to Arbitrators to fix the Price.

LIII. And be it enacted, That all Persons hereby capacitated to sell, and who may not agree with the said Commissioners as to the Price to be paid, may, if they shall think fit, agree with the said Commissioners, on behalf of Her Majesty, to refer it to any Person or Persons to ascertain the Amount to be paid; and every such Agreement shall be in all respects binding and effectual.

Power to clear the Ground, and sell old Materials.

LIV. And be it enacted, That it shall be lawful for the said Commissioners, on behalf of Her Majesty, and they are hereby empowered, to pull down all Houses and other Erections and Buildings which shall be purchased by virtue of this Act, or such of them or such Part thereof as they shall think proper to be pulled down, and to level and clear the Ground whereon the same shall stand, and all other the Ground to be purchased by virtue of this Act, in such Manner as they shall think proper, and to sell or cause to be sold the Materials of the Houses and other Buildings to be taken down and removed pursuant to this Act; and the Monies to be produced by the Sale thereof, after deducting the Expences in pulling down such Houses and Buildings respectively, and of such Sale or Sales, and also the Rents and Profits of such Tenements and Hereditaments to be purchased or taken by virtue of this Act until the same shall be pulled down or cleared, shall be applied and disposed of for or towards the Purposes of this Act or any of them.

Power to sell or exchange Lands for the Formation of the Park.

LV. And be it enacted, That it shall be lawful for the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, notwithstanding any thing herein-before contained, at any Time or Times before the Completion of the said intended Park, to sell and dispose of, either by way of absolute Sale, or in exchange for other Hereditaments to be applied to the Purposes of this Act, and absolutely to grant and convey any of the Hereditaments which may be purchased or acquired for the Purposes of this Act, and which it shall be found are not required for the Purposes thereof, or may be advantageously exchanged, subject, nevertheless, to such Conditions and Stipulations as they may

may think fit; and thereupon the same shall be conveyed and assured by the said Commissioners as they shall think fit.

Penalty on Persons giving false Evidence.

LVI. And be it enacted, That all Persons who upon any Examination to be taken by virtue of this Act shall wilfully and corruptly give false Evidence, or otherwise forswear themselves, before any Jury, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in force subject and liable to.

Limitation of Time for purchasing Lands.

LVII. And be it enacted, That if the said Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, on behalf of Her Majesty, shall not within the Space of Five Years, to be computed from the passing of this Act, purchase or take the Lands, Tenements, and Hereditaments, or Parts thereof respectively, which they are empowered by this Act to take and use or purchase as aforesaid, then and from thenceforth the Powers hereby granted to them for compulsory Purchase shall cease.

Power of purchasing Lands for Approaches to the Park, with Consent of Treasury;

LVIII. 'And whereas when the said intended Park has been made it may be found desirable to form 'new Roads, Avenues, or Approaches thereto, in addition to those now existing or herein-before specially 'provided for, and it is expedient that the Commissioners for the Time being of Woods, Forests, Land 'Revenues, Works, and Buildings should be empowered to take, use, or acquire any Lands, Messuages, 'Tenements, or Hereditaments that may be found necessary for the Purpose of making such Roads, 'Avenues, or Approaches to the said Park;' be it therefore enacted, That all the Clauses and Provisions herein-before contained for authorizing the said Commissioners to take and use or acquire, and all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, Feoffees in Trust, Tenants for Life or Years, Executors, Administrators, Guardians, Husbands, Committees, Femes Covert, and all other Trustees and Persons, to convey the Lands, Messuages, Tenements, or Hereditaments mentioned or described in the Schedule to this Act, shall extend and be applicable to any Lands, Messuages, Tenements, or Hereditaments which the said Commissioners, with the Consent of the Lord High Treasurer, or any Three or more of the Commissioners for the Time being for executing the Office of Lord High Treasurer, shall think proper or expedient to be acquired for the Purpose of making, forming, and completing such new Roads, Avenues, or Approaches as aforesaid to the said Park; provided that nothing herein contained shall authorize the said Commissioners to take or use any Lands, Messuages, Tenements, or Hereditaments for the Purpose of making such new Roads, Avenues, or Approaches, against the Consent of the Parties interested in such last-mentioned Lands, Messuages, Tenements or Hereditaments, and hereby authorized and empowered to convey the same.

but not without Consent of Parties interested.

Commissioners exempted from personal Liability.

LIX. And be it enacted, That nothing contained in this Act, or to be contained in any Agreement, Contract, Lease, Assignment, Conveyance, or other Instrument entered into, made, taken, or executed by the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any of them, or by any Trustee or Trustees, on behalf of Her Majesty, Her Heirs or Successors, in execution of the Powers of this Act, shall extend to charge the Persons or Person of all or any of the Commissioners, Trustee or Trustees, executing any such Agreement, Contract, Lease, Assignment, Conveyance, or other Instrument, or the Heirs, Executors, or Administrators of the same Commissioners, Trustee or Trustees, or any of them, or their or any of their own proper Lands, Tenements, Goods, or Chattels, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in the same Agreement, Contract, Lease, Assignment, Conveyance, or other Instrument to be contained, on the Part of the same Commissioners, Trustee or Trustees, or any of them; and the same Commissioners shall not be bound to see to the Application or be answerable for the Misapplication or Nonapplication of any Monies to be paid by them under the Direction in this Act contained; and the Amount of all Sums, Costs, Charges, Damages, and Expences which shall or may be recovered in any Suit or Suits at Law or in Equity against them the said Commissioners, Trustee or Trustees, or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of any such Agreement, Contract, Lease, Assignment, Conveyance, or other Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages, and Expences which the said Commissioners, Trustee or Trustees, or any of them, or their or any of their Heirs, Executors, or Administrators, shall bear, pay, expend, or be put to or which shall be occasioned to them, for or by reason or means of any such Agreement, Contract, Lease, Assignment, Conveyance, or other Instrument, or any Covenant, Condition, or Agreement therein contained, or any Action or Actions, Suit or Suits, to be brought or prosecuted by or against them or any of them thereupon, shall respectively be paid and discharged by and out of the Monies to be raised, arise, or be received from the Possessions and Land Revenues of the Crown.

Receipts of Commissioners to be sufficient Discharges.

LX. And be it enacted, That the Receipts in Writing of Her Majesty's Commissioners of Woods, Forests, Land Revenues, Works, and Buildings for the Time being, for any Monies payable to them under or by virtue of this Act or the Powers herein contained, shall be sufficient Discharges for the same to the Person or Body paying the same.

Deeds, &c. not liable to Stamp Duty.

LXI. And be it enacted, That no Lease, Mortgage, Contract, Award, Conveyance, or other Instrument which shall be made, granted, or executed under any Powers or Authorities hereby granted, nor any Contract, Bond, Assignment, Conveyance, or other Deed or Instrument which shall be made, entered into, or executed by any Person or Persons to or with the said last-mentioned Commissioners, or otherwise, for any of the Purposes of this Act, shall be subject or liable to any Stamp Duty whatever imposed by any

Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments be specially subjected and specifically charged in and by such future Act.

Public Act. LXII. And be it enacted, That this Act shall be deemed to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

SCHEDULE to which the foregoing Act refers.

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
1	Garden Ground -	William Howey -	- - -	Henry Barwell.
2	Garden Ground and Buildings.	Henry Jeur -	Henry Barwell -	Henry Barwell.
3	Garden Ground -	Henry Jeur -	Henry Barwell -	Henry Barwell.
4	Tivoli Gardens Beer-shop, Buildings, Steam Boat House, Pier, Wharf, &c.	Henry Jeur -	Henry Barwell and Perren Mehew.	Perren Mehew.
5	Vacant Land - -	John Cornelius Park	Charles Wyatt -	Charles Wyatt.
6	Albert Tavern, Beer-shop, Wharf, &c.	John Cornelius Park	Charles Wyatt -	Charles Wyatt.
7	Three unfinished Houses and Land.	John Cornelius Park	Joseph Harris and Joseph Haine.	Joseph Harris and Joseph Haine.
8	Vacant Land - -	John Cornelius Park	—— Hoskin -	James Hoskin.
9	Wharf, Land, and Dock	John Cornelius Park	- - -	John Cornelius Park.
10	House and Garden -	John Cornelius Park	John Lye - -	John Lye.
11	House and Garden -	John Cornelius Park	John Roe - -	John Roe.
12	Unfinished House, Wharf, and Land.	John Cornelius Park	John Roe - -	John Roe.
13	Wharf, Land and Dock	Edward Pain -	- - -	William Waterhouse Smith.
14	House, Buildings, and Garden Ground.	Henry Jeur -	Henry Barwell -	Henry Barwell.
15	Garden Ground -	William Edward East.	William Benjamin Powell.	William Edward East.
16	House and Garden -	William Edward East.	George Gaines -	George Gaines.
16[a]	Unfinished Houses and Land.	William Edward East.	Jacob Hart -	Jacob Hart.
17	House, Buildings, and Garden Ground.	William Edward East.	William Benjamin Powell.	William Edward East.
18	Cottage and Garden -	William Edward East.	William Benjamin Powell.	James Cooke.
19	House and Garden -	William and Jane Rogers.	- - -	William and John Rogers.
20	House and Garden -	William and Jane Rogers.	- - -	William Henry Wilson.
21	House and Garden -	William and Jane Rogers.	- - -	James Robson.
22	House and Garden -	William and Jane Rogers.	- - -	Henry Lockett.
23	House and Garden -	John Cornelius Park	Charles Newnham	Charles Newnham.
24	House, Workshops, Garden, and Land.	John Cornelius Park	- - -	John Cornelius Park.
25	House and Garden -	Roger Bagley -	Frederick William Spooner.	Frederick William Spooner.
26	House and Garden -	Roger Bagley -	Frederick William Spooner.	Mary Gaines.
27	House and Garden -	Roger Bagley -	Frederick William Spooner.	William Foster.
28	Garden Ground -	Edward Pain -	- - -	William Waterhouse Smith.

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
29	House and Garden -	Nathan Bridge -	- - -	Thomas Friswell.
30	Garden Ground -	Nathan Bridge -	- - -	Nathan Bridge.
31	Two unfinished Houses and Land.	Edward Underhill	- - -	Edward Underhill.
32	Two unfinished Houses and Land.	George Gaines -	- - -	George Gaines.
33	Garden Ground -	William Edward East.	George Gaines and Edward Underhill.	Edward Underhill and Gabriel Gusterson.
34	Garden Ground -	William Edward East.	George Gaines -	George Gaines.
35	Garden Ground -	James Ivyleafe -	- - -	George Gaines.
36	Garden Ground -	Edward Pain -	- - -	Robert Spencer.
37	House and Garden -	Samuel Mosley -	- - -	Samuel Mosley.
38	House and Garden -	Richard Mosley -	- - -	Benjamin Rose.
39	House and Garden -	Richard Mosley -	- - -	Richard Mosley.
40	House and Garden -	Samuel Beverton -	- - -	John Hunt and William Carpenter.
41	Garden Ground -	Thomas Cadbury	- - -	Robert Lough.
42	Garden Ground -	Rev. Thomas John Wyld.	- - -	Mary Gaines.
43	Garden Ground and Buildings.	Andrew Duncan M'Kellar.	- - -	Mary Gaines.
44	Field - -	William Pearce -	- - -	George Gaines.
45	Field -	Catherine Pilkington.	- - -	Andrew Symonds.
46	Field - -	Edward Pain -	- - -	William Waterhouse Smith.
47	Field - -	James Orlebar Cottingham.	- - -	William Waterhouse Smith.
48	Field - -	Edward Pain -	- - -	John Hall.
49	Field - -	Catherine Pilkington.	- - -	Andrew Symonds.
50	Meadow Land -	Edward Pain -	- - -	Edward Pain.
51	Meadow Land - -	William Haines -	- - -	Edward Pain.
52	Meadow Land -	Edward Pain -	- - -	Edward Pain.
53	Meadow Land -	Andrew Duncan M'Kellar.	- - -	John Hall and George Gaines.
54	Beershop and Land -	Edward Pain -	James Gwynne -	John Hall and George Gaines.
55	Meadow Land - -	Andrew Duncan M'Kellar.	- - -	John Hall and Andrew Symonds.
56	Rough Pasture -	Andrew Duncan M'Kellar.	- - -	Mary Gaines.
57	Rough Pasture -	Andrew Duncan M'Kellar.	- - -	Mary Gaines.
58	Rough Pasture - -	Catherine Pilkington.	- - -	Mary Gaines.
59	Rough Pasture -	Mary Gaines -	- - -	Mary Gaines.
60	Dock - -	Andrew Duncan M'Kellar.	- - -	Thomas and William Druce.
61	Dock and rough Land	Edward Pain -	- - -	Edward Pain.
62	Dock and rough Land	Andrew Duncan M'Kellar.	- - -	Andrew Duncan M'Kellar.
63	Dock and rough Land	Charles Chabot -	- - -	Charles Chabot.
64	Dock and rough Land	Charles Chabot -	- - -	Charles Chabot.
65	Dock and rough Land	Thomas Cubitt -	- - -	Thomas Cubitt.
66	Open Field, Marsh Land	Andrew Duncan M'Kellar.	- - -	Mary Gaines.
67	Open Field, Marsh Land	William Keeton -	- - -	Charles Wright.
68	Open Field, Marsh Land	Richard Southby -	Edward Matson -	Edward Matson.
69	Open Field, Marsh Land	William Haines -	- - -	Edward Pain.

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
70	Open Field, Marsh Land	Edward Pain -	- - -	John Hall.
71	Open Field, Marsh Land	Richard Southby -	Edward Matson -	Edward Matson.
72	Open Field, Marsh Land	Henry White -	- - -	John Hall.
73	Open Field, Marsh Land	Edward Pain -	- - -	Edward Pain.
74	Open Field, Marsh Land	William Haines -	- - -	Edward Pain.
75	Open Field, Marsh Land	Edward Pain -	- - -	Edward Pain.
76	Open Field, Marsh Land	Edward Pain -	- - -	Edward Pain.
77	Open Field, Marsh Land	William Haines -	- - -	Edward Pain.
78	Open Field, Marsh Land	Charles Chabot -	- - -	Charles Chabot.
79	Open Field, Marsh Land	William Haines -	- - -	Edward Pain.
80	Open Field, Marsh Land	Edward Pain -	James Gwynne -	John Hall.
81	Open Field, Marsh Land	Andrew Duncan M'Kellar.	- - -	Andrew Symonds.
82	Open Field, Marsh Land	Andrew Duncan M'Kellar.	- - -	Andrew Symonds.
83	House and Land -	Edward Pain -	Christopher Lands	Christopher Lands.
84	Open Field, Marsh Land	Thomas Cubitt -	- - -	James Weller and Charles Wright.
85	Open Field, Marsh Land	William Pearce -	- - -	Walter Parry.
86	Open Field, Marsh Land	Richard Southby -	Edward Matson -	Edward Matson and Walter Parry.
87	Open Field, Marsh Land	William Pearce -	- - -	Walter Parry.
88	Open Field, Marsh Land	Richard Southby -	Edward Matson -	Edward Matson.
89	Open Field, Marsh Land	William Pearce -	- - -	Edward Matson.
90	Open Field, Marsh Land	Richard Southby -	- - -	Edward Matson.
91	Open Field, Marsh Land	Charles Wright	- - -	Charles Wright.
92	Open Field, Marsh Land	Thomas Cubitt -	- - -	Charles Wright.
93	Open Field, Marsh Land	Thomas Cubitt -	Charles Alderman	Charles Wright.
94	Open Field, Marsh Land	Eliza Carter -	- - -	Charles Wright.
95	Open Field, Marsh Land	Charles Wright -	- - -	Charles Wright.
96	Open Field, Marsh Land	Charles Wright -	- - -	Charles Wright.
97	Open Field, Marsh Land	Thomas Cubitt -	- - -	Charles Wright.
98	Open Field, Marsh Land	Thomas Cubitt -	Charles Alderman	Charles Wright.
99	Open Field, Marsh Land	Thomas Cubitt -	- - -	Charles Alderman and James Rock.
100	Open Field, Marsh Land	Charles Wright -	- - -	Charles Wright.
101	Open Field, Marsh Land	Edward Pain -	- - -	Charles Prockter.
102	Open Field, Marsh Land	William Pearce -	- - -	Charles Prockter.
103	British Flag Beershop and Steamboat Pier.	William Pearce -	Samuel Gawthorpe	Charles Prockter.
104	Thames Bank - -	The Honourable and Rev. Robert Eden.	- - -	Charles Wright.
105	Meadow Land -	Thomas Cubitt -	- - -	Charles Wright.
105 *a*	Meadow Land -	William Keeton -	- - -	Charles Wright.
106	Cottage - -	Thomas Cubitt -	- - -	Charles Wright and Joseph Clifford.
107	Red House Tavern, Outbuildings, and Gardens.	Thomas Cubitt -	Charles Wright -	Charles Wright.
108	Marsh Land - -	The Honourable and Rev. Robert Eden.	- - -	Charles Wright.
109	Marsh Land - -	Edward Pain -	James Gwynne -	Charles Wright.
110	Thames Bank - -	Thomas Cubitt -	- - -	James Rock.
111	Two Cottages and Gardens.	Thomas Cubitt -	- - -	James Rock.
112	Mill and Bank - -	Thomas Ponton -	Benjamin Smith -	Benjamin Smith.
113	Cottage, Garden, and Bank.	Thomas Ponton -	Benjamin Smith -	William Mellersh.
114	Wharf - -	The Honourable and Rev. Robert Eden.	- - -	Benjamin Smith.

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
118	Road - - -	Earl Spencer.	—	—
120	Rough Land - -	Thomas Cubitt -	- - -	Southwark Water Company.
121	Wharf, Dock, Kilns, and rough Land.	His Grace the Archbishop of York.	J. S. Aldersey, and Charles Francis.	Charles Francis.
122	Wharf, Dock, and Buildings.	Thomas Ponton -	John and James Heighington.	John and James Heighington.
123	Wharf, Dock, and Buildings.	Thomas Ponton -	John Bethell, and John and James Heighington.	John Bethell.
124	House, and Timber-yard	Thomas Ponton -	Thomas M'Laren, Executor of Michael Pass and John Bethell, and John and James Heighington.	William Robins.
125	Wharf, Buildings, Dock, and Land.	Thomas Ponton -	Thomas M'Laren, Executor of Michael Pass.	Michael Pass.
126	Wharf, Buildings, Dock, and Land.	Thomas Ponton -	John Downey, and John and James Heighington.	John Downey.
126*a*	Field - - -	Thomas Ponton -	Henry Hutton -	Henry Hutton.
127	Field, Cottage, and Garden.	Edward Pain -	- - -	Henry Davis and Edward Pain.
128	Open Field, Marsh Land	Edward Pain -	- - -	Edward Pain.
129	Open Field, Marsh Land	Edward Pain -	- - -	Edward Pain.
130	Open Field, Marsh Land	Thomas Cubitt	- - -	Robert Spencer.
131	Open Field, Marsh Land	Eliza Carter -	- - -	Thomas Carter.
132	Open Field, Marsh Land	Thomas Cubitt -	Charles Alderman	James Barnett.
133	Open Field, Marsh Land	Catherine Pilkington.	- - -	Andrew Symonds.
134	Open Field, Marsh Land	Andrew Duncan M'Kellar.	- - -	Andrew Symonds.
135	Open Field, Marsh Land	Andrew Duncan M'Kellar.	- - -	Andrew Symonds.
136	Open Field, Marsh Land	William Haines -	- - -	Edward Pain.
137	Open Field, Marsh Land	Andrew Duncan M'Kellar.	- - -	Andrew Symonds.
138	Open Field, Marsh Land	Catherine Pilkington.	- - -	Andrew Symonds.
139	Open Field, Marsh Land	Thomas Cubitt -	- - -	James Weller and Charles Wright.
140	Open Field, Marsh Land	Edward Pain -	James Gwynne -	James Weller.
141	Open Field, Marsh Land	Richard Southby -	- - -	Edward Matson.
142	Open Field, Marsh Land	James Skerritt -	- - -	James Skerritt.
143	Open Field, Marsh Land	Edward Pain -	- - -	Edward Pain.
144	Open Field, Marsh Land	Edward Pain -	James Gwynne -	John Hall.
145	Open Field, Marsh Land	Richard Southby -	Edward Matson -	Edward Matson.
146	Open Field, Marsh Land	Thomas Cubitt -	Charles Alderman	James Barnett
147	Open Field, Marsh Land	William Pearce -	- - -	John Keates.
148	Open Field, Marsh Land	William Pearce -	- - -	Walter Parry.
149	Open Field, Marsh Land	Richard Southby -	Edward Matson -	Edward Matson.
150	Open Field, Marsh Land	Edward Pain -	James Gwynne -	James Weller.
151	Open Field, Marsh Land	Charles Wright -	- - -	Charles Wright.
152	Open Field, Marsh Land	Richard Southby -	Edward Matson -	Edward Matson.
153	Open Field, Marsh Land	Thomas Cubitt -	- - -	Charles Wright.
154	Open Field, Marsh Land	Thomas Cubitt -	- - -	Charles Wright.
155	Open Field, Marsh Land	Edward Pain -	- - -	William Waterhouse Smith.
156	Open Field, Marsh Land	Edward Pain -	- - -	William Waterhouse Smith.

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
157	Inclosed Land - -	Andrew Cuthell -	- - -	Charles Wright.
158	Road - - -	Earl Spencer.	—	—
159	Meadow Land -	Edward Pain -	James Gwynne -	John Hall and William Burrowes.
160	Meadow Land -	Andrew Duncan M'Kellar.	- - -	William Hawkins.
161	Meadow Land - -	Andrew Duncan M'Kellar.	- - -	William Hawkins.
162	Meadow Land -	Andrew Duncan M'Kellar.	- - -	William Hawkins.
164	Four Houses and Land	John Cornelius Park	- - -	John Cornelius Park.
165	Meadow - -	John Cornelius Park	- - -	John Cornelius Park.
166	Factory - -	John Cornelius Park	- - -	George Rogers and Edmund Moorwood.
167	Market Garden and rough Ground.	Andrew Duncan M'Kellar.	Robert Spencer -	Robert Spencer.
168	Market Garden, Ground, House, and Outbuildings.	Andrew Duncan M'Kellar.	- - -	Robert Spencer.
169	Open Field, Marsh Land	James Orlebar Cottingham.	- - -	John Ambrose jun.
170	Open Field, Marsh Land	Edward Pain -	- - -	John Ambrose jun.
171	Open Field, Marsh Land	Thomas Cubitt -	Charles Alderman	John Ambrose jun.
172	Open Field, Marsh Land	Edward Hayward	- - -	William Carpenter.
173	Open Field, Marsh Land	James Orlebar Cottingham.	- - -	Andrew Symonds.
174	Open Field, Marsh Land	James Gray and John Hunt.	- - -	William Carpenter.
175	Open Field, Marsh Land	Edward Pain -	- - -	William Carpenter.
176	Open Field, Marsh Land, and Buildings.	John Hunt and James Gray.	- - -	William Carpenter.
177	Open Field, Marsh Land	Thomas Ponton -	- - -	Thomas Carter and William Carpenter.
178	Open Field, Marsh Land	Edward Pain -	- - -	John Hunt.
179	Open Field, Marsh Land	Edward Pain -	James Griffin -	John Hunt.
180	Open Field, Marsh Land	John Hunt - -	- - -	John Hunt and William Carpenter.
181	Open Field, Marsh Land	Richard Southby -	Edward Matson -	Edward Matson.
181*a*	Open Field, Marsh Land	John Hunt - -	- - -	John Hunt and William Carpenter.
182	Open Field, Marsh Land	Thomas Ponton -	- - -	James Weller.
183	Open Field, Marsh Land	Thomas Ponton -	- - -	William Glenny and John Hunt.
184	Open Field, Marsh Land	Thomas Ponton -	- - -	James Weller.
185	Open Field, Marsh Land	William Pearce -	- - -	William Pearce.
186	Open Field, Marsh Land	Catherine Pilkington	- - -	Andrew Symonds.
187	Open Field, Marsh Land	Thomas Ponton -	- - -	James Weller.
188	Open Field, Marsh Land	Thomas Cubitt -	- - -	Robert Spencer.
189	Open Field, Marsh Land	Edward Pain -	James Gwynne -	John Hall.
190	Open Field, Marsh Land	Thomas Cubitt -	- - -	Robert Spencer.
191	Open Field, Marsh Land	Thomas Cubitt -	- - -	Robert Spencer.
192	Open Field, Marsh Land	Edward Pain -	James Gwynne -	John Hall.
193	Open Field, Marsh Land	Thomas Cubitt -	Charles Alderman	James Barnett.
194	Open Field, Marsh Land	Edward Pain -	- - -	William Waterhouse Smith.
195	Open Field, Marsh Land	Thomas Cubitt -	- - -	John Taylor.
196	Open Field, Marsh Land	Thomas Cubitt -	- - -	James Weller and Charles Wright.
197	Open Field, Marsh Land	Edward Pain -	- - -	Edward Pain.
198	Open Field, Marsh Land	Richard Southby -	Edward Matson -	Edward Matson.
199	Open Field, Marsh Land	Thomas Cubitt -	- - -	John Taylor.
200	Open Field, Marsh Land	Thomas Ponton -	- - -	James Weller.

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
201	Open Field, Marsh Land	Thomas Cubitt -	- - -	John Taylor.
202	Open Field, Marsh Land	Thomas Cubitt -	- - -	John Taylor.
203	Open Field, Marsh Land	Thomas Cubitt -	- - -	John Taylor.
204	Balloon Tea Gardens, Buildings, and Land.	John Hunt - -	- - -	William Carpenter.
205	Open Field, Marsh Land	Thomas Cubitt -	- - -	Robert Spencer.
206	Open Field, Marsh Land	John Hunt - -	- - -	William Carpenter.
207	Open Field, Marsh Land	The Honourable and Reverend Robert Eden.	- - -	John Cornelius Park and William Carpenter.
208	Open Field, Marsh Land	Edward Pain -	James Gwynne -	James Barnett.
209	Open Field, Marsh Land	William Haines -	- - -	Edward Pain.
210	Open Field, Marsh Land	William Pearce -	- - -	William Pearce.
211	Open Field, Marsh Land	Edward Pain -	- - -	Edward Pain.
212	Open Field, Marsh Land	Edward Pain -	- - -	Edward Pain.
213	Open Field, Marsh Land	Thomas Cubitt -	- - -	John Taylor.
214	Open Field, Marsh Land	Thomas Cubitt -	- - -	Robert Spencer.
215	Open Field, Marsh Land	Edward Pain -	James Gwynne -	James Barnett.
216	Open Field, Marsh Land	Thomas Cubitt -	- - -	John Taylor.
217	Open Field, Marsh Land	Edward Pain -	James Gwynne -	James Barnett.
218	Open Field, Marsh Land	Thomas Cubitt -	- - -	John Taylor.
218a	Meadow - -	John Chancellor -	- - -	John Ambrose.
219	Meadow Land - -	John Cornelius Park	- - -	John Cornelius Park.
220	Open Field Land -	Richard Southby -	- - -	Henry Fownes.
221	Open Field Land -	Edward Pain -	- - -	Edward Pain.
222	Open Field Land -	John Chancellor -	- - -	John Ambrose.
223	Open Field Land -	James Arnold -	Henry Hart Davis	Samuel Cleaver.
224	House and Garden -	James Arnold -	Henry Hart Davis	Samuel Cleaver.
225	House and Garden -	James Arnold -	Henry Hart Davis	George Chafer.
226	Meadow - -	James Arnold -	Henry Hart Davis	Samuel Cleaver.
227	Open Field, arable -	Thomas Ponton -	- - -	Thomas Carter.
228	Open Field, arable -	Richard Southby -	- - -	John Ambrose.
229	Open Field, arable -	Edward Pain -	- - -	Edward Pain.
230	Open Field, arable -	Edward Pain -	- - -	Edward Pain.
231	Open Field, arable -	Rev. Thomas John Wyld.	- - -	Mary Gaines.
232	Open Field, arable -	Edward Pain -	- - -	Edward Pain.
233	House and Garden -	William Hewen -	Richard Giblett -	Richard Giblett.
234	House and Garden -	William Hewen -	John Hatherley -	John Hatherley.
235	Arable Land - -	Richard Southby -	Edward Matson -	Edward Matson.
236	Arable Land - -	Edward Pain -	James Griffin -	John Cornelius Park.
237	Arable Land - -	Andrew Duncan M'Kellar.	- - -	Robert Spencer and John Cornelius Park.
238	Arable Land - -	Robert Spencer -	- - -	Robert Spencer.
239	Arable Land - -	Andrew Duncan M'Kellar.	- - -	James Weller.
240	Arable Land - -	Edward Pain -	James Gwynne -	James Wellar.
241	Arable Land - -	James Steadman -	- - -	Samuel Poupart.
242	Arable Land - -	James Steadman -	- - -	Samuel Poupart.
243	Arable Land - -	Eliza Steadman -	- - -	William Waterhouse Smith.
244	Arable Land - -	Andrew Duncan M'Kellar.	- - -	Samuel Poupart.
245	Arable Land - -	Andrew Duncan M'Kellar.	- - -	Samuel Poupart.
246	Arable Land - -	Edward Pain -	James Gwynne -	William Boyce.
247	Arable Land - -	Andrew Duncan M'Kellar.	- - -	William Boyce and James Weller.
248	Arable Land - -	Edward Pain -	James Griffin -	John Cornelius Park.
249	Arable Land - -	Edward Matson -	- - -	Edward Matson.
250	Arable Land - -	John Hunt - -	- - -	James Weller.
251	Arable Land - -	John Hunt - -	- - -	James Weller.

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
252	Arable Land - -	Andrew Duncan M'Kellar.	- - -	William Glenny.
253	Arable Land - -	Robert Chambers -	- - -	William Waterhouse Smith.
254	Arable Land - -	Robert Chambers -	- - -	William Waterhouse Smith.
255	Arable Land - -	Robert Chambers -	- - -	William Waterhouse Smith.
256	Arable Land - -	Thomas Ponton -	- - -	Thomas Carter.
257	Arable Land - -	Stephen Steadman	- - -	Thomas Carter.
258	Arable Land - -	Eliza Carter -	- - -	Thomas Carter.
259	Arable Land - -	Edward Pain -	- - -	William Carpenter and John Hunt.
260	Arable Land - -	James Maybank -	- - -	James Maybank.
261	Arable Land - -	James Skerrit -	- - -	James Skerrit.
262	Arable Land - -	Robert Spencer -	- - -	Robert Spencer.
263	Arable Land - -	James Skerrit -	- - -	James Skerrit.
264	Arable Land - -	Andrew Duncan M'Kellar.	- - -	John Cornelius Park and William Carpenter.
265	Arable Land - -	Edward Matson -	- - -	Edward Matson.
266	Arable Land - -	Edward Pain	- - -	Edward Pain.
267	Arable Land - -	James Orlebar Cottingham.	- - -	Andrew Symonds.
268	Arable Land - -	Edward Hayward -	- - -	Andrew Symonds.
269	Arable Land - -	Edward Pain -	- - -	Edward Pain.
270	Arable Land - -	Eliza Carter -	- - -	Thomas Carter.
271	Arable Land - -	Edward Pain -	- - -	Edward Pain.
272	Arable Land - -	Edward Pain -	James Gwynne -	George Lockwood.
273	Arable Land - -	Edward Pain -	- - -	Edward Pain.
274	Arable Land - -	Edward Pain -	- - -	Edward Pain.
275	Arable Land - -	James Orlebar Cottingham.	- - -	Andrew Symonds.
276	Arable Land - -	Eliza Carter -	- - -	Thomas Carter.
277	Arable Land - -	Richard Southby -	Edward Matson -	Thomas Carter.
278	Arable Land - -	Edward Pain -	- - -	Edward Pain.
279	Arable Land - -	Eliza Carter -	- - -	Thomas Carter.
280	Arable Land - -	Rev. Thomas John Wyld.	- - -	Thomas Carter.
281	Arable Land - -	Eliza Carter -	- - -	Thomas Carter.
282	Arable Land - -	Edward Pain -	- - -	Edward Pain.
283	Arable Land - -	Edward Pain -	- - -	Edward Pain.
284	Arable Land - -	Edward Pain -	- - -	Edward Pain.
285	Arable Land - -	Edward Pain -	- - -	Edward Pain.
286	Cottage and Garden -	Edward Pain -	- - -	Edward Pain.
287	Arable Land - -	Rev. Thomas John Wyld.	- - -	Mary Gaines.
288	Arable Land - -	The Hon^ble and Rev. Robert Eden.	- - -	Edward Matson.
289	Arable Land - -	The Hon. and Rev. Robert Eden.	- - -	Edward Matson.
290	Arable Land - -	John Chancellor -	- - -	Edward Matson.
291	Arable Land - -	Richard Southby -	Edward Matson -	Edward Matson.
292	Arable Land - -	Thomas Ponton -	- - -	Edward Matson.
293	Arable Land and Nursery.	Edward Pain -	- - -	Edward Pain and John Fisher.
294	Arable Land - -	John Hunt - -	- - -	James Weller.
295	Arable Land - -	William Pearce -	- - -	Edward Matson.
296	Arable Land - -	Richard Southby -	- - -	Edward Matson.
297	Arable Land - -	Edward Pain -	James Gwynne -	Edward Matson and Henry Shailer senior.
298	Arable Land - -	The Hon. and Rev. Robert Eden.	- - -	Edward Matson.

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
299	Arable Land - -	Edward Pain -	- - -	Henry Shailer senior.
300	Arable Land - -	Thomas Ponton -	- - -	Edward Matson.
301	Arable Land - -	Edward Pain -	James Gwynne -	Henry Shailer senior and William Mildenhall, —— Bennett, James Moore, ——— Cambridge, John Carne, John Simpson, James Belbin, James Gray, John Pace, William Wakefield, John Keen, Thomas Hickson, George Rounds, William Wilter, Thomas Bamfield, James Neale, ——— Haycock, and James Vesey.
302	Road - - -	Earl Spencer.	—	—
303	Brickfield - -	Robert Southby -	Edward Matson -	John and James Heighington.
304	Arable Land - -	Richard Southby -	Edward Matson -	Edward Matson.
305	Brickfield - -	Thomas Ponton -	- - -	Edward Matson and John and James Heighington.
306	Arable Land - -	Thomas Ponton -	- - -	Edward Matson.
307	Arable Land - -	Thomas Ponton -	Thomas M'Laran, Executor of Michael Pass.	John Bethell.
308	Unfinished House and Land.	Robert Chambers -	John Frederick Bloodsworth.	Eleanor Jones, alias Davis.
309	House and Garden -	Robert Chambers -	John Frederick Bloodsworth.	Eleanor Jones, alias Davis.
310	House and Garden -	Robert Chambers -	John Frederick Bloodsworth.	John Frederick Bloodsworth.
311	Arable Land - -	Thomas Ponton -	- - -	Thomas Carter.
312	Arable Land - -	Richard Southby -	- - -	Henry Fownes.
313	Arable Land - -	Robert Chambers -	John Frederick Bloodsworth.	John Frederick Bloodsworth.
314	Arable Land - -	Edward Pain -	- - -	Edward Pain.
315	Arable Land - -	Sir William Clay, Baronet.	- - -	Thomas Carter.
316	Arable Land - -	Edward Pain -	- - -	Edward Pain.
317	Arable Land - -	Thomas Cubitt -	- - -	Francis Lithgow.
318	Meadow - -	Thomas Williams -	- - -	Thomas Williams.
319	Arable Land - -	John Hunt -	- - -	James Weller.
320	Arable Land - -	Edward Pain -	- - -	William Pipe.
321	Arable Land - -	John Hunt -	- - -	Henry Fear.
322	Arable Land - -	Thomas Cubitt -	- - -	Robert Spencer.
323	Arable Land - -	James Weller -	- - -	James Weller.
324	Arable Land - -	William Pearce -	- - -	Samuel Poupart.
325	Arable Land - -	Joseph Blunt -	- - -	Thomas Carter.
326	Arable Land - -	Edward Pain -	James Gwynne -	William Bullen.
327	Arable Land - -	Thomas Cubitt -	- - -	William Waterhouse Smith.
328	Arable Land - -	Edward Pain -	- - -	Edward Pain.
329	Arable Land - -	Thomas Cubitt -	- - -	William Waterhouse Smith.
330	Arable Land - -	John Hunt -	- - -	William Bullen and John Hunt.
331	Arable Land and Road	Thomas Ponton -	- - -	James Weller.
332	Arable Land - -	Andrew Duncan M'Kellar.	- - -	Samuel Poupart.

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
333	Arable Land - -	Richard Southby -	Edward Matson -	Edward Matson.
334	Arable Land - -	John Cornelius Park.	- - -	John Cornelius Park.
335	Arable Land - -	Edward Pain -	- - -	James Weller junior.
336	Arable Land - -	Thomas Williams -	- - -	James Weller.
337	Arable Land - -	Andrew Duncan M'Kellar.	- - -	Andrew Symonds, Samuel Poupart, and Thomas Carter.
338	Arable Land - -	Edward Pain -	James Gwynne -	William Bullen.
339	Arable Land - -	Edward Matson -	- - -	Edward Matson.
340	Arable Land - -	Edward Matson -	- - -	Edward Matson.
341	Arable Land - -	Catherine Pilkington.	- - -	Andrew Symonds.
342	Arable Land - -	Andrew Duncan M'Kellar.	- - -	James Weller.
343	Arable Land - -	Edward Pain -	- - -	Edward Pain.
344	Arable Land - -	Edward Pain -	- - -	Edward Pain.
345	Arable Land - -	John Goodrick Goslin.	- - -	John Goodrick Goslin.
346	Arable Land - -	Michael Drew -	- - -	Thomas Carter.
347	Public Highway from the Bridge Road to the Thames Bank.	The Parish Board of Surveyors of Highways.	—	—
348	Public Highway from the Marsh Lane to the Thames Bank.	The Parish Board of Surveyors of Highways.	—	—
349	Public Highway to and across the open Fields from the Marsh Lane.	The Parish Board of Surveyors of Highways.	—	—
350	Footpath along the Thames Bank.	The Parish Board of Surveyors of Highways and Earl Spencer.	—	—
351	Open Drain across the Marsh.	The Commissioners of Sewers and Earl Spencer.	—	—
352	Open Drain all along between the open Fields and the Marsh.	The Commissioners of Sewers and Earl Spencer.	—	—
353	Public Highway across the open Fields to Battersea.	The Parish Board of Surveyors of Highways.	—	—
354	Public Highway from the Red House to Nine Elms.	The Parish Board of Surveyors of Highways.	—	—
355	Public Highway from Nine Elms to Wandsworth, called the Lower Wandsworth Road.	The Parish Board of Surveyors of Highways.	—	—
356	Public Highway from Nine Elms to Battersea.	The Parish Board of Surveyors of Highways.	—	—
357	Public Highway, Continuation of, from Nine Elms to Wandsworth.	The Parish Board of Surveyors of Highways.	—	—
358	Land and Building -	The Proprietors of Battersea Bridge.	Daniel Board -	Daniel Board.
359	Meadow - -	The Proprietors of Battersea Bridge.	- - -	John Taylor.

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
360	Meadow and Warehouse.	The Proprietors of Battersea Bridge.	Joseph Cristall, John Nowell, and John Forster.	John Nowell and John Forster.
361	Chemical Factory -	The Proprietors of Battersea Bridge.	Joseph Cristall, Samuel Cleaver, William Hammond, and Samuel Reynolds Solly.	Charles John Price.
362	Chemical Factory -	The Proprietors of Battersea Bridge.	Joseph Cristall, Samuel Cleaver, William Hammond, Samuel Reynolds Solly, Thomas Groves, and Barbara Catherine Lowndes.	James Lowndes.
363	Silver and Lead smelting and refining Works.	Proprietors of Battersea Bridge.	Joseph Cristall, Samuel Cleaver, John Mullins, William Hammond, and Samuel Reynolds Solly.	John Mullins and Edward Mullins.
364	Chemical Factory -	Proprietors of Battersea Bridge.	Joseph Cristall, Samuel Cleaver, William Hammond, Samuel Reynolds Solly, and Edward Hoile.	Edward Hoile.
324*a*	Almshouses - -	Ann Maria Lightfoot, Mary Lightfoot, Samuel Morton Peto, Jasper Shallcrass, and John Noah Davidson.	- - -	Hannah Burchall, Sarah Cook, Lavinia Maria Surrey, Elizabeth Masters, Charles Rhodes, Sarah Gunner, Elizabeth Townshend, Mary Ann Symons, Mary Craig Eddis, and Elizabeth Wise.

CAP. XXXIX.

An Act to enable the Commissioners of Her Majesty's Woods to construct an Embankment and Roadway on the North Shore of the River *Thames* from *Battersea Bridge* to *Vauxhall Bridge*, and to build a Suspension Bridge over the said River at or near *Chelsea Hospital*, with suitable Approaches thereto, including a Street from *Lower Sloan Street* to the Northern Extremity of the Bridge. [3d *August* 1846.]

'WHEREAS the Commissioners appointed by Her Majesty to inquire into and consider the most effectual Means of improving the Metropolis, and of providing increased Facilities of Communication between the same, by their Second Report, dated the Seventh Day of *May* One thousand eight hundred and forty-five, (and which has been laid before both Houses of Parliament by Command of Her Majesty,) recommended to Her Majesty's favourable Consideration the Construction of an Embankment and public Road between *Battersea* and *Vauxhall* Bridges, upon the Basis of a Plan and Estimates therein contained or referred to: And whereas by their Fifth Report, dated the Twenty-third Day of *July* One thousand eight hundred and forty-five, and also laid before both Houses of Parliament by Command of Her Majesty, the said Commissioners recommended (amongst other things) to Her Majesty's favourable Consideration the Construction of a Suspension Bridge across the River *Thames* between *Battersea* and *Vauxhall* Bridges, from a Point near *Chelsea Hospital* on the North Side

'Side to a Point near the Public House called the *Red House*, on the South Side: And whereas it is 'proposed, in accordance with the aforesaid Recommendations, that the Commissioners of Her Majesty's 'Woods, Forests, Land Revenues, Works, and Buildings shall be empowered to construct such Embank- 'ment and Roadway and Suspension Bridge as aforesaid, and also, in order to open a more complete 'Communication with and to the said Roadway and Bridge, to open a new Street from the South End 'of *Lower Sloane Street* to a Point in the said intended Roadway at or near the Northern Extremity 'of the said intended Bridge, as recommended in the said Second Report: And whereas the Recommen- 'dations aforesaid were made by the said Commissioners on the Understanding that the whole Cost of 'constructing such proposed Embankment and Roadway was not to fall ultimately upon the Public, but 'that a certain Proportion of such Cost should be contributed (either in Money, or by conveying the 'Land required free of Expence, or by constructing the same Embankment and Roadway, or Parts 'thereof, at prime Cost, or otherwise,) by certain of the Owners of or Parties interested in the Tene- 'ments situated on the River Frontage along which the said intended Embankment and Roadway were 'to pass, in consideration of the Benefit which would accrue therefrom to their said respective Tene- 'ments; and certain of such Parties are willing to contribute accordingly in some of the Modes herein- 'before mentioned; and it is intended that they shall respectively enter into Agreements with the 'Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings to make such 'Contribution accordingly in such Sums or otherwise as the Lord High Treasurer or the Commissioners 'for executing the Office of Lord High Treasurer shall approve of, and shall think proper and sufficient, 'and that no Part of the said intended Embankment and Roadway shall be commenced until after all 'such Agreements as aforesaid, so approved of as aforesaid, shall have been duly executed; but inasmuch 'as it is proposed that the whole Cost of the Construction of the said Embankment and Roadway shall 'in the first instance be borne by the Public, and that the Sums of Money to be contributed as aforesaid 'shall not be payable until after the Completion of the same, it is expedient that the necessary Powers 'for constructing the same should be conferred forthwith, subject nevertheless to the due Execution of 'such Agreements as aforesaid: And whereas the Reverend *Joseph George Brett* Clerk hath proposed 'and agreed to give such Part of his Land as shall be necessary to form the said intended new Street 'without any valuable Consideration: And whereas the Commissioners of Her Majesty's Woods, Forests, 'Land Revenues, Works, and Buildings have caused Surveys, Plans, and Designs to be made of the 'said intended Embankment, Roadway, and Street, and of the said intended Bridge and the Approaches 'thereto, in accordance with the Recommendations contained in the said Reports, and such Surveys, 'Plans, and Designs have been submitted to the Commissioners of Her Majesty's Treasury, and have 'been approved of by them: And whereas the Queen's most Excellent Majesty in right of Her Crown 'claims to be seised of the Ground or Soil and Bed of the River *Thames* and the Shores thereof, so far 'as the Tide flows and reflows in the same River, and the Mayor, Commonalty, and Citizens of the City 'of *London* are Conservators of the same River, and claim also to be entitled to so much of the Ground 'and Soil and Bed of the said River and the Shores thereof as lie within the Limits and Bounds of their 'Jurisdiction as Conservators, and a Suit has been instituted by Her Majesty's Attorney General, on 'behalf of Her Majesty, against the said Mayor, Commonalty, and Citizens, for the Purpose of ascer- 'taining and determining the Rights of Her Majesty and of the said Mayor, Commonalty, and Citizens 'respectively, and such Suit is still pending: And whereas the Plans of the said Bridge and Embank- 'ment have, without Prejudice to the Right and Title of the Crown, been submitted to and received the 'Approval of the Lord Mayor of the City of *London*, the Conservator of the said River *Thames*: And 'whereas it is expedient that the several Objects herein-before mentioned should be carried out; and the 'same cannot be fully carried out without the Authority of Parliament:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being shall be and they are hereby constituted a Corporation, by the Name and Style of "The Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings," in order to enable them to execute and carry into effect the several Powers and Purposes of this Act, and by that Name, for the Purposes of this Act, shall have perpetual Succession, and use a Common Seal, to be by them from Time to Time altered as they shall think fit, and shall and may sue and be sued, implead and be impleaded, and take Lands and Hereditaments to them and their Successors for ever, for the Purposes of this Act.

Commissioners of Woods, &c. constituted a Corporation, that they may be enabled to carry into effect the Powers of this Act.

II. And be it enacted, That it shall and may be lawful for the Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, and they are hereby empowered, for the Purposes of this Act, by Warrant under their or his Hands or Hand, from Time to Time to authorize the Commissioners for issuing Exchequer Bills for Public Works acting in execution of an Act passed in the Fifty-seventh Year of the Reign of King *George* the Third, and of several subsequent Acts for amending and extending the same, to advance and lend to the Commissioners for executing this Act any Sum or Sums of Money in Exchequer Bills, not exceeding in the whole the Sum of One hundred and twenty thousand Pounds; and the Repayment of all Sums to be so from Time to Time advanced and lent as aforesaid, with Interest from the Time or respective Times of advancing the same, not exceeding the Rate of Four Pounds *per Centum per Annum*, shall be secured by an Assignment to the said Commissioners for issuing

Commissioners for issuing Exchequer Bills for Public Works authorized to advance Money for the Purposes of this Act.

Sums advanced to be repaid with Interest

issuing Exchequer Bills of the Tolls of the Bridge and other Tolls herein-after authorized to be taken, and of the Monies to be received for Contributions under the aforesaid Agreements, and all other Monies to be received under the Authority of this Act, or by an Assignment of such Parts thereof, or secured in such other Manner as the Lord High Treasurer or Commissioners for the Time being of Her Majesty's Treasury, or any Three or more of them, shall direct; and the Commissioners for executing this Act are hereby authorized and empowered to assign the said Tolls, Contributions, and other Monies aforesaid by way of Security accordingly.

Monies secured on the Tolls, &c.

III. And be it enacted, That when and so soon as such Agreements for Contribution as aforesaid (including an Agreement with the Governor and Company of *Chelsea* Waterworks, who have offered to contribute, upon Terms to be arranged between the said Company and the Commissioners for executing this Act,) as the Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer for the Time being, or any Three or more of them, shall approve of, and shall consider proper and sufficient in Amount or otherwise, (such Approbation to be signified by some Writing under his or their Hand or Hands,) shall have been made and entered into, but not sooner, it shall be lawful for the said Commissioners for executing this Act to construct and complete an Embankment and Roadway along the North Bank of the River *Thames* from *Battersea Bridge* to *Vauxhall Bridge*, and it shall be lawful for the said Commissioners at any Time, either before or after such Agreements shall have been entered into as aforesaid, to construct and complete a Bridge across the said River from a Point near to *Chelsea Hospital* aforesaid to a Point near the *Red House* aforesaid, with convenient Approaches thereto, together with convenient Piers, Stairs, Hards, and Landing Places, and also a Street from the South End of *Lower Sloane Street* aforesaid to the Northern Extremity of such Bridge, in manner herein-after mentioned, and according to such Surveys, Plans, and Designs as aforesaid, and for the Purposes aforesaid, or any of them, to dig and make proper Foundations in the said River, and in the Lands on each Side thereof, and make Dams in the said River, and cut and level the Banks thereof, and cut, remove, and take away all Trees, Roots of Trees, Beds of Gravel, Sand, or Mud, or other Impediment whatsoever, and do and execute every other Thing necessary or convenient for the Purposes aforesaid, or any of them; and for the Purpose of erecting, maintaining, and repairing the said intended Bridge, and constructing and completing such Embankment and Roadway as aforesaid, the said last-mentioned Commissioners shall have full Power and Authority from Time to Time to land on either Side of the said River, within Five hundred Yards from the Site of the said intended Bridge, and on any Part of the Ground lying on the North Bank of the said River between *Battersea Bridge* and *Vauxhall Bridge*, all Materials and other Things to be used in or about the same, and there to work and use such Materials and Things as they the said last-mentioned Commissioners shall think proper, doing as little Damage as may be, and making such Satisfaction as herein-after mentioned to the respective Owners and Occupiers of the Lands and Hereditaments which shall be damaged or used for the Purposes of this Act; and such Bridge, when so erected, and the Approaches thereto, shall be kept in repair by the Commissioners for executing this Act out of the Tolls and other Monies coming to them under this Act.

When Agreements for Contributions are approved by the Treasury, Commissioners empowered to construct Embankment and Roadway, and to construct a Bridge.

Commissioners to keep Bridge in repair.

IV. And be it enacted, That in case at any Time or Times after the said intended Bridge shall have been completed the Passage over the same shall become dangerous in consequence of Accident or Want of Repair, it shall be lawful for the said last-mentioned Commissioners, during such Time as shall be necessary for repairing or rebuilding the said Bridge, to erect such temporary Bridge or provide such Ferry over the said River at such Place or Places near the Site of the said intended Bridge as they shall think proper, and to receive such Tolls as are herein-after authorized to be taken for passing over the said intended Bridge: Provided always, that such temporary Bridge or Ferry shall continue for such Time only as shall be necessary for repairing or rebuilding the said intended Bridge, and that such temporary Bridge shall be built so as to impede the Navigation as little as possible.

When the Bridge is under repair the Commissioners empowered to erect a temporary Bridge.

Proviso.

V. And be it enacted, That it shall be lawful for the said last-mentioned Commissioners to take on Lease or to agree for the Use and Occupation of proper Places within Five hundred Yards of the Approach to the said Bridge on either Side thereof, and on any Part of the North Bank of the said River between *Battersea Bridge* and *Vauxhall Bridge*, for the Purpose of depositing and working Stone, Iron, Timber, and other Materials for building the said intended Bridge, and constructing and completing the said Embankment and Roadway, and to dispose of the same in like Manner as is herein-after directed with respect to Lands not wanted for the Purposes of this Act.

Commissioners empowered to take Places for depositing Materials.

VI. And be it enacted, That a Map or Plan and Design, or separate Maps or Plans and Designs, describing the Lines, Site, and Elevation of the said intended Embankment and Roadway, Bridge and Approaches, and new Street, when signed by the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer, or any Three of them, and the Places, Buildings, Tenements, and Hereditaments on the Site of which the same Embankment, Roadway, Bridge, and Approaches, and new Street are proposed to be made shall be deposited at the Office of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and the Map or Plan and Design, or separate Maps or Plans and Designs, so deposited at the Office of the said Commissioners, shall remain at the said Office, to the End that all Persons may at all seasonable Times have Liberty to inspect and peruse the same at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

Maps or Plans to be deposited at the Office of Woods, and to be open to Inspection upon paying a Fee of 1*s*.

VII. And be it enacted, That no Alteration or Change shall be made in the Line, Site, or Design of the said Roadway and Approaches, or new Street, as shown in such Plans and Designs, unless the same shall be approved by the Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer for the Time being, or some Three or more of them.

No Alteration shall be made without Consent of the Treasury.

VIII. And

No Deviation to be made from such Plans without Consent.

VIII. And be it enacted, That the said Commissioners for executing this Act, in making the said Roadway and Street, and the Approaches to the said Bridge, shall not deviate more than Fifty Feet from the Lines described in the aforesaid Maps or Plans and Designs, without the Consent and Approbation of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Tenements such Deviation shall be made, or the Use and Enjoyment of whose Tenements shall be affected by such Deviation: Provided always, that in respect to the Soil or Freeholds of the said Reverend *Joseph George Brett* Clerk no Deviation shall take place without adequate Compensation in reference to the same being made to him in manner herein-after mentioned.

Power to Commissioners to appoint Clerks and other Officers; and to fix Salaries, with the Approval of the Treasury; and to take Security if they think fit.

IX. And be it enacted, That the said Commissioners for executing this Act shall and may and they are hereby empowered from Time to Time to appoint such and so many Clerks and other Officers and Persons as they shall deem necessary to employ in the Execution of this Act, and may from Time to Time remove such Clerks, Officers, and other Persons, or any of them, and appoint others in their Stead; and also shall and may allow to such Clerks and other Officers, and such other Person and Persons as shall be assisting in or about the Execution of this Act, such Salaries or Allowances as to them the said Commissioners shall seem meet, and as shall be approved of by the said Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them: Provided always, that the said Commissioners for executing this Act shall and may and they are hereby authorized and empowered, if they shall think proper so to do, to take such Security, either to themselves or Her Majesty, from any Clerk, Officer, or other Person to be appointed by virtue of this Act, for the due and faithful Execution of his Office, as they the said last-mentioned Commissioners shall think fit.

Proceedings of Commissioners to be entered in a Book and admitted as Evidence.

X. And be it enacted, That all such Orders and Proceedings of the said last-mentioned Commissioners in the Execution of this Act, which shall be entered in a Book or Books to be kept for that Purpose, shall, when so entered and signed by the said Commissioners or any Two of them, be deemed to be Originals, and such Book or Books shall be admitted as Evidence in all Courts whatsoever.

Power to make new Carriage and Foot Ways, and to stop up old ones.

XI. And be it enacted, That it shall be lawful for the said last-mentioned Commissioners to cause such Part of the said intended Roadway, Bridge and Approaches, and new Street to be laid out for Carriageways, and such Part thereof for Foot Passengers, as they shall think proper, and to stop up and close permanently all or any now existing Carriageways and Footways which in the Judgment of the said Commissioners it will not be necessary to keep open after such new Carriageways and Footways are set out and opened.

Power to embank and fill up Bed and Shore of River and to stop up Streets, &c.

XII. And be it enacted, That it shall be lawful for the said last-mentioned Commissioners to embank and fill up the Bed and Shore of the said River *Thames* as shown in the aforesaid Plans and Designs, and also such further Parts thereof as shall be required by the said Commissioners for constructing any Stairs, Piers, Landing Places, or Hards, in pursuance of the Powers in that Behalf herein-after contained, and also to alter, divert, stop up, or inclose such Streets, Courts, Alleys, Ways, or Passages, void Ground, Stairs, Piers, Landing Places, or Hards, or such Part and Parts thereof as shall be necessary to be altered, diverted, stopped up, or inclosed for the Purposes of this Act; and the Ground and Soil of so much of the Bed of the said River as shall be so embanked and filled up, or authorized to be filled up as aforesaid, and of such Streets, Courts, Alleys, Ways, Passages, void Ground, Stairs, Piers, Landing Places, and Hards, or Parts thereof respectively, as shall be stopped up and inclosed, and the Fee Simple and Inheritance thereof, shall be and are hereby vested in the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and their Successors, hereby incorporated for the Purposes of this Act, with Power to such Commissioners to convey any Part thereof or to appropriate the same in pursuance of any Agreement which may be entered into with any Parties so agreeing to contribute as aforesaid, and on such Conditions and subject as in any such Agreement may be mentioned.

Ground, &c. of the River and Streets, &c. vested in Commissioners.

Power to Commissioners to stop up Parts of Carriage and Foot Way of Streets.

XIII. And be it enacted, That it shall be lawful for the said last-mentioned Commissioners, and they are hereby authorized and empowered, during the making of the said Embankment, Roadway, Bridge and Approaches, and new Street, to stop up or cause to be stopped up all or such Part of the Carriage or Foot Ways of Streets, Roads, and other Places as shall be necessary for the Purposes of this Act, and for that Purpose to put up or cause to be put up sufficient Dams, Pallisadoes, Bars, Posts, and other Erections, and to make such Orders for regulating the Passage of all Carts, Carriages, Horses, and Foot Passengers as to them shall seem proper: Provided nevertheless, that before any such Stoppage shall be made the said Commissioners shall give Twenty Days previous Notice of their Intention to cause such Stoppage to the Commissioners of Sewers for the City and Liberty of *Westminster* and Part of the County of *Middlesex*, to the Intent that the last-named Commissioners, if they see Occasion, may represent to the Commissioners for executing this Act any Interruption of Sewage likely to be caused by any such Stoppage as aforesaid.

Penalty on Persons obstructing the Execution of the Works.

XIV. And be it enacted, That if any Person or Persons having the Care of any Float, Raft, Boat, Barge, or other Vessel, or any other Person or Persons, shall, after being warned by any Person employed in the Construction of any of the Works by this Act authorized to be constructed, by passing or navigating over any Part of the said River where such Works are in progress, or otherwise, cause any Hindrance or Obstruction to the Execution of such Works or any of them, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered in such Manner as other Penalties and Forfeitures are by this Act directed to be recovered.

Power to Commissioners to

XV. And be it enacted, That it shall be lawful for the said last-mentioned Commissioners and they are hereby authorized and empowered to raise or lower, or cause to be raised or lowered, the Ground of any Streets

Streets or Ways which shall communicate with the said Roadway, Bridge and Approaches, and new Street to be made as aforesaid, or any Part or Parts thereof respectively, making Compensation to the Owners of Houses or Premises injured by such Alterations as shall be agreed on by and between the Parties: Provided nevertheless, that in raising or lowering such Ground the said Commissioners shall not disturb or interfere with any Sewers, Drains, or Watercourses under the Control of the said Commissioners of Sewers without the Consent of the last-named Commissioners, and that in case it shall be necessary to alter, divert, stop up, or in any way interfere with any such Sewers, Drains, or Watercourses the said Commissioners for executing this Act shall first obtain the Sanction of the said Commissioners of Sewers, and all such Works shall then be done as the said Commissioners of Sewers shall by Order of Court direct and require, by or at the Expence of the said Commissioners for executing this Act.

raise or lower Streets leading to Bridge, &c.; making Compensation to Owners.

Not to disturb Sewers without Consent of Commissioners of Sewers.

XVI. And be it enacted, That it shall be lawful for the said last-mentioned Commissioners and they are hereby authorized and empowered to cause to be arched over or filled up all such Sewers and Drains, or Part or Parts thereof, which shall lie and be in or near the said Roadway, Approaches, and new Street and Streets and Ways to be made, altered, diverted, or stopped up, or inclosed as aforesaid respectively, as shall appear necessary for completing the Purposes of this Act, so as that no public Sewer or Drain whatsoever, or any private Drain, shall be in anywise disturbed, injured, or prejudiced without another Sewer or Drain being made in lieu thereof, equally serviceable and convenient to the Individual or Neighbourhood: Provided always, that, before the arching over or filling up any Sewer, Drain, or Watercourse, or Part thereof, as aforesaid, the said Commissioners shall first obtain the Sanction and Consent of the Commissioners of Sewers thereto, and at the Time of filling up any Sewer or Drain, or Part thereof, as aforesaid, the said Commissioners shall cause to be made and built other good and sufficient Sewers and Drains, if required, and to be approved by the Commissioners of Sewers, of the same or greater Size or Capacity and upon the same or lower Levels than the Sewers or Drains which shall be filled up; and when made and completed the said respective Sewers and Drains shall be under the Jurisdiction, Care, Management, and Direction of the Commissioners of Sewers of the District in which the same shall be: Provided also, that in case the said Commissioners of Sewers shall require any Sewer or Drain, or Part or Parts of any Sewer or Drain, that may be destroyed or altered under the Authority of this Act, to be rebuilt or remade of larger Capacity than the ordinary Size generally used by the Commissioners of Sewers, and shall give Notice to the said Commissioners for executing this Act of such Desire before such Sewer or Drain shall be begun to be rebuilt or altered, then and in every such Case such Sewer or Drain shall be rebuilt or remade of such enlarged Dimensions as the said Commissioners of Sewers may require; and such Commissioners of Sewers shall bear and pay the Difference in Expence that may be occasioned by such enlarged Capacity; and in case any Difference shall arise as to the Sum to be paid by the said Commissioners of Sewers, then it shall be referred to the Decision of Two Arbitrators, or, if they differ, to an Umpire to be named by the Two Arbitrators, one of such Arbitrators to be named by the said Commissioners of Sewers and the other by the said Commissioners for executing this Act.

Power to arch over or fill up Sewers and Drains for the Purposes of this Act.

XVII. 'And whereas it may be necessary from the Increase of Buildings that new Sewers should be 'made, and that the same should have an Outlet into the *Thames*, and that the present and future Sewers 'should be deepened, repaired, altered, enlarged, or diverted, and Works may from Time to Time be 'rendered necessary to provide for the due Discharge into the River *Thames* of the Sewage from the Lands 'and Property around;' be it therefore enacted, That nothing herein contained shall prejudice, affect, diminish, or interfere with the Right and Power of the Commissioners of Sewers, or any Person or Persons whomsoever acting under their Direction or with their Sanction, to make such Openings as may be required in the Embankment or Works hereby authorized, for the Purpose of making any new Sewers, at such Places and in such Manner as such Commissioners of Sewers shall deem fit and proper, and that nothing herein contained shall prevent the said Commissioners from altering or diverting the Course of any existing Sewers or the Outlets thereof, or the widening, deepening, repairing, amending, or making, covering, or otherwise altering, any such Sewers; and the said Commissioners of Sewers are hereby authorized and empowered to order and direct the doing all or any Works which in their Judgment, and in the Execution of the Laws of Sewers, they may deem necessary with reference to the Sewers, Drains, and Watercourses, and the proper Sewage of the District, notwithstanding the Works done under this Act, and although it may from Time to Time be necessary to make Openings in the said Embankments and other Works, and to do other Things which may affect or interfere with the Works by this Act authorized, and so that the Power to form new Sewers or Drains and Watercourses, and alter, repair, and improve existing Sewers, Drains, and Watercourses, may continue in the same State and as completely unimpaired as if this Act had not passed: Provided nevertheless, that all Openings to be made in the said Embankment by the Commissioners of Sewers, or by Persons acting under their Direction, or with their Sanction, shall be for Main Sewers, or for such Sewers as the said Commissioners and the Commissioners for executing this Act shall approve, and all such Sewers shall be carried down to Low-water Mark, or as low as the Shore Line will permit, and that the Commissioners of Sewers shall so execute every such Work that no Injury shall be done or shall ensue to the Embankment, and no Settlement caused in the Roadway, and that in every Case the Commissioners of Sewers shall restore the Work of the Embankment and the Roadway and other Works to the Satisfaction of the Commissioners for executing this Act.

Nothing to diminish the Rights of the Commissioners of Sewers relating to the making, repairing, &c. of Sewers.

XVIII. And be it enacted, That it shall be lawful for the said Commissioners for executing this Act, for the Purposes of this Act, to raise, sink, or otherwise alter or cause to be altered the Position of any of the

Power to Commissioners to raise, sink, or

alter Water and Gas Pipes.

the Steps, Areas, Cellars, Windows, and Water Channels, Pipes, or Spouts belonging to any House or Houses, and also the Mains and the Leaden or other Pipes which for the Purposes of conveying Water or Gas to any House or other Place shall be laid into or from any Main or Pipe laid down by any of the Companies or Societies who furnish the Inhabitants with Water or Gas, in such Manner as shall be consistent with the Acts of Parliament incorporating such Companies or Societies (if any), and to remove all other Obstructions, so as the same respectively be done with as little Detriment and Inconvenience to the said Companies, Societies, and Inhabitants as the Circumstances of the Case will admit.

Ground laid into the Streets to form Part of the Roadway, and may be used by the Public.

XIX. And be it enacted, That when the said Roadway and Approaches and new Street shall be made in pursuance of this Act, all the Ground, Land, and Hereditaments which shall be laid open into the said Roadway and Approaches and new Street, and paved as aforesaid, shall form Part of the said Roadway and Approaches and new Street, and shall be used by the Public accordingly, and the same and the sole Power, Authority, and Duty of paving, repairing, cleansing, lighting, and watching thereof, and of rating the Lands, Tenements, and Hereditaments situate and being within the same, shall be under the Care, Management, Control, and Jurisdiction of the Parishes or Places, Trustees or Commissioners, respectively, after mentioned; that is to say, such Parts of the said Roadway, Approaches, and new Street as will be situate in the Parish of *Saint Luke Chelsea*, extending as to the said Roadway from *Battersea Bridge* to the *Ranelagh* Sewer, shall be under the Care, Management, Control, and Jurisdiction of the Commissioners appointed under the Authority of an Act passed in the Eighth and Ninth

8&9 Vict. c. 143.

Years of the Reign of Her present Majesty, intituled *An Act for better paving, lighting, cleansing, regulating, and improving the Parish of* Saint Luke Chelsea (*exclusive of the District of* Hans Town) *in the County of* Middlesex; such Parts thereof as will be situated between the *Ranelagh* Sewer and the Lock of the *Grosvenor* Canal shall form Part of the District of *Grosvenor Place*, and be under the Care, Management, Control, and Jurisdiction of the Trustees appointed under the Authority of an Act passed

7 G. 4. c. 58.

in the Seventh Year of King *George* the Fourth, intituled *An Act for paving, lighting, watching, repairing, and otherwise improving* Grosvenor Place, *and several Streets, Squares, Lanes, and other public Places now existing, and which shall hereafter be formed, upon certain Grounds in the several Parishes of* Saint George Hanover Square *and* Saint Luke Chelsea *in the County of* Middlesex; such Parts thereof as will be situate between the *Grosvenor* Canal and the *King's Scholars Pond* Sewer shall be under the Care, Management, Control, and Jurisdiction of the Paving Committee appointed under the Authority of an Act passed in the Seventh Year of His said Majesty King *George* the Fourth, intituled

7 G. 4. c. 121.

An Act for better paving, lighting, regulating, and improving the Parish of Saint George Hanover Square, *within the Liberty of the City of* Westminster; and such Parts thereof as will be situate between the *King's Scholars Pond* Sewer and *Vauxhall Bridge* shall be under the Care, Management, Control, and Jurisdiction of the Commissioners appointed under the Authority of an Act passed in the Twenty-

22 G. 3. c. 44.

second Year of King *George* the Third, intituled *An Act for amending the Pavement in, and for lighting some of the Streets, Lanes, Ways, and Places in the Parishes of* Saint Margaret *and* Saint John the Evangelist *in* Westminster *which are at present excluded from the Provisions of an Act passed in the Eleventh Year of His present Majesty, (intituled 'An Act to amend and render more effectual several 'Acts made relating to paving, cleansing, and lighting the Squares, Streets, Lanes, and other Places 'within the City and Liberty of* Westminster *and Parts adjacent;') and for preventing Nuisances and Annoyances in or near the same, and for making an Opening from* Orchard Street, *and widening some Part of* Wood Street *and of* Little Peter Street; and further, that all Lands and Hereditaments which shall be acquired or reclaimed within and by the said intended Embankment between the present North Shore of the said River, and the Line of the said intended Roadway may (subject, nevertheless, to such other Appropriation thereof as may be made under any Agreement to be entered into by the Commissioners for executing this Act) be planted or otherwise laid out in public Walks or Gardens by the Commissioners for executing this Act, as they shall think fit, but no Houses or other Buildings shall be erected on any Part thereof (except such as may be erected under any such Agreement as aforesaid).

Power to take Houses necessary for the Purposes of this Act after giving Notice of the same.

XX. And be it enacted, That, for the Purposes of this Act, it shall be lawful for the Commissioners for executing this Act, and they are hereby authorized and empowered, to take and use, or cause to be taken and used, any Tenements or Hereditaments, and pull down or remove, or cause to be pulled down and removed, any Houses or Buildings which it may be deemed necessary and expedient to take or pull down and remove for the Purposes of this Act, at any Time after the Expiration of Six Calendar Months after Notice in Writing from the said last-mentioned Commissioners, or their Agent duly authorized, of their Intention to take or use the same, shall either be given to the principal Officer of the Body Politic, Corporate, or Collegiate, or to the Person or Persons who shall be the Owners and Occupiers of such Tenements or Hereditaments, or, in case he, she, or they cannot be found or ascertained, left at the usual or last Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of the same Tenements or Hereditaments, or shall be affixed upon the same Premises; and, for the Purposes of this Act, the Owner shall be any Person hereby capacitated to sell.

No Houses, &c. to be taken without Consent, unless mentioned in Schedule.

XXI. Provided always, and be it enacted, That no Houses or Buildings, Lands or Hereditaments, other than the Bed of the said River as aforesaid, shall be taken or made use of for the Purposes of this Act, except such as are mentioned in the Schedule hereunto annexed, or as are situated within the Limits of the Line of Deviation herein-before authorized, without the Consent in Writing of the Owner or Owners thereof being first had and obtained for that Purpose.

Saving the Powers of Im-

XXII. Provided always, and be it enacted, That nothing in this Act contained shall extend to limit the Powers of the Commissioners acting under an Act passed in the last Session of Parliament, intituled *An*

Act

Act for better paving, lighting, cleansing, regulating, and improving the Parish of Saint Luke Chelsea (*exclusive of the District of* Hans Town) *in the County of* Middlesex, in respect of the Houses or Buildings, Lands or Hereditaments, described in the Schedule hereunto annexed, as follows; that is to say, "No. 27, Shed and open Ground," "27ª, Public Way, *Paradise Walk*, and No. 28, *Bull Wharf*," unless the same shall be taken or made use of for the Purposes of this Act within Two Years from the passing thereof, and unless there shall be provided by the Commissioners for executing this Act convenient Means for landing Materials by the Commissioners acting under the said Act of the last Session for the Repair of the Roads under their Jurisdiction, at or near the Site of the last-mentioned Houses or Buildings, Lands or Hereditaments, free from Rent or Toll.

Improvement Commissioners acting under 8 & 9 Vict. c. 143. in respect of certain Property.

XXIII. And be it enacted, That it shall be lawful for the said last-mentioned Commissioners to purchase, take down, and use, for the Purposes of this Act, any of the Houses, Buildings, and other Hereditaments described in the said Plan or Plans to be deposited in the Office of the said Commissioners as aforesaid as intended to be taken for the Purposes of this Act, although the same Houses, Buildings, and other Hereditaments, or the Name or Names of the Owner or Owners, Occupier or Occupiers thereof, may have been erroneously stated or omitted in the Schedule hereunto annexed, in case it shall appear to any Two or more of the Justices of the Peace for the County of *Middlesex*, and be certified under their Hands, that such Error or Omission proceeded from Mistake or erroneous Information.

Houses and Lands may be taken, notwithstanding Errors in the Schedule, if certified by Two Justices.

XXIV. And be it enacted, That it shall be lawful for the said last-mentioned Commissioners, and for their Surveyor or Surveyors, Officers and Workmen, from Time to Time, at all seasonable Times in the Day-time, upon giving for the first Time Twenty-four Hours, and afterwards from Time to Time Twelve Hours, previous Notice in Writing, to enter into and upon all or any of the said Tenements and Hereditaments authorized to be taken and used as aforesaid, or any of them, for the Purpose of surveying or valuing the said Premises, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment, on account of entering or continuing upon any Part or Parts of the said Tenements and Hereditaments, for the Damages that shall be thereby occasioned.

Power to Commissioners, &c. to enter Houses and Lands for the Purpose of Survey after giving Notice.

XXV. And be it enacted, That it shall be lawful for the said last-mentioned Commissioners and they are hereby empowered to treat and agree for the Purchase of any Tenements and Hereditaments which they may deem necessary for the Purposes of this Act to be taken and used by them, and of any subsisting Leases, Terms, Shares, Estates, and Interests therein, and Charges thereon, or such of them or such Part or Parts thereof respectively, as the said Commissioners shall think proper, and to enter into any Contract or Contracts which they may think fit.

Commissioners may treat for the Purchase of Tenements, &c., and enter into Contracts.

XXVI. And be it enacted, That the Messuages and other Hereditaments which shall be purchased in pursuance of this Act shall be conveyed to the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and their Successors, or to such Person or Persons as the said Commissioners shall direct, in trust for the Purposes of this Act, and to be conveyed, leased, or otherwise disposed of, as the said Commissioners under the Powers herein contained shall direct, and that until the same shall be sold and disposed of the Rents and Profits thereof shall be received and applied by the said Commissioners for the Purposes of this Act or any of them.

Messuages, &c. purchased in pursuance of this Act shall be conveyed to Commissioners of Woods, &c.

XXVII. And be it enacted, That if the said Commissioners for executing this Act shall not, within the Space of Seven Years, to be computed from the passing of this Act, purchase or take the Tenements and Hereditaments or Parts thereof respectively which they are empowered by this Act to take, use, and purchase as aforesaid, then and from thenceforth the Powers hereby granted to them for such Purpose shall cease, determine, and be utterly void.

Power of purchasing Houses, &c. to cease in Seven Years.

XXVIII. And be it enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, and for all Trustees and Feoffees in trust for charitable and other Purposes, and all Executors and Administrators, not only for and on behalf of themselves, their Successors, Heirs, Executors, and Administrators respectively, but also for and on behalf of their respective Cestuique Trusts, whether Infants, Femes Covert, Idiots, Lunatics, or Persons not born or not ascertained, or any other Person or Persons whomsoever, and to and for all Tenants for Life, or for Years absolute or determinable on any Life or Lives, and all Persons having any other partial or qualified Estate or Interest, not only for and on behalf of themselves, their Heirs, Executors, Administrators, and Issue, but also for and on behalf of the Person or Persons entitled in remainder, expectancy, or contingency, or for any other future Estate or Interest where such Person or any of such Persons, whether entitled to the next or any subsequent Estate or Interest, or any Part thereof, shall not be ascertained, or shall be incapable of contracting for, selling, or conveying the same, and to and for all Guardians on behalf of their respective Wards, Husbands on behalf of their respective Wives, Committees on behalf of the Persons of whose Estates they shall be Committees, and the Heirs, Executors, and Administrators and Issue of such Wards, Wives, or Persons respectively, and to and for all Femes Covert entitled in their own Right to any such Tenements or Hereditaments, or to Dower or other Interest therein, on behalf not only of themselves but also of their respective Heirs, Executors, Administrators, and Issue, and also, where such Wards, Wives, Persons, or Femes Covert respectively shall be Tenants for Life or in Tail or for Years, or have any other partial or qualified Estate or Interest, to and for such Guardians, Husbands, Committees, and Femes Covert on behalf of the Person or Persons on behalf of whom such Wards, Wives, Persons, or Femes Covert respectively, if of full Age, unmarried, and of sound Mind, might have contracted for, sold, and conveyed the same Tenements or Hereditaments, and to and for all and every other Person or Persons whomsoever who are or shall be seised or possessed of or interested in any Tenements or Hereditaments which by the said Commissioners for executing this

Bodies Politic, Trustees, &c. empowered to contract, sell, and convey Property to Commissioners for the Purposes of this Act.

this Act shall be thought necessary for any of the Purposes of this Act, to contract for, sell, and convey the same, and every or any Part thereof, to the said Commissioners and their Successors, or to such Person or Persons as the said Commissioners shall direct, for the Purposes of this Act; and all Contracts, Agreements, Bargains, Sales, Conveyances, and Assurances, Acts, and Deeds, which shall be made by such Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons as aforesaid, shall be valid and effectual in the Law; and all Bodies Politic, Corporate, or Collegiate, and all Persons whomsoever, contracting or conveying as aforesaid, are hereby indemnified for or in respect of any such Sale or Conveyance which they, he, she, or any of them shall respectively make by virtue or in pursuance of this Act.

Contracts, &c. valid.

Bodies Politic, &c. may convey without receiving Satisfaction, or may accept Satisfaction for Tenements, &c.

XXIX. And be it enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, and other Person and Persons, herein-before capacitated to contract for, sell, and convey any such Tenements or Hereditaments as aforesaid, and any other Owner or Owners of any such Tenements or Hereditaments, or any Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, may convey the same without receiving any Satisfaction or Recompence for the Value thereof, or may accept and receive such Satisfaction and Recompence for the Value thereof; and such Body or Bodies, Trustee or Trustees, Person or Persons, Owner or Owners, and also any Tenant or Tenants or other Occupier or Occupiers of any such Premises entitled to any Compensation for Tenants Fixtures, and for any other Injury or Damage as shall be sustained on account of the Execution of this Act or in anywise relating thereto, may accept and receive such Sum of Money in respect thereof as shall be agreed upon between them respectively and the said Commissioners for executing this Act; and in case the said Commissioners and the said Parties interested in such Tenements or Hereditaments, or Fixtures, or sustaining any Injury or Damage, cannot or do not agree as to the Amount or Value of such Satisfaction, Recompence, or Compensation, the same respectively shall be ascertained and settled by a Jury in manner herein-after directed.

In case of Dispute the same to be settled by a Jury.

Parties to deliver Statements of their Claims for Fixtures, &c. within One Month after receiving Notice from Commissioners.

XXX. And be it enacted, That on or before the Expiration of One Calendar Month next after Notice in Writing from the said Commissioners, or their Agent duly authorized, of the Intention to take or use any Tenement or Hereditament, or any Part thereof, for the Purposes of this Act, shall have been given, left, or affixed as herein-before is mentioned, all and every Body and Bodies Politic, Corporate, and Collegiate, Trustee and Trustees, and other Person and Persons, seised, possessed of, or interested in or authorized by this Act to accept and receive Satisfaction or Recompence for the Value of the same, or any Estate, Share, or Interest therein or Charge thereon, or being or claiming to be entitled to any Compensation for any Fixtures, or for any Injury or Damage sustained on account of the Execution of this Act, shall deliver or cause to be delivered to or leave at the Office of the said Commissioners a Statement in Writing of the Particulars of the Estate, Share, Interest, or Charge which he, she, or they claim to be entitled to, or to be authorized to receive Satisfaction or Recompence for, and of the Fixtures, and of the Injury or Damage sustained by him, her, or them, and of the Amount of the Sum or Sums of Money which he, she, or they may expect and be willing to receive in satisfaction or recompence for the Value of such Estate, Share, Interest, or Charge, and also the Amount of the Sum or Sums of Money which he, she, or they may expect and be willing to receive as Compensation for such Fixtures and for such Injury or Damage respectively.

If Parties refuse to treat, or shall not agree, a Jury shall be summoned to inquire into the same.

XXXI. And be it enacted, That if any Owners or Proprietors, Occupiers, Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Trustees, Femes Covert, or any other Person or Persons, seised, possessed of, or interested in any Houses, Buildings, Ground, Tenements, or Hereditaments, or any Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, which the said last-mentioned Commissioners are hereby empowered to purchase, take, and use for the Purposes aforesaid, shall neglect or refuse to treat, or shall not agree in the Premises, or, by reason of Absence or Disability, shall be prevented from treating with the said Commissioners, or with the Person or Persons authorized by them, for the Sale and Disposal of their respective Estates and Interests therein, or cannot be found or known, or shall not produce and evince a clear Title to the Premises they may be in the Possession of, or to the Interests they shall claim therein, to the Satisfaction of the said Commissioners, then and in every or any such Case the High Bailiff of the City and Liberty of *Westminster*, or his Deputy, as regards any Hereditaments which may be situate within the Liberty of *Westminster*, and the Sheriff of the County of *Middlesex*, or his Under Sheriff, as regards any other Hereditaments, or in case any such Sheriff or Under Sheriff, High Bailiff, or his Deputy, shall be in anywise interested in the Matter in question, then some one of the Coroners of the said County of *Middlesex*, not interested therein, shall, upon the Warrant of the said Commissioners, in manner herein-after mentioned, and he and they is and are hereby required and authorized to cause it to be inquired into and ascertained, upon the Oaths of a Jury of Twelve indifferent Men of the said City of *Westminster* as regards Hereditaments within the said Liberty of *Westminster*, and of the said County of *Middlesex* as regards any other Hereditaments, which Oaths the said Sheriff, Under Sheriff, High Bailiff or his Deputy, or Coroner, is and are hereby empowered and required to administer, what Damages will be sustained by, and what Recompence and Satisfaction shall be made to, such Owners, Occupiers, or other Person or Persons interested, for the Value of such Houses, Buildings, Grounds, Tenements, or Hereditaments, and of the proportionable Value of the respective Estates and Interests of every Person or Persons seised or possessed thereof or interested therein, or of or in any Part thereof, and assess and award the Sum or Sums of Money to be paid to such Person or Persons, Party or Parties respectively, for the Purchase of such Houses, Buildings, Ground, Tenements, or Here-

Hereditaments, and of such respective Estates and Interests therein, and for any Injury or Damage whatsoever that may affect any such Person or Persons, Party or Parties, provided such Compensation shall be estimated by what, in the Opinion of such Jury, the Premises would have been worth in case the Alterations or Improvements intended by this Act had not been in contemplation, and also for and on account of the taking of such Houses, Buildings, Ground, Tenements, or Hereditaments for the Purposes or under and by virtue of the Authority of this Act; but no Sum of Money shall be awarded for or in respect of any Building or Improvement which, in the Opinion of such Jury, shall have been constructed or made with a view to obtaining Compensation under this Act, beyond the actual Cost of building and the Materials used; and the said Jury in estimating such Recompence and Satisfaction shall take into their Consideration the Increase or Depreciation in Value of the Residue of any Property of which such Tenements or Hereditaments shall form Part, and in order thereto the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner is and are hereby empowered and required, from Time to Time as Occasion shall require, to summon and call before the said Jury, and examine upon Oath, all and every Person or Persons whomsoever who shall be thought necessary and proper to be examined as a Witness or Witnesses touching or concerning the Premises, which Oath the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner is and are hereby empowered to administer; and such Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner respectively shall order and cause the said Jury to view the Places in question, if there be Occasion, and use all other lawful Ways and Means, as well for his and their own as for the said Jury's better Information in the Premises, as the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner shall think fit; and after the said Jury shall have inquired of and ascertained and settled such Damage, Recompence, and Satisfaction, the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said Commissioners to the said Owners or Occupiers of or other Persons interested therein according to such Verdict or Inquisition of the said Jury, which said Verdict or Inquisition and Order so had and made shall be final, binding, and conclusive to all Intents and Purposes upon and against all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as other Parties or Persons whomsoever; and for the summoning and returning of such Jury or Juries the said Commissioners are hereby empowered to issue their Warrant or Warrants to the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner to summon, impannel, and return, at some convenient Place in the said City of *Westminster* or County of *Middlesex* (as the Case may be), a Jury of not less than Thirty-six nor more than Forty-eight honest and indifferent Men, qualified according to Law to be returned for Trials of Issues in Her Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner, at such Time and Place as in such Warrant shall be appointed; and Fourteen Days Notice at the least, in Writing under the Hands of the said Commissioners, of the Time and Place at which such Jury are so required to be returned, shall be given to such Owners, Proprietors, Occupiers, Corporations, Trustees, or any other Person or Persons interested in the Premises, before the Time of meeting of the said Jury, by leaving such Notice at the Dwelling House of such Person or Persons, or of the Head Officer of such Body or Bodies Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises respectively intended to be valued, and the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner is and are hereby empowered to impannel, summon, and return such Number accordingly; and out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner shall swear or cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid, and in default of a sufficient Number of Jurymen the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner shall return other honest and indifferent Men of the Standers-by or that can be speedily procured, to attend that Service (being qualified as last aforesaid), to the Number of Twelve; and it shall be lawful for all Persons concerned, by themselves, their Council, Solicitors, and Agents, to attend and be heard and to adduce Evidence before the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner respectively, and such Persons shall also have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array.

Where Part of Property is taken, and Parties cannot agree as to the Value of the Remainder, a Jury shall be summoned to assess the same.

XXXII. And be it enacted, That if the Owner, Lessee, or Occupier of any Tenements or Hereditaments authorized to be taken by virtue of this Act shall not be inclined to sell or part with the whole thereof, or of his or her Interest in the whole thereof, and it shall not be found necessary to take the whole for the Purposes of this Act, and the said Parties cannot agree as to the Sum of Money to be paid for the Part which the said Commissioners, or any Person or Persons authorized by them, shall not think it necessary to purchase, then and in such Case the Jury which shall be summoned to value the Premises shall assess the Value of the whole Premises, according to the Condition in which they are at the Time of taking the View, and also the Value of that Part of the Premises which will remain after the said Commissioners, or the Person or Persons authorized by them, have taken away so much as they shall think necessary for the Purpose of this Act; and in such last Valuation the said Jury shall take into their Consideration the Improvement or Depreciation which the Remainder of the Premises is likely to receive or sustain from the Alteration intended to be made; and the Jury having made these Two Valuations, the Difference between them shall be the Price to be paid by the said Commissioners for that Part which they shall have occasion for, and such Price shall be recorded as the Verdict of the Jury for the Value of the same.

No Jury to award Compensation with-

XXXIII. And be it enacted, That no Jury to be summoned by virtue of this Act shall be allowed to assess or award any Sum or Sums of Money to any Body or Bodies Politic, Corporate, or Collegiate,

Person

out Notice has been given to Commissioners of Amount claimed.

Person or Persons, by way of Compensation for Tenants Fixtures, or any Injury or Damage alleged to have been sustained by him or them by reason or means of this Act, or any thing which shall or may be done in the Execution hereof, unless such a Statement as herein-before is mentioned of the Particulars of every such Claim, and how and in what Manner the Amount thereof is made out and computed, shall have been given to the said Commissioners, or left at their Office as aforesaid, by and on behalf of such Person or Persons, Ten Days at least before the Time of meeting of such Jury.

Penalty on Sheriff, Jury, and Witnesses for Neglect of Duty.

XXXIV. And be it enacted, That if the Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner so directed to summon and return a Jury as aforesaid shall make default in the Premises, he shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds to the Party who shall be prejudiced or injured thereby, to be recovered, with full Costs of Suit, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster;* and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any Person so summoned as a Witness shall not appear, or appearing shall refuse to be examined or to give Evidence, any Person so offending, having no reasonable Excuse to be allowed by the Justices herein-after mentioned, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; which several and respective Penalties shall and may be levied by virtue of any Warrant under the Hand and Seal of One of Her Majesty's Justices of the Peace for the said City of *Westminster* or of the County of *Middlesex* (as the Case may be), by Distress and Sale of the Goods and Chattels of the Person so offending, the Person making such Distress and Sale rendering to him or her the Overplus of the Money thereby produced, if any, after such Penalty and the Charges of such Distress and Sale shall be deducted; and all such Fines shall be paid to the said Conmissioners, to be applied for the Purposes of this Act.

Jury shall, if required, assess Value of Fee Simple, and then apportion the Values of respective Interests therein.

XXXV. And be it enacted, That in all Cases in which a Verdict shall be given for the Value of any Tenements or Hereditaments, or Share or Shares therein, the Jury shall, if required so to do, by or on behalf of the said Commissioners, inquire of, assess, and ascertain the Value of the Fee Simple of the Entirety of the said Premises, and shall afterwards apportion and divide the Value so ascertained between and among all the different Shares and Charges which shall be claimed therein, and also between different Parts of the said Tenements or Hereditaments alleged to be held under different Titles: Provided always, that the Verdict of any Jury shall not defeat or prejudice any Contract or Sale which shall have previously been made of any Share or Charge, although the Value of the same may be ascertained to be different from the Amount of the Price, Recompence, or Satisfaction agreed to be paid for the same.

Value of Tenements and Hereditaments and Damage to be awarded separately.

XXXVI. And be it enacted, That the Jury and Juries so to be summoned as aforesaid shall award all Determinations, Judgments, and Verdicts which they shall make and give in execution of the Powers hereby vested in them concerning the Value of Tenements or Hereditaments, or of any Share or Shares, Estate or Estates, Interest or Interests therein, or any Charge or Charges thereon, separately and distinctly from the Consideration of any Loss of Goodwill to which the Occupier may personally be entitled, or any other Loss or Damage to be sustained by any Person or Persons in consequence of the Execution of any of the Powers of this Act, and shall distinguish the Value set upon the Hereditaments, or Share or Shares, Estate or Estates, Interest or Interests therein, Charge or Charges thereon, and the Money assessed or adjudged for such Goodwill, Loss, or Damage as aforesaid, separately and apart from each other; and when any Money shall be assessed or adjudged for such Goodwill, Loss, or Damage as aforesaid, the Jury shall, if required by the said Commissioners, award and declare whether the Statement delivered by the Claimant or Claimants of the Manner in which any Amount of the Money which shall have been demanded as a Compensation for the same has been computed and made up gave sufficient Particulars to enable the said Commissioners to make a proper Offer.

Providing for Expences of summoning Juries.

XXXVII. And be it enacted, That in case any Jury to be summoned and sworn pursuant to the Authority of this Act shall give in a Verdict or Assessment for more Money as a Recompence, Compensation, or Satisfaction for the Rights, Interests, or Property of any Person or Persons in any such Houses, Buildings, Grounds, Tenements, or Hereditaments, or for any such Injury or Damage as aforesaid, than shall have been agreed to be given and offered for the same in the aggregate by the said Commissioners before the summoning and returning of such Jury, or where by reason of Absence in Foreign Countries or other Incapacity or Disability as aforesaid there shall not be found any Person or Persons legally capacitated to enter into any Contract with the said Commissioners, then and in every such Case all the reasonable Costs, Charges, and Expences of causing and procuring such Recompence, Compensation, or Satisfaction to be assessed by a Jury shall be settled by the Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner before whom such Claim shall have been tried, and shall be paid by the said Commissioners; but in every Case in which any Jury so summoned and sworn as aforesaid shall be of opinion that the Statement delivered by the Claimant or Claimants of the Manner in which any Amount of Money which shall have been demanded as a Compensation has been computed and made up did not give sufficient Particulars to enable the said Commissioners to make a proper Offer, and in every Case in which any such Jury shall give in a Verdict or Assessment for no more or for less Money as such Recompence, Compensation, or Satisfaction as aforesaid than shall have been agreed to and offered by the said Commissioners in the aggregate for the same before the summoning and returning of the said Jury, or in case no Damages shall be given by the Verdict where the Dispute is for Damages only, or where the causing or procuring such Jury to be summoned shall have arisen from a Refusal to treat with the said Commissioners by any Body or Bodies Politic, Corporate, or Collegiate, or by any Person or Persons whomsoever who is or are by the Provisions of this Act or otherwise legally empowered to treat, then (except where by

by reason of Absence such Person shall be prevented from treating with the said Commissioners) all such Costs, Charges, and Expences, to be settled by such Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner in manner aforesaid, shall be paid to the said Commissioners by the said Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons so claiming such Compensation or refusing to treat as before mentioned respectively, save only and except where by reason of Absence or other like Cause any Person shall have been prevented from treating as aforesaid, in which Case no Costs, Charges, or Expences shall be allowed to either Party as against the other; and all Costs, Charges, and Expences hereby directed to be paid to the said Commissioners shall and may be deducted and retained by them out of the Money so adjudged or assessed to be paid by them as so much Money advanced to and for the Use of the Person and Persons entitled to such Money so adjudged, and Payment or Tender of the Remainder of such Money shall be deemed and taken to be a Payment or Tender of the whole Sum or Sums so adjudged or assessed; or in case no Money or no sufficient Sum of Money shall be awarded or assessed to be paid by the said Commissioners whereout such Costs, Charges, and Expences can be deducted, then the same shall and may be recovered by virtue of any Warrant under the Hand and Seal of One of Her Majesty's Justices of the Peace for the County of *Middlesex* or City of *Westminster* (as the Case may be) by Distress and Sale of the Goods and Chattels of the Person or Persons liable to the Payment of the same, the Party making such Distress and Sale rendering to such Person or Persons as aforesaid the Overplus of the Money thereby produced (if any), after such Costs, Charges, and Expences, and the Charges of such Distress and Sale, shall be deducted.

Verdicts to be recorded in the Office of Commissioners of Woods, &c., and afterwards deposited with the Clerk of the Peace, to be Evidence, and open to Inspection.

XXXVIII. And be it enacted, That a Minute or Docket of all the said Judgments and Verdicts shall be recorded in the Office of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and all such Judgments and Verdicts shall be afterwards deposited with the Clerk of the Peace of the said County of *Middlesex* or the said City and Liberty of *Westminster* (as the Case may be), to be kept and preserved by him amongst the Records of the Quarter Sessions of the said County or City and Liberty, and shall be deemed to be Records to all Intents and Purposes whatsoever, and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever, and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to take Copies thereof, paying for every Copy the Sum of Sixpence for every Seventy-two Words, and so in proportion for any less Number of Words.

If Owners are unwilling to sell Part of Houses, &c. Commissioners to purchase the whole.

XXXIX. And be it enacted, That if in any Case the Owner or Owners of any House or Building, or of any Yard or Curtilage occupied therewith, (other than and except the said *Joseph George Brett*, his Heirs or Assigns,) Part only of which Premises shall at any Time be required by the said Commissioners to be applied for the Purposes aforesaid, shall be unwilling to sell or dispose of such Part only of such House, Building, Yard, or Curtilage as shall be required by the said Commissioners, it shall and may be lawful for the said Commissioners and they are hereby required, at the Option of any Owner or Owners of any such House, Building, Yard, or Curtilage (other than and except as aforesaid), to purchase of and from the said Owner or Owners the whole or such Part thereof over and above such Part thereof, as may be wanted for the Purposes of this Act, as such Owner or Owners shall think fit, and to apply so much and such Part thereof as they the said Commissioners, with such Consent and Approbation as aforesaid, shall see fit for the Purposes aforesaid; and that if such Owner or Owners shall not or cannot agree with the said Commissioners for the Price to be paid for the Purchase of the whole or such Part as aforesaid of such House, Building, Yard, or Curtilage, then the Value thereof shall be settled and ascertained by a Jury in such Manner as the Price for any Premises to be taken in pursuance of this Act is directed to be settled and ascertained; and all such other Proceedings shall take place respecting the said Premises as are herein-before mentioned and directed with respect to the Premises the Value of which shall be ascertained by a Jury in the Manner aforesaid.

If Owners and Commissioners shall not agree, Value to be settled by a Jury.

Persons holding under *Leases claiming Compensation*, to produce the same.

XL. And be it enacted, That in all Cases in which any Person or Persons shall claim any Satisfaction or Compensation for or in respect of any unexpired Term or Interest which he, she, or they shall claim to be possessed of or entitled unto in any Tenements or Hereditaments intended to be taken or used under the Authority of this Act under or by virtue of any Demise or Lease, or Agreement for Demise or Lease, or Grant thereof, the said Commissioners are hereby authorized to require such Person or Persons to produce or show the Demise or Lease, or Agreement for Demise or Lease, or Grant, in respect of which such Claim to Satisfaction or Compensation shall be made, or the best Evidence thereof in his, her, or their Power; and if such Demise or Lease, or Agreement for Demise or Lease, or Grant, or such best Evidence thereof as aforesaid, shall not be produced or shown within Twenty-one Days after Demand made by the said Commissioners, or any Person by them authorized, the Person or Persons claiming such Satisfaction or Compensation shall be considered and treated as holding only from Year to Year.

In case of Disputes as to Damages of small Amount the same to be settled by Two Justices.

XLI. And be it enacted, That in case any Difference shall arise between the said Commissioners and any of the Owners or Occupiers of the Property to be taken or used for the Purposes of this Act as to the Amount or Value of the Damages done by the said Commissioners, their Agents or Workmen, to such Property, in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted and settled between the Parties, the same shall, in case the Amount of Damages claimed does not exceed the Sum of Fifty Pounds, be ascertained and determined by some Two or more Justices of the Peace for the said City of *Westminster* if the Property is situate in that City, and for the said County of *Middlesex* if the Property is out of the said City, who, upon Application made to them by both or either of the said Parties, shall examine into the Matter in dispute, and shall determine and settle the Amount of Compensation which shall be payable by the said Commissioners; and such Magistrates may examine Witnesses and

Justices may administer Oaths.

and administer Oaths in all respects, and with the same Consequences as to false swearing, as if the same were a judicial Matter brought before them on which they were by Law entitled to adjudicate.

Commissioners not to take possession till Purchase Money is paid or tendered.

XLII. Provided always, and be it enacted, That all Sums of Money, or other Consideration, Recompence, or Satisfaction, to be made or paid pursuant to any such Agreement or Verdict as aforesaid, shall be paid or tendered to the Party or Parties entitled to the same, or into the Bank of *England* as herein mentioned, before the said Commissioners, or any Person or Persons authorized by them, shall proceed to take possession, or pull down any House or Houses or other Erection or Buildings comprised in or affected by such Agreement or Verdict respectively, or to use the Ground for any of the Purposes of this Act.

In case Parties cannot be found, or not able to make a good Title, &c. Commissioners may take possession on Payment of Purchase Money into the Bank of England.

XLIII. And be it enacted, That if any Body or Bodies, Person or Persons, seised or possessed of or interested in any such Tenements or Hereditaments, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, as aforesaid, cannot be found, or shall not be known or ascertained, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, or shall refuse to execute a Conveyance or Conveyances thereof, then and in any of such Cases, upon Payment of such Sum or Sums of Money as shall have been contracted and agreed, or shall have been assessed and awarded by any Referee or Referees, or by any Jury or Juries in manner aforesaid, to be paid for the Purchase of or for the Value of the same Premises into the Bank of *England* as herein-after directed and required (in case the same shall be requisite) for the Use of such Person or Persons so interested or entitled as aforesaid in or to such Tenements or Hereditaments, or Parts, Shares, Estates, Interests, or Charges, the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Body or Bodies, Person or Persons, or unknown Person or Persons, to whose Credit such Money shall be paid in, to, and out of the Tenements, Hereditaments, and Premises to be purchased as aforesaid, shall from thenceforth vest in the said Commissioners and their Successors, who shall be deemed in Law to be in the actual Seisin and Possession thereof to all Intents and Purposes, freed and discharged from all former and other Estates, Rights, Titles, and Interests, Claims and Demands, as fully and effectually as if every Body or Person having any Estate in the Premises had actually conveyed the same by Lease and Release, or Bargain and Sale enrolled, and with the Assent of any Protector of the Settlement whose Assent might be necessary, or Feoffment with Livery of Seisin, or any such Conveyance or Assurance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Claim, and Demand of the Body or Bodies, Person or Persons, or unknown Person or Persons, of, in, and to the same Premises, to whose Credit such Payment or Tender shall have been made, but also shall extend to and be deemed and construed to bar the Dower and Dowers of the Wife and Wives of such Person or Persons, and all Estates Tail and other Estates in possession, reversion, remainder, expectancy, or contingency, and the Issue and Issues of such Person or Persons, and every other Person whomsoever; and the same Premises shall and may thereupon be pulled down, made use of, and employed for the Purposes aforesaid according to the Direction of the said Commissioners, and under the Regulations in this Act mentioned and contained.

Application of Purchase Money when amounting to 200*l.*

XLIV. And be it enacted, That if any Money shall be agreed or assessed to be paid for any Houses, Buildings, Ground, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or for any other Right, Matter, or Interest, of what Nature or Kind soever, purchased, taken, or used by virtue of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Feme Covert, Infant, Lunatic, or other Person or Persons under any Disability or Incapacity, or not legally entitled absolutely to dispose of the Premises by the Sale of which such Money shall be produced, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there *ex parte* the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, pursuant to the Method prescribed by an Act passed in the Twelfth Year of the Reign of His late Majesty King *George* the First, intituled *An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of* East India *Bonds and Endorsements thereon, and likewise Endorsements on* South Sea *Bonds*, and pursuant to the general Rules and Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of King *George* the Second, intituled *An Act to empower the High Court of Chancery to lay out on proper Securities any Monies, not exceeding a Sum therein limited, out of the common and general Cash in the Bank of* England, *belonging to the Suitors of the said Court, for the Ease of the said Suitors, by applying the Interest arising therefrom for answering the Charges of the Office of the Accountant General of the said Court*, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon Petition to be preferred in a summary Way by the Body or Bodies, Person or Persons, who would have been entitled to the Rents and Profits of the said Houses, Buildings, Ground, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof as the said Court shall authorize to be paid, affecting the same Houses, Buildings, Ground, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or affecting other Houses, Buildings, Ground, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Trusts, Intents, or Purposes; and where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, or Hereditaments,

12 G. 1. c. 32.

12 G. 2. c. 24.

Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance or Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Houses, Buildings, Ground, Tenements, and Hereditaments so hereby directed to be purchased in case such Purchase or Settlement were made.

When less than 200*l.* and amounting to 20*l.*

XLV. Provided also, and be it enacted, That if any Money so agreed or assessed to be paid for any Houses, Buildings, Grounds, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, purchased, taken, or used for the Purposes aforesaid, belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments, or Parts, Shares, Estates, Interests, or Charges so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Chancery, and to be placed to his Account as aforesaid in order to be applied in manner herein-before directed, or otherwise the same shall be paid, at the like Option, to Two or more Trustees, to be nominated by the Body or Bodies, Person or Persons making such Option, and approved of by the said Commissioners, such Nomination and Approbation to be signified in Writing under the Hands and Seals of the nominating and approving Parties, in order that such Principal Money, and the Dividends arising thereon, may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

When less than 20*l.*

XLVI. Provided always, and be it enacted, That where such Money so agreed or assessed to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies, Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments, Parts, Shares, Estates, Interests, and Charges so purchased, taken, or used for the Purposes of this Act in such Manner as the said Commissioners shall think fit; or in case of the Infancy or Lunacy of such Person or Persons, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles, &c. Purchase Money to be paid into the Bank.

XLVII. And be it enacted, That in case the Body or Bodies, Person or Persons to whom any Sum or Sums of Money shall be agreed to be paid, or shall be awarded by any Referee or Referees, or Umpire, or by any Jury or Juries, for the Purchase of any Tenements or Hereditaments, or any Parts, Shares, Estates, or Interests therein or charged thereon, to be purchased, taken, or used by virtue of this Act, shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, or shall refuse to execute a Conveyance or Assignment thereof, or in case the Person or Persons to whom such Sum or Sums of Money shall be so agreed or awarded to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Houses, Buildings, Ground, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges, be not known or discovered, then and in every such Case it shall and may be lawful for the said Commissioners to pay the said Sum or Sums of Money so awarded or agreed to be paid as aforesaid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Chancery, to be placed to his Account to the Credit of the Party or Parties, if known, who shall be interested in the said Tenements or Hereditaments, Parts, Shares, Estates, Interests, or Charges, (describing such Tenements or Hereditaments,) but if such Party or Parties shall not be known, then to the Credit of the said Commissioners, subject to the Order, Control, or Disposition of the said Court of Chancery; which said Court, on the Application of any Body or Bodies, Person or Persons making claim to any such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and the same is hereby empowered, in a summary Way of proceeding or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Body or Bodies, Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Persons in possession shall be deemed entitled until the contrary be shown.

XLVIII. Provided always, and be it enacted, That where any Question shall arise touching the Title of any Body or Bodies, Person or Persons to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Chancery in pursuance of this

this Act for the Purchase of any Houses, Buildings, Ground, Tenements, or Hereditaments, or Part or Parts thereof, or of any Estate, Right, Title, Charge, or Interest in, to, or upon any Tenements or Hereditaments to be purchased or taken in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends of any such Bank Annuities, the Body or Bodies, Person or Persons who shall have been in possession of such Houses, Buildings, Ground, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges, at the Time of such Purchase, and all Body or Bodies, Person or Persons, claiming under such Body or Bodies, Person or Persons, or under the Possession of such Body or Bodies, Person or Persons, shall be deemed and be taken to have been lawfully entitled to such Houses, Buildings, Ground, Tenements, and Hereditaments, Parts, Shares, Estates, Interests, or Charges, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Chancery, and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Houses, Buildings, Ground, Tenements, or Hereditaments, or Part or Parts thereof, or to some Estate or Interest therein or Charge thereon.

Court may order Expences of Purchase to be paid by Commissioners.

XLIX. Provided also, and be it enacted, That where by reason of any Disability or Incapacity of the Body or Bodies, Trustee or Trustees, Corporation, or other Person or Persons entitled to any Houses, Buildings, Ground, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, to be purchased or taken under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Commissioners, who shall from Time to Time pay such Sum or Sums of Money out of the Monies applicable to the Purposes of this Act as the said Court shall direct.

Where Lands required for the Act are subject with other Lands to any Rent, the Money paid into the Bank to be laid out in the Purchase of other Estates, in lieu of the Lands required for the Act.

L. And be it enacted, That where the Money awarded to be paid for any Tenements or Hereditaments which shall be taken for the Purposes of this Act shall be paid into the Bank of *England* in manner herein-before directed, in consequence of a good Title not having been made to such Tenements or Hereditaments to the Satisfaction of the said Commissioners, or any Person or Persons authorized by them, by reason of the same Tenements or Hereditaments respectively being subject, together with other Hereditaments not required for the Purposes of this Act, to a Rent payable to some Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, unable or unwilling to release therefrom the Tenements or Hereditaments so to be taken, then and in every or any such Case the Tenements or Hereditaments for the Value of which the Money to be paid into the Bank, together with the Money (if any) to be retained for Costs and Charges under the Authority of this Act, shall be assessed and awarded to be paid, shall be and are hereby released and for ever discharged from such Rent, and all Claims and Demands in respect thereof, and the Money to be paid into the Bank of *England* shall be laid out and invested, under the Direction and with the Approbation of the said Court of Chancery, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Body or Bodies, Person or Persons, who would have been entitled to the Rents and Profits of the Tenements and Hereditaments for the Value of which such Money respectively shall have been paid as aforesaid, in the Purchase of other Tenements or Hereditaments, which shall be conveyed and settled (subject together with such other Tenements or Hereditaments to such Rent) to the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Tenements or Hereditaments so to be taken as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court, upon Application thereto, be invested by the Accountant General of the said Court in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the said Tenements or Hereditaments hereby directed to be purchased, in case such Purchase and Settlement were made; and the Tenements or Hereditaments so to be purchased and settled shall be subject to the Rent to which the same shall be declared as aforesaid in the Conveyance and Settlement thereof to be subject, in the same Manner, to all Intents and Purposes, as the Tenements or Hereditaments taken or to be taken for the Purposes of this Act as aforesaid were subject thereto; and the Body or Bodies, Person or Persons, to whom such Rent shall be payable, shall have such and the same Powers and Remedies for enforcing the Payment thereof or of any Part thereof, out of or upon the Tenements or Hereditaments to be comprised in such Conveyance and Settlement, and declared to be subject thereto, as they, he, or she would have been entitled to if such Rent had originally been reserved out of or charged upon the same, instead of the Tenements or Hereditaments to be taken for the Purposes of this Act, and in the same Manner, to all Intents and Purposes, as such Rent was reserved out of or charged upon such last-mentioned Tenements or Hereditaments, together with the other Tenements or Hereditaments subject thereto; and

in the meantime and until such Purchase shall be made it shall be lawful for the said Court of Chancery, if the said Court shall think proper, upon Application thereto, to order any Part of the Dividends and annual Produce of the Bank Annuities in which the said last-mentioned Money shall be invested to be paid from Time to Time to the Body or Bodies, Person or Persons, for the Time being entitled to the said Rent, in discharge thereof or Part thereof, as the Case may be.

Power to purchase Release of Incumbrances, and to apportion the same.

LI. And be it enacted, That where any Tenements or Hereditaments purchased or wanted or intended to be purchased by the said Commissioners shall be subject, solely, or jointly with other Tenements or Hereditaments not intended or wanted to be purchased, to or with any Rent Service, Rent-charge, or Chief Rent, or other Rent, Payment, or Incumbrance, it shall be lawful for the said Commissioners to agree for the Release of the Tenements or Hereditaments so purchased or wanted or intended to be purchased, from such Rent, Payment, or Incumbrance, and also (where necessary or convenient) for an Apportionment of such Rent, Payment, or Incumbrance for such gross Sum as shall be agreed upon between the said Commissioners and the Party who, under the Provisions of this Act, shall agree to sell or apportion the same, and which Agreement may be entered into by all Persons and Corporations by this Act authorized and empowered to sell or convey Lands, and the Monies to be paid shall be paid and applied in manner herein-before directed with regard to the Purchase Monies on the Sale of Lands; and in case any Difference shall arise respecting the Value of such Rent, Payment, or Incumbrance, or respecting the Apportionment thereof, the same shall be determined by a Jury, if required, in like Manner as the Price of Lands is by this Act directed to be settled in case of Dispute as to the Value thereof, which Jury shall assess and determine the Value of the Rent, Payment, or Incumbrance affecting the Tenements or Hereditaments purchased or wanted or intended to be purchased, and shall also (where necessary or convenient) apportion the Rent, Payment, or Incumbrance affecting the Tenements or Hereditaments jointly subject to the Rent, Payment, or Incumbrance, as herein-before mentioned, according to the respective Values of the Tenements or Hereditaments purchased or wanted or intended to be purchased, and of the Tenements or Hereditaments not purchased or wanted or intended to be purchased by the said Commissioners; and all Contracts, Conveyances, and Assurances which shall be made by and between or to the said Commissioners and any such Party as aforesaid, respecting such Release, shall be valid and effectual in the Law, and shall extinguish the whole or a proportionate Part of such Rent, Payment, or Incumbrance (as the Case may be): Provided always, that where the Party entitled to such Rent, Payment, or Incumbrance shall consider the remaining Part of the Tenements or Hereditaments so jointly subject to be a sufficient Security for such Rent, Payment, or Incumbrance, and shall be willing to release the Tenements or Hereditaments so purchased by the said Commissioners therefrom, then and in such Case it shall be lawful for the Party entitled by this Act or capacitated to apportion such Rent, Payment, or Incumbrance, or to release the Tenements or Hereditaments so purchased therefrom, (with the Consent of the Owner of the Lands so purchased, and also of the Owner of the Tenements or Hereditaments so jointly subject as aforesaid,) to release the Tenements or Hereditaments so purchased as aforesaid from the Rent, Payment, or Incumbrance so affecting the same as aforesaid, jointly with other Tenements or Hereditaments, on condition or in consideration of such other Tenements or Hereditaments continuing or remaining wholly and exclusively subject to the whole of such Rent, Payment, or Incumbrance, and thereupon such other Tenements or Hereditaments shall in all respects continue so liable, and as if no Part of the Hereditaments charged had been released: Provided also, that when any of the Tenements or Hereditaments purchased by the said Commissioners shall be released from a Part only of any Rent, Payment, or Incumbrance affecting the same jointly with other Tenements or Hereditaments not purchased by the said Commissioners, such last-mentioned Tenements or Hereditaments shall be charged only with the Remainder of such Rent, Payment, or Incumbrance, and such Apportionment shall not prejudice the Title to the remaining Rent, or the Remedies for such Remainder, but the same shall at all Times thereafter remain as effectual as if the Lands not so purchased had been originally charged with that Amount only: Provided also, that when a Part of any Rent, Payment, or Incumbrance shall be released, it shall be lawful for the said Commissioners, on Tender for that Purpose of any Deed or Instrument creating or transferring the Remainder of such Rent, Payment, or Incumbrance, to endorse a Memorandum on such Deed or Instrument declaring what Part of the Tenements or Hereditaments originally subject to such Rent, Payment, or Incumbrance shall have been purchased by virtue of this Act, and what Proportion of the said Rent, Payment, or Incumbrance shall have been released, and also declaring the Amount of the Rent, Payment, or Incumbrance which shall continue payable; and such Memorandum shall be Evidence in all Courts of the Facts therein stated, but shall not exclude any other Evidence of the same Facts.

In case of Difference the same shall be determined by a Jury.

All Contracts, &c. respecting Release, valid.

Where Party entitled, &c. consider the remaining Part sufficient Security for such Rent, &c. they may release the same from all Incumbrances, &c.

Proviso.

Rents reserved in Leases to be apportioned.

LII. And be it enacted, That in all Cases in which a Part only of any Tenements or Hereditaments comprised in any Lease or Agreement for Lease for a Term of Years unexpired, or for a Life or Lives, or for a Term determinable on a Life or Lives, shall be required for the Purposes of this Act, the Rent payable in respect of any Tenements or Hereditaments comprised in such Lease or Agreement for Lease shall be apportioned between the Tenements or Hereditaments required for the Purposes of this Act and the Residue of such Tenements and Hereditaments; and such Apportionment shall, in case the same shall not be agreed upon between the Parties, be settled by the Verdict of a Jury, if required, in like Manner as the Price of any Tenements or Hereditaments to be taken in pursuance of this Act is directed to be settled in case of Dispute as to the Value thereof; and in case such Apportionment shall be settled by Agreement between the Parties, such Agreement shall be made with, and shall not be valid without, the Consent and Approbation of the Lessor from whom such Tenements or Hereditaments are holden or agreed to be holden; and any Person hereby capacitated to sell who shall be a Lessor shall be capacitated

to assent, and to bind the Property in respect of such Assent; and after such Apportionment the Tenant or Lessee of the Tenements or Hereditaments comprised in such Lease or Agreement for Lease shall, as to all future accruing Rent, be liable only to so much of the Rent reserved in such Lease or Agreement for Lease as shall have been apportioned in respect of the Tenements or Hereditaments not required for the Purposes of this Act; and the Lessor of the said Tenements or Hereditaments shall have all such and the same Remedies for the Recovery of the Rent so apportioned in respect of the Tenements or Hereditaments not required for the Purposes of this Act, as before such Apportionment he had or was entitled to in respect of the Rent reserved or agreed to be reserved in such Lease or Agreement for Lease; and such Apportionment shall not prejudice or affect any of the Covenants, Conditions, or Agreements in such Lease or Agreement for Lease contained, so far as the same relate to the Tenements or Hereditaments comprised in such Lease or Agreement for Lease, and not required for the Purposes of this Act, but the same shall, as to such last-mentioned Tenements or Hereditaments, but not further or otherwise, continue in full Force and Operation.

Mortgagees, upon Tender made by the Commissioners, shall convey their respective Interests in the Lands, &c. to them.

LIII. And be it enacted, That all Bodies Politic, Corporate, and Collegiate, Trustee and Trustees, and all other Persons having any Mortgage on any Tenements or Hereditaments which shall be required to be taken for the Purposes of this Act, (and whether entitled thereto in their own Right, or in trust for any other Body or Bodies, Person or Persons, and whether in possession of such Tenements or Hereditaments by virtue of such Mortgage or not, and whether such Mortgage shall affect such Tenements or Hereditaments solely, or jointly with any other Tenements or Hereditaments which shall not be so required,) shall, on Payment or Tender by the said Commissioners, or by any Person by them authorized, of the Principal Money and Interest secured by or due on such Mortgage, and whether such Principal Money shall, under the Terms of such Mortgage, be then actually payable or not, and the just Costs (if any) then due, together with the Amount of Six Calendar Months Interest on the said Principal Money, (which Tender and Payment the said Commissioners are hereby authorized to make, and to deduct the same from any Sum agreed or directed to be paid for the Estate or Interest of the Party or Parties entitled to the Equity of Redemption of and in the Tenements or Hereditaments so mortgaged, in case the same shall be sufficient for the Purpose,) immediately convey, assign, and transfer the respective Interests of such Mortgagees in the Tenements or Hereditaments which shall be so required to the said Commissioners and their Successors, or to such Person as the said Commissioners shall appoint; or in case such Mortgagees shall have Notice in Writing from the said Commissioners, or from the Party or Parties entitled to the Equity of Redemption of and in the same Tenements or Hereditaments, that they will pay off the principal Money and Interest which shall be due on such Mortgage at the End of Six or any less Number of Calendar Months, to be computed from the Day of giving such Notice, then at the End of such Six or less Number of Calendar Months, on Payment or Tender by the said Commissioners of the Principal Money and Interest which would become due at the End of Six Calendar Months from the Time of giving such Notice, together with any just Costs then due, such Mortgagees shall convey, assign, and transfer their respective Interests in the Tenements or Hereditaments which shall be so required for the Purposes of this Act to the said Commissioners and their Successors, or as the said Commissioners shall direct; and in case such Mortgagees shall refuse to convey, assign, or transfer as aforesaid, on such Payment or Tender respectively as aforesaid, then, on Payment of such Money, Interest, and Costs into the Bank of *England*, as herein-after mentioned, all Interest on every such Mortgage Debt, and all Claim and Right of every such Mortgagee thereto, shall thenceforth cease and determine: Provided always, that in case any such Mortgagee shall in either of the Cases aforesaid neglect or refuse to convey, assign, or transfer as aforesaid, then, upon Payment of the Principal Money and Interest, and the Costs (if any), due on any such Mortgage as aforesaid, into the Bank of *England*, at or at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, or as soon after as possible, or in lieu of such Notice, and in addition to the said other Monies, of Six Calendar Months Interest in advance, for the Use of such Mortgagee, at any Time after Tender of the Principal, Interest, and Costs, and Six Calendar Months Interest in advance as aforesaid, the Cashier or Cashiers of the said Bank to whom such Money shall be paid shall give a Receipt for the said Money, in like Manner as is by this Act directed in Cases of other Payments into the said Bank; and thereupon or upon such Conveyance, Assignment, or Transfer by any such Mortgagee as aforesaid, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of such Mortgagee, and of all Persons in trust for him, or for whom he shall be Trustee, shall vest in the said Commissioners for executing this Act, and their Successors, who shall be deemed to be in the actual Possession of the Premises and Estate comprised in such Mortgage, or so much thereof as shall be required for the Purposes of this Act, to all Intents and Purposes whatsoever.

As to Cases where Mortgage Money is more than the Value of the Premises, or in which a Part only of the Premises is required for the Purposes of this Act.

LIV. And be it enacted, That in all Cases in which any Tenements or Hereditaments subject to any Mortgage shall be required for the Purposes of this Act, which Tenements or Hereditaments shall be of less Value than the Principal Monies, Interest, and Costs secured thereon, or in which a Part only of the Tenements or Hereditaments subject to any Mortgage shall be required for the Purposes of this Act, and such Part shall be of less Value than the Principal Monies, Interest, and Costs secured on such Tenements or Hereditaments, and the Mortgagee or Mortgagees thereof shall not consider the remaining Part of such Tenements or Hereditaments to be a sufficient Security for the Money charged thereon, or shall not be willing to release the Part required for the Purposes of this Act from the Principal or Mortgage Money, and all Interest due and to become due thereon, and all Costs, the Value of such Tenements or Hereditaments, or, as the Case may be, of such Part of the said Tenements or Hereditaments

ments as shall be so required for the Purposes aforesaid, and also the Compensation (if any) for any Damage done in respect of the Parts so required, shall be settled and agreed upon by and between such Mortgagee or Mortgagees, and the Body or Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, Person or Persons, entitled to the Equity of Redemption of such Tenements or Hereditaments, whether absolutely, or for such Estate as might capacitate him, her, or them to convey for the Purposes of this Act, on the one Part, and the said Commissioners on the other Part, and in case of any Difference between them, then such Value and Compensation shall be determined by the Verdict of a Jury, in the same Manner as in other Cases of Difference; and the Amount of such Value and Compensation, being so agreed upon or determined as aforesaid, shall be paid to such Mortgagee or Mortgagees in satisfaction of his, her, or their Claim, so far as the same will extend; and such Mortgagee or Mortgagees shall thereupon convey, assign, and transfer all his, her, or their Interest in such mortgaged Tenements or Hereditaments the Value whereof shall so have been agreed upon or determined as aforesaid, or in case of his, her, or their neglecting or refusing to convey, assign, or transfer as herein-before directed, then the Amount of such Value and Compensation shall be paid into the Bank of *England* to the Credit of the said Mortgagee or Mortgagees, as by this Act is provided in Cases of the like Nature; and such Payment to the Mortgagee or Mortgagees, or into the Bank, as last aforesaid, shall be accepted in satisfaction of the Claim of such Mortgagee or Mortgagees, so far as the same will extend, and also in full Discharge and Exoneration of such Part of the mortgaged Premises as shall be so taken or used from all Principal and Interest and other Money due or secured thereon; and thereupon such mortgaged Tenements or Hereditaments shall become absolutely vested in the Commissioners for executing this Act, and their Successors, who shall be deemed to be in the actual Possession thereof, to all Intents and Purposes whatsoever: Provided nevertheless, that all Mortgagees shall have the same Powers and Remedies for recovering or compelling Payment of their Mortgage Money, or the Residue thereof, (as the Case may be,) or the Interest thereof respectively, upon and out of the Residue of the mortgaged Tenements or Hereditaments not required for the Purposes aforesaid, as they would have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Tenements or Hereditaments originally comprised in such Mortgage: Provided also, that where a Part only of the Tenements or Hereditaments subject to any Mortgage shall have been taken for the Purposes of this Act as aforesaid, and the Value of the Tenements or Hereditaments so taken shall, on the Assignment or Conveyance thereof to the said Commissioners and their Successors, have been paid to the Mortgagee or Mortgagees thereof in part Satisfaction of his, her, or their Mortgage Debt, a Memorandum of what shall have been so paid shall be endorsed on the Deed creating such Mortgage at the Time of executing such Assignment or Conveyance to the Commissioners, and shall be signed by such Mortgagee or Mortgagees; and a Copy of such Memorandum shall at the same Time (if required) be furnished by the said Commissioners to the Person or Persons so entitled as aforesaid to the Equity of Redemption of the Tenements or Hereditaments comprised in such Mortgage Deed.

Tenants at Will, or from Year to Year, to quit after Notice.

LV. And be it enacted, That every Tenant at Will or Lessee for a Year, or any other Person or Persons in possession of any such Houses, Buildings, Ground, Tenements, or Hereditaments, or any Part thereof, which shall be purchased by virtue of this Act, or vested in the said Commissioners for the Purposes aforesaid, who shall have no greater Interest in the Premises than as Tenant at Will or Lessee for a Year or from Year to Year, shall at the End of Six Calendar Months next after Notice in Writing signed by the said Commissioners shall have been given to him, her, or them, or left at the Premises which are the Subject of such Notice, and whether such Notice be given with reference to the Time or Times of such Tenant's holding or not, quit and relinquish the said Premises unto the said Commissioners, or to such Person or Persons as shall be by them authorized to receive Possession thereof; and in case any such Lessee shall be compelled to quit before the Expiration of his or her Term or Interest in any such Premises, then and in such Case the said Commissioners shall give Satisfaction and Compensation for the Loss or Damage which he or she shall sustain thereby; and in case any Difference as to the Amount of such Satisfaction or Compensation, the same shall or may be settled and ascertained by a Jury in the same Manner as the Sums of Money to be paid for the Purchase of any Ground or Hereditaments are herein-before directed to be ascertained; or if the said Commissioners and the other Parties in difference shall agree thereto, the same may be settled by a Reference to the Award of Arbitrators, to be chosen by the Parties in difference; and that all and every Person and Persons, Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, in possession of any Houses, Buildings, Ground, Tenements or Hereditaments, or any Part of any Houses, Buildings, Ground, Tenements, or Hereditaments, which shall or may be purchased in pursuance of this Act by the said Commissioners, or vested in them for any of the Purposes aforesaid, shall, upon Payment or Tender as aforesaid of such Recompence or Satisfaction for any of his, her, or their Term, Estate, or Interest in the Premises as shall be mutually agreed upon, or as shall be mutually ascertained and awarded by any Referee or Referees or Umpire, or by Verdict or Inquisition of a Jury in manner aforesaid, quit and relinquish the said Premises so in their respective Possessions unto the said Commissioners, or to such Person or Persons as shall be by them authorized to receive Possession of the same; and all the Leases, Demises, Contracts, and Agreements whatsoever, under or by virtue whereof any such Person or Persons shall hold the said Premises shall, at and from the End and Expiration of such Six Calendar Months, or upon such Payment or Tender as aforesaid, be absolutely void and of none Effect as against the said Commissioners; and if any such Tenant at Will or Lessee or other Person or Persons, Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, as aforesaid, shall refuse or neglect to deliver up the Premises in his or their Possession at

at the Expiration of such Six Calendar Months, or upon such Payment or Tender as aforesaid, it shall be lawful for any Justice of the Peace for the said County of *Middlesex* or the City and Liberty of *Westminster* (as the Case may be) to issue his Precept or Warrant to the Constables of such County or City for the Time being, or any of them, or to any Person or Persons to be by such Justice appointed a Constable or Constables for that especial Purpose, commanding and requiring such Constable or Constables, or any of them, to cause Possession of the said Premises to be taken, and afterwards delivered to such Person or Persons as shall in such Precept or Warrant be nominated to receive the same on behalf of the said Commissioners, and the said Commissioners and every of them are and is thereupon hereby authorized and required to cause such Possession to be taken and delivered accordingly: Provided always, that nothing in this Act contained shall prevent or restrain the said Commissioners, whenever they may deem it just and reasonable so to do, from granting Compensation to any Tenant at Will for giving up the Possession of the Premises under or by virtue of this Act in any Case where special Injury shall be proved to their Satisfaction.

Sellers may agree with the Commissioners as to Arbitration.

LVI. And be it enacted, That all Persons hereby capacitated to sell, and who may not agree with the said Commissioners as to the Price to be paid, may, if they shall think fit, agree with the said Commissioners to refer it to any Person or Persons to ascertain the Amount to be paid; and every such Agreement shall be in all respects binding and effectual.

Commissioners of Woods may permit intended Bridge to be constructed on Land forming Part of Battersea Park.

LVII. 'And whereas so much of the said intended Bridge and the Approaches thereto as are situate 'on the South Side of the said River *Thames* are within the Precincts of an intended Royal Park 'intended to be formed in *Battersea Fields* in the County of *Surrey*, under and by virtue of an Act of 'this present Session of Parliament;' be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being to permit and suffer such Part or Parts of the Hereditaments to be acquired by or vested in them or in Her Majesty, Her Heirs and Successors, by virtue of any Act of Parliament which may be passed for forming a Royal Park in *Battersea Fields* in the County of *Surrey*, as shall be required for the Construction of the said intended Bridge and the Approaches thereto, to be converted and used to or for such Purpose accordingly.

Commissioners to settle Recompence to Watermen's Company for the Sunday Ferry.

In case of Difference the same to be settled by a Jury.

LVIII. And be it enacted, That the said Commissioners and their Successors shall be and are hereby empowered and required, before the said Bridge shall be opened, to agree for and settle the Recompence fit and proper to be made to the Company of Master, Wardens, and Commonalty of Watermen and Lightermen of the River *Thames* for and in respect of the *Sunday* Ferry from the *Whitehouse* in the said Parish of *Saint George Hanover Square* to the *Redhouse* in the said Parish of *Battersea*, and back; and in case such Recompence cannot be settled by Agreement between the said Commissioners or their Successors and the Court of Master, Wardens, and Assistants of the said Company of Watermen and Lightermen, then the said Commissioners shall be and are hereby empowered and required within the Space of Two Calendar Months, to be computed from the Day the said Bridge shall be opened, to proceed to assess the same by a Jury, by the same Method, and in the Manner in this Act mentioned, as the said Commissioners are empowered to assess the Damages for Houses or Ground directed to be taken for the Purposes of this Act, and the Verdict of such Jury thereupon shall be binding on all Parties; and the said Commissioners and their Successors are hereby authorized and required to cause the Sum of Money so agreed on, or so settled, assessed, and determined by the Verdict of the said Jury, to be paid to the said Master, Wardens, and Commonalty of Watermen and Lightermen of the River *Thames*, who shall be at liberty to invest the same in the same Manner as is by the Act passed in the Session of the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to enable the Master, Wardens, and Commonalty of Watermen and Lightermen of the River* Thames *to invest their Poor's Fund, and the Endowment Fund of the Free Watermen and Lightermen's Asylum, in the Purchase of Land or on Mortgage, and to hold Lands for the Purposes of the said Funds*, directed respecting the Funds in the said Act mentioned; and the Interest and yearly Produce thereof shall be applied by the said Court of Master, Wardens, and Assistants of the said Company of Watermen and Lightermen as the Money arising from such Ferries hath heretofore been applied.

8 & 9 Vict. c. 78.

Power to clear the Ground, and sell old Materials.

LIX. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby empowered to pull down or cause to be pulled down all Houses and other Erections and Buildings which shall be purchased by virtue of this Act, or such of them or such Part thereof as they shall think proper to be pulled down, and to level and clear the Ground whereon the same shall stand, and all other the Ground to be purchased by virtue of this Act, in such Manner as they shall think proper, and to sell or cause to be sold the Materials of the Houses and other Buildings to be taken down and removed pursuant to this Act; and the Monies to be produced by the Sale thereof (after deducting the Expences of pulling down such Houses and Buildings respectively, and of such Sale or Sales), and also the Rents and Profits of such Tenements and Hereditaments to be purchased or taken by virtue of this Act, until the same shall be pulled down or cleared, shall be applied and disposed of for or towards the Purposes of this Act, or any of them.

Monies arising from Sale to be applied to the Purposes of this Act.

Commissioners may grant Building Leases of Ground not wanted for the Purposes of this Act.

LX. And be it enacted, That as regards all or any Ground or Hereditaments which shall be purchased, and which shall not be wanted for the Purposes of this Act, (but exclusive of any Lands which shall be acquired or reclaimed between the said Embankment and Roadway and the present North Shore of the River, as aforesaid,) it shall be lawful for the said Commissioners and they are hereby authorized, when and as they shall think fit, by an Indenture or Indentures under their Common Seal, to demise and lease such Ground and Hereditaments or such Part thereof as they shall think it expedient to let, on Building Leases,

Leases, either together or in Parcels, to any Person or Persons who shall erect and build or covenant and agree to erect and build thereon or on any Part or Parts thereof Houses, Erections, and Buildings, of such Rate or Class or respective Rates or Classes of Buildings, upon such Plan and Elevation or respective Plans and Elevations, of such Height or respective Heights, and with such Stories, as the said Commissioners shall think proper, for such Number of Years and under such Conditions as they may think fit, and either at a Rent or without any Rent, but so that in every such Demise or Lease there be contained a Covenant for the Payment of the Rent, if any shall be thereby reserved, and also such other Covenants on the Part of the Tenant or Lessee therein to be named as the said Commissioners shall reasonably require, and also a Clause in the Nature of a Condition of Re-entry on Nonpayment of the Rent (if any) thereby to be reserved, or on Nonperformance of the Covenants therein to be contained, on the Part of the Tenant or Lessee to be observed and performed, and that the Lessee or Lessees named in each such Lease shall execute a Counterpart thereof, and that on any such Lease the said Commissioners may, if they think fit, accept and take any Fine for the granting thereof, and may enter into any Agreement for the granting any Lease or Leases, on such Terms and Conditions as they may think fit, and on the granting the Leases in pursuance of such Agreements may alter the Amount of the Rents agreed to be reserved on such Leases, and may apportion the same, and grant separate Leases of any Part of the Hereditaments by any such Agreement agreed to be leased, as they may think fit, and may also, as they think fit, alter or rescind any Agreement as aforesaid, and may accept any Surrender of any Lease granted for the Purpose of granting separate Leases of the same Premises, at apportioned Rents or under different Covenants, or otherwise in all respects as the said Commissioners shall think fit; and further, that any Part of the said Ground may be appropriated for Squares, Gardens, or open Places, and any Part thereof may be let for Yards or Courts to be attached to any Houses to be leased, as the said Commissioners shall think fit.

Commissioners may make Agreements for Leases, and accept Surrenders of Leases, &c.

LXI. And be it enacted, That as soon as conveniently may be, and either before or after the Houses, Erections, and Buildings to be erected and built as herein-before is mentioned or any of them, shall be finished and completed, and either before or after such Leases shall have been granted, the said Commissioners shall and they are hereby authorized and required to sell and dispose of, or cause to be sold and disposed of, the Ground Rents to be reserved by the Lease or Demise, or Leases or Demises, in pursuance or in consideration of which the same Houses respectively shall have been erected and built, or shall be agreed to be erected and built, and also the Reversion and Inheritance in Fee Simple in possession (subject to such Lease or Demise, or Leases or Demises, Agreement or Agreements,) of the Pieces or Parcels of Ground thereby demised or agreed to be demised, and such Houses and other Buildings thereon, either altogether or in Parcels, by public Auction or private Contract, for such Price or Prices or Sum or Sums of Money as the said Commissioners shall think reasonable, and subject to such Stipulations and Provisions as to the Enjoyment thereof, and as to the Nature of the Buildings which are to be at all Times erected and built thereon, and also subject to such Stipulations as to the Title to be produced to the Hereditaments to be sold as the said Commissioners shall think fit; and as regards any Stipulations or Provisions which may be contained in any such Conveyance, the same may at all Times thereafter be enforced in a Court of Equity by the said Commissioners for the Time being, for the Benefit of the Parties entitled to the other Property adjoining or held under the same Title, in such Manner in all respects as the said Commissioners may think fit; and the said Commissioners shall and they are hereby empowered and required, at the Costs and Charges of the Purchaser or Purchasers of the same Premises respectively, upon Payment of the Sum or Sums of Money agreed to be given for the same respectively to the said Commissioners, by any Writing under their Common Seal, to convey and assure the Piece or Parcel of Ground, or Pieces or Parcels of Ground, so purchased by such Purchaser or Purchasers respectively, together with the Houses, Erections, and Buildings then erected and built or to be erected and built thereon respectively, and the Fee Simple and Inheritance thereof, with the Appurtenances, to such Purchaser or Purchasers, his, her, or their Heirs and Assigns respectively, or as he or they respectively shall in that Behalf order or direct, free from all Incumbrances (except the Building Lease or Building Leases or Agreement or Agreements to be granted thereof by virtue of this Act); and that all Conveyances and Leases which shall be made as aforesaid pursuant to the Authority hereby in them reposed shall be adjudged sufficient to vest such Estate in the Purchaser or Lessee as shall have been agreed for, or shall be expressed or meant and intended to be conveyed and granted by any such Conveyance or Lease; and every such Lease, Agreement, and Conveyance, to be made under the Authority of this Act may be in the Forms or to the Effect which the said Commissioners shall order or direct; and it shall not be necessary that any such Conveyance as aforesaid be made by Bargain and Sale enrolled, Feoffment, or Lease and Release.

Commissioners may sell the Ground Rents and Reversions to be comprised in such Leases.

LXII. And be it enacted, That it shall be lawful ~~for~~ the said Commissioners to sell and dispose of, in manner and subject as aforesaid, and absolutely to grant and convey, any Part or Parts of any of the Hereditaments which may be acquired under the Powers of this Act, but which shall not be wanted for the Purposes of this Act, (other than the Lands to be acquired or reclaimed between the Embankment and Roadway on the North Shore of the River as aforesaid,) and which they shall not think proper to let on Building Leases as aforesaid, subject nevertheless to such Stipulations and Conditions as they may think fit, and thereupon the same shall be conveyed and assured by the said Commissioners as they shall think fit.

Commissioners empowered to sell any Ground which may not be wanted for the Purposes of this Act.

LXIII. And be it enacted, That no Purchase, Lease, Agreement for Lease, or Sale, to be made by the said Commissioners, shall be made, except with the Assent in Writing of the Lord High Treasurer of *Great*

Purchases, Sales, &c. to be made under the

Authority of Treasury.

Great Britain, or Three or more of the Commissioners for executing the Office of Lord High Treasurer; but it shall not be necessary for any Purchaser or Lessee to ascertain that such Consent has been given as aforesaid, nor shall the said Commissioners for executing this Act be bound to produce to any such Purchaser or Lessee any Evidence of such Assent: Provided nevertheless, that such Assent may be given either generally for any Class of Cases, or for any particular Purchase, Lease or Agreement for Lease, as to the said Lord High Treasurer or Commissioners for executing the Office of Lord High Treasurer as aforesaid shall seem meet.

Materials, &c. vested in the Commissioners, which they may apply and dispose of for the Purposes of this Act.

LXIV. And be it enacted, That the Right and Property of all and every the Stone, Timber, Iron Gates, Bars, Posts, Rails, Sheds, Carts, Engines, Materials for building and paving, Implements, Utensils, and Things whatsoever which may be erected and set up or provided by the said Commissioners for executing this Act, or by their Order, or otherwise belonging to and used by them for carrying the Purposes of this Act into execution, and also any Materials which formed Part of any Buildings which may be pulled down by the Direction of the said Commissioners in pursuance of the Powers of this Act, shall be vested in the said Commissioners, and they are hereby authorized and empowered to dispose of and apply the same for the Purposes of this Act as they shall think fit, and to bring any Action or Actions, and to prefer and prosecute with Effect any Bill or Bills of Indictment, against any Person or Persons who shall steal, secrete, injure, damage, or dispose of the same or any of them respectively, to their own Use and Uses, or shall disturb them the said Commissioners, or their Officers, or other Persons acting under them, in the Possession thereof.

Commissioners may cause Actions to be brought for Breach of Contracts;

LXV. And be it enacted, That in case any Contract entered into in pursuance of this Act with the said Commissioners for any Purchase or Lease, or in case all or any of the Works to be done in pursuance of this Act, shall not be well and sufficiently performed according to the Intent and Meaning of any Contract or Contracts to be entered into by the said Commissioners for executing this Act, for any of the Purposes of this Act, or shall not be completed within the Time or Times specified in such Contract or Contracts, then and in every such Case the said Commissioners may cause an Action to be brought in any of Her Majesty's Courts of Law at *Westminster* against any such Contractor or Contractors, for any Penalty contained in his Contract, and on Proof of the signing of the said Contract, and Nonperformance thereof at the Time or Times for that Purpose to be therein mentioned, the said Commissioners shall be entitled to and shall recover the full Penalty contained in any such Contract, any Law, Custom, or Usage to the contrary in anywise notwithstanding; which Penalty, when recovered, shall be applied to the Purposes of this Act: Provided always, that it shall be lawful for the said Commissioners, if they think fit, to compound and agree with any such Contractor for any Penalty incurred by him for the Breach or Nonperformance of any such Contract, for such Sum of Money as the said Commissioners shall think proper, not being less than the Injury or Damage sustained by the Breach or Nonperformance of such Contract, and all Costs, Charges, or Expences which shall be occasioned thereby.

and may compound for Penalties incurred.

Deeds, &c. not liable to Stamp Duty

LXVI. And be it enacted, That no Contract, Conveyance, Lease, Deed, or other Instrument which shall be made, granted, or executed under any Powers or Authorities hereby granted, nor any Contracts or Agreements, Bonds or other Securities, Assignments, Conveyances, or other Deed or Instrument which shall be made, entered into, or executed by any Person or Persons to or with the said Commissioners, or otherwise, for any of the Purposes of this Act, shall be subject or liable to any Stamp Duty whatever imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments be specially subjected and specifically charged in and by such future Act.

Commissioners may raise Sand, &c. from the Bed of the River to form Embankment.

Regulations as to raising Gravel, &c. from the River.

LXVII. And be it enacted, That for the Purpose of forming the aforesaid intended Embankment and Bridge, or either of them, it shall be lawful for the said Commissioners to remove Shoals, and to excavate and deepen the Bed of the River *Thames* where it shall require to be deepened, or may be deepened without Injury, in any Places between *Battersea Bridge* and *Vauxhall Bridge*, and to take away and use any Ballast, Sand, Gravel, Earth, or other Materials which shall be raised from the Bed of the River in executing any such Works: Provided always, that all the Ballast, Sand, Gravel, Earth, or other Materials which shall be raised as aforesaid shall be wholly removed and carried away from the said River, without screening or returning any Part thereof into the said River after the same shall have been so raised; provided also, that the said Commissioners shall and they are hereby required to level all Holes and Pits that shall be dug or caused by such Excavations as aforesaid, and in all Places where they shall deepen the Bed of the said River to deepen the same uniformly.

Commissioners empowered to construct Piers and Landing Places.

LXVIII. And be it enacted, That it shall be lawful for the said Commissioners at any Time hereafter to make and construct, at any of the Piers, or at either End of the said intended Bridge, and at any Part or Parts of the said intended Embankment, any of the Piers, Stairs, Hards, or Landing Places specified in the Plans and Designs aforesaid, either on the Sites marked in such Plans and Designs, or within the Distance of Fifty Feet from such Sites respectively, between *Battersea Bridge* and *Vauxhall Bridge:* Provided nevertheless, that no such Piers, Stairs, Hard, or Landing Place shall be so constructed as to injure, impede, affect, or interfere with the Outlets of any Sewers, Drains, or Watercourses, or any Works of the said Commissioners of Sewers.

Commissioners may erect Toll Gates, and take Tolls.

LXIX. And be it enacted, That it shall be lawful for the said Commissioners for executing this Act to erect a Toll Gate or Bar or Toll Gates or Bars on the said Bridge, and at every or any such Pier or Landing Place as shall be constructed in pursuance of this Act, or on some or one of the Avenues leading thereto respectively, belonging to the said Commissioners, at any Part or Parts thereof, and from Time to Time to remove such Gate or Gates, Bar or Bars, and to erect other Gates or Bars in lieu thereof, and to erect and maintain from Time to Time such Toll Houses or other Conveniences near such Toll Gate

or Gates, Bar or Bars, as they shall think fit; and Tolls not exceeding the respective Tolls following shall and may be demanded and taken at the Toll Gate or Gates, Bar or Bars, to be erected as aforesaid, by such Person or Persons as the said Commissioners shall from Time to Time appoint, before any Foot Passenger, or any Horse, Mule, Ass, or other Beast, or any Coach, Waggon, Cart, or other Vehicle, shall be permitted to pass or return over or on to the said Bridge, Pier, or Landing Place respectively, or before any Vessel, Barge, or Boat shall be permitted to moor or touch at or to land Passengers, Goods, or other Freight at any such Pier or Landing Place; (that is to say,)

Tolls to be taken on the Bridge for each and every Time of passing:

For every Foot Passenger, One Halfpenny:

For every Description of Vehicle drawn by One Horse or other Beast of Draught, Two-pence:

For each and every additional Horse or other Beast drawing, One Penny:

For every Horse, Mule, or Ass not drawing, One Penny:

For every Wheelbarrow or Truck not drawn by any Horse or other Beast, One Penny:

For every Score of Oxen or Neat Cattle, and so in proportion for any greater or less Number, Eight-pence:

For every Score of Calves, Sheep, or Lambs, and so in proportion for any greater or less Number, Four-pence:

Hackney Coaches and licensed Cabs without Passengers, Waggons, Carts, and Drays unladen, with Two or more Horses, to pass over the Bridge upon Payment of Half the above Toll:

And all Post Chaises returning without Passengers, and return Post Horses, to pass over the Bridge free.

Tolls to be taken at the Piers and Landing Places:

On Steam and other Passage Boats and Vessels, according to the Number of Passengers which shall land on or embark from the Piers and Landing Places, and after the Rate of and for each and every Passenger, One Halfpenny; such Toll to be paid by the Master of each Vessel:

For Luggage or Goods landed from or embarked in the said Boats and Vessels, for each and every Fifty Pounds Weight of such Luggage or Goods, One Halfpenny:

For all other Articles whatsoever landed on or embarked from the said Piers and Landing Places, such Rates and Charges as the said Commissioners shall think fair and reasonable.

For enforcing the Payment of Tolls.

LXX. And be it enacted, That it shall and may be lawful to and for the Gatherer or Gatherers of the said Tolls, or any of them, to stop and prevent the Passage or landing of any Person or Persons neglecting or refusing to pay the said Tolls or any of them, or of the Horse, Beast, Cattle, Carriage, Vessel, Barge, Boat, or other Thing for or in respect whereof the said Tolls ought to be paid; or it shall and may be lawful to and for the said Gatherer or Gatherers to seize and detain the Goods and Chattels of such Person or Persons, or such Horse, Beast, Cattle, Carriage, Vessel, Barge, Boat, or other Thing; and in case the said Tolls shall not be fully paid and satisfied, together with all reasonable Costs and Charges of making, detaining, and keeping such Distress, within the Space of Five Days, the said Gatherer or Gatherers shall and may sell the same, rendering the Overplus (if any), after deducting such Costs and Charges of making, detaining, keeping, and selling such Distress, to the Owner or Owners thereof.

Disputes respecting Tolls and Charges to be settled by a Justice.

LXXI. And be it enacted, That if any Dispute shall arise about the Quantity of Tolls due, or the Costs and Charges of distraining, keeping, or selling any Distress, it shall and may be lawful to and for the said Collector or Person so distraining to detain the Distress, or the Money arising from the Sale thereof, until the Quantity of the Tolls, or the Charges of distraining, keeping, and selling the Distress, as the Case may be, shall be ascertained by some Justice of the Peace for the County or Place wherein such Dispute shall arise, who, upon Application made to him for that Purpose, shall examine the said Matters upon the Oath or Oaths of the Parties or other Witness or Witnesses, and shall determine the Quantity of Tolls due, and shall also assess the Charges of such Distress and Sale, and all other reasonable Costs; all which Sum or Sums so determined or assessed shall be paid to the Collector before he shall be obliged to return the said Distress, or the Overplus, after the Sale thereof or of any Part thereof.

Collectors of Tolls, &c. not disqualified from giving Evidence.

LXXII. And be it enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in anywise relating to the said Tolls or any of them, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Commissioners for executing this Act, shall not be disqualified from giving Evidence in any such Dispute, Suit, or Litigation by reason of his, her, or their being appointed to collect such Tolls.

Tolls may be reduced and raised again with Consent of the Treasurer.

LXXIII. And be it enacted, That the said Commissioners shall have full Power from Time to Time to lower or reduce all or any of the said Tolls; but no Reduction of any such Tolls shall be made or take place unless with the Consent in Writing of the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer, or some Three or more of them; and it shall and may be lawful to and for the said Commissioners in like Manner again to raise the said Tolls to such Sum or Sums as they shall think proper, not exceeding the Sums before mentioned, as often as it shall be deemed necessary or expedient.

General Exemptions from Tolls.

LXXIV. Provided also, and be it enacted and declared, That no Toll whatsoever shall be demanded or taken for any Horses or Carriages belonging to Her Majesty, Her Heirs or Successors, or attending any of the Royal Family, or returning from having so attended; or for any Horse, Beast, Cattle, or Carriage, of whatever Description, employed or to be employed in conveying, fetching, or guarding Mails of Letters and Expresses under the Authority of Her Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying

veying or guarding the same; or for any Soldiers upon their March or upon Duty, or for any Horse, Beast, Cattle, or Carriages attending them with their Arms and Baggage, or returning after having been so employed; nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, or Commissariat or other public Stores of or belonging to Her Majesty, or for the Use of Her Majesty's Forces; or for any Horse, Beast, Cattle, or Carriages travelling with Vagrants sent by legal Passes; or for any Volunteers upon their March or upon Duty, or in going to or returning from the Place appointed for and on the Days of Exercise; or for any Horse, Mare, or Gelding furnished by or for or belonging to any Corps of Yeomanry or Volunteer Cavalry, and ridden by them in going to or returning from the Place appointed for and on the Days of Exercise, provided that such Persons be dressed in the Uniforms of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively at the Time of claiming such Exemptions as aforesaid; or for any Coach, Berlin, Landau, Chariot, Calash, Chair, or other Carriage, or Passengers on Horseback or on Foot, going to or returning from any Election of a Member or Members to serve in Parliament for the City or Liberty of *Westminster* or County of *Middlesex* or *Surrey*, on the Day or Days of such Election, or on the Day before or after such Election shall begin or be concluded; and if any Person shall claim and take the Benefit of any Exemptions by this Act granted from the whole or any Part of the several Tolls hereby authorized to be taken, not being entitled to the same, such Person or Persons for every such Offence shall forfeit and pay any Sum not exceeding Five Pounds, to be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Penalty on claiming Exemptions not being entitled.

Carriages employed in the Public Service not to be subject to Penalties for Overweight, &c.

LXXV. And be it enacted, That no Person owning or driving, or causing to be driven, any Waggon, Wain, Cart, or other Carriage provided for the Service of Her Majesty's Forces, or conveying any Ordnance, Barrack, Commissariat, or other public Stores of or belonging to Her Majesty, or for the Use of Her Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight, nor shall any such Waggon, Wain, Cart, or other Carriage be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen, but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage, any thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act, contained to the contrary notwithstanding.

Toll Gatherers to put up their Christian and Surnames, painted on Boards, in front of Toll House.

LXXVI. And be it enacted, That every Gatekeeper, Toll Gatherer, or Collector, or Receiver of any of the aforesaid Tolls, shall and he and they is and are hereby required to place his Christian and Surname, painted on a Board in White Letters on a Black Ground in fair legible Characters, of such Size as the said Commissioners for executing this Act shall direct, in the Front of the Toll House where he or they shall be stationed to collect the said Tolls, immediately upon his coming on Duty, and shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector or Receiver of the said Tolls shall not place such Board as aforesaid in the Manner and during the Time aforesaid, or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of the Powers of this Act, or shall refuse to permit or suffer or shall in anywise hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same, upon having paid the said Tolls or any of them, or shall give a false Name or Names upon such Demand, then and in every such Case every such Collector or Receiver shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence; and such Penalties shall be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Penalty on counterfeiting Toll Tickets.

LXXVII. And be it enacted, That if any Person or Persons shall forge, counterfeit, or alter, or shall deliver to or receive of any other Person or Persons, any Note or Ticket, with Intent to avoid the Payment of any or any Part of the said Tolls, or shall by any such or other Means have avoided the Payment of the said Tolls or any Part thereof, then and in every such Case every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered in like Manner as any other Penalties or Forfeitures can or may be recovered by virtue of this Act; one Moiety whereof shall be paid to the Informer, and the other Moiety shall be applied in such Manner as other Penalties and Forfeitures are herein directed to be applied.

Weighing Machines may be erected.

LXXVIII. And be it enacted, That it shall be lawful for the said Commissioners, if they shall think proper, to erect at any Toll Gate to be erected on the said intended Bridge as aforesaid One or more Crane or Cranes, Machines or Engines, with a suitable House or other Building thereto, proper for the weighing of Carts, Waggons, or Carriages conveying any Goods or Merchandize whatsoever, and by Notice on a Board for that Purpose to be put up at every such Weighing Machine to order all and every such Carriage or Carriages which shall pass loaded through any such Toll Gate to be weighed, together with the Loading thereof.

Carts, &c. to be subject to the Regulations of the several Laws in force for regulating Turnpike Roads.

LXXIX. And be it enacted, That all Carts, Waggons, or Carriages shall, in regard to the Weight to be carried by them respectively, and in regard to the Breadth of the Wheels of such Waggons, Wains, and Carts, and to the Number of Horses or other Beasts wherewith they shall respectively be drawn on the said Roads, be subject and liable to the Regulations, additional Tolls, Forfeitures, and Penalties, and to the Modes for recovering and compelling Payment thereof, enacted and contained in and by the several Laws in force and effect for regulating the Turnpike Roads in that Part of *Great Britain* called *England*, and for other Purposes, as fully and effectually to all Intents and Purposes, as if the several Clauses relating thereto were repeated and re-enacted in this Act.

LXXX. And

Keepers of Weighing Engines to weigh all Carts, &c. liable.

LXXX. And be it enacted, That the Keeper of every such Toll Gate where any such Weighing Engine shall be erected, or any other Person appointed or to be appointed by the said Commissioners to the Care of any Weighing Crane, Machine, or Engine, shall and he is hereby required to weigh all such Waggons and Carts liable to be weighed by virtue of the Laws now in force which he shall have Reason to believe have any greater Weights than are allowed to pass without paying such additional Tolls; and if any Gatekeeper or Person so appointed shall permit any such Waggons or Carts to pass through any such Toll Gate with greater Weight than is allowed as aforesaid, without weighing the same, and receiving such additional Tolls as aforesaid, every such Gatekeeper or Person so appointed shall forfeit and pay any Sum not exceeding Forty Shillings; or if any Owner or Driver of any such Waggon or Cart which shall pass loaded through any such Gate shall refuse to suffer his Waggon or Cart to be weighed, or shall refuse to drive his Carriage upon the Engine, upon being requested so to do by the Collector or Receiver of such additional Tolls, every such Driver, being the Owner of every such Waggon or Cart, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and every such Driver of every such Waggon or Cart, not being the Owner, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered and applied as other Penalties and Forfeitures are by this Act directed to be recovered.

Penalty for Neglect.

Penalty on Owner, &c. refusing to allow his Cart, &c. to be weighed.

Commissioners to adopt Means to prevent Connivance of Collector or Receiver.

LXXXI. And in order to detect the said Collector or Receiver in any fraudulent Connivance or Neglect of Duty in the Matters aforesaid, be it enacted, That it shall and may be lawful to and for the said Commissioners, or for the Engineer, Clerk, Treasurer, or Surveyor, or other Agent of the said Commissioners, if they or he shall suspect any such Connivance or Neglect as aforesaid, to cause any Carriage, liable to be weighed by virtue of this Act, which shall have passed through any Toll Gate, and shall not have passed to be above One hundred Yards beyond or from such Weighing Engine as aforesaid, to return to such Weighing Engine, and be there weighed, with the Loading thereof, in the Presence of such Commissioners, Engineer, Clerk, Treasurer, Surveyor, or other Agent, upon requiring the Driver thereof to drive such Carriage back to such Weighing Engine, and upon paying or tendering to him the Sum of Two Shillings and Sixpence for so doing (which Sum of Two Shillings and Sixpence shall be returned to the Person so requiring the same to be weighed, if upon weighing such Carriage and Loading thereof the same shall be found above the Weight allowed); and if the Driver of any such Carriage, being so requested to return with his Carriage to any such Weighing Engine, shall neglect or refuse so to do, he shall forfeit and pay any Sum not exceeding Forty Shillings; and it shall and may be lawful to and for any Peace Officer or any other Person or Persons being then present, upon such Neglect or Refusal, to drive and take such Carriage back to any such Weighing Engine, in order that the same may be weighed as aforesaid.

Commissioners may appoint Collectors, and for Neglect of Duty dismiss them and appoint others.

If Collector, &c. refuse to give up Toll House Justices may give Possession.

LXXXII. And be it enacted, That when and so often as any Collector or Receiver of the Tolls shall die, or shall neglect or refuse to perform or become incapable of performing his Duty, or shall abscond or absent himself, it shall be lawful for the said Commissioners to discharge such Collector or Receiver so neglecting or refusing to perform or becoming incapable of performing his Duty, or absconding or absenting himself, and to appoint some other Person or Persons to be a Collector or Receiver of the said Tolls; and if any Collector or Receiver of the said Tolls who shall be discharged from his said Office by virtue of this Act, or the Wife or Widow or any of the Children, Family, or other Representatives of any Collector or Receiver who shall die or be discharged, or any other Person or Persons who may have the Possession of any Toll House or Building, or any Appurtenance thereto, to be erected, set up, or raised by virtue of this Act, shall neglect or refuse to deliver up the Possession thereof for the Space of Twenty-four Hours next after Demand thereof made by Notice in Writing for that Purpose given to such Collector or Receiver or other Person or Persons, or left at any such Toll House, Building, or Premises, then and in any of the said Cases it shall be lawful for any Justice or Justices of the Peace for the County or City where the same may be situate, by Warrant under his or their Hand or Seal or Hands and Seals to order a Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such Toll House and Premises in the Daytime, and to remove the Persons who shall be found therein, together with their Goods, out of such House, and to put the said Commissioners or their new appointed Collector into the Possession thereof.

Commissioners may sell Toll Houses, &c. when not wanted.

LXXXIII. And be it enacted, That it shall be lawful for the said Commissioners to sell and dispose of any Toll House or Toll Houses to be erected by virtue of this Act, and the Ground whereon the same may stand, when they shall be considered by the said Commissioners unnecessary for the Purposes of this Act, in the same Manner and under the same Regulations as are herein-before contained for the Sale of such of the other Lands hereby authorized to be purchased as may not be wanted for the Purposes of this Act.

Commissioners empowered to lease the Tolls.

LXXXIV. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to lease or demise all or any of the said Tolls, or from Time to Time to compound with any Parties for the said Tolls which would be otherwise payable, either by an annual Payment or otherwise, for any Term of Years not exceeding Three Years at any One Time, to take effect in possession, and not in reversion, for such Rent, payable at such Times and under such Covenants as they shall think fit, which Rent shall be applied for the Purposes of this Act.

Punishment of Persons guilty of wilful Damage.

LXXXV. And be it enacted, That if any Person shall wilfully or maliciously damage or injure the said Bridge, or any Pier, Stairs, Hard, or Landing Place to be constructed under the Provisions of this Act, or any Part thereof respectively, or any Gate, Turnpike, or Toll House belonging thereto, or shall wilfully or maliciously, and without Authority from the said Commissioners, remove or take away any Works thereunto belonging, or in any way direct or procure the same to be done, or shall be aiding or assisting therein, whereby the said Bridge, Piers, Stairs, Hard, or Landing Place, or the Works thereof

 respectively,

respectively, may be damaged, any Person so offending shall be judged guilty of Felony; and every such Person so offending, and being thereof lawfully convicted, shall be subject to the like Punishments and Penalties as in Cases of Felony; and the Court by or before whom such Person shall be tried and convicted shall have Power and Authority to cause such Person to be punished in like Manner as Felons are directed to be punished by the Laws and Statutes of this Realm, or, in mitigation of such Punishments, such Court may award such Sentence as the Law directs in Cases of Petty Larceny.

Owners of Vessels liable for Damage done to the Bridge, &c.

LXXXVI. And be it enacted, That in case any Damage or Mischief shall be done to the Bridge, or to any such Pier, Stairs, Hard, or Landing Place as aforesaid, or any of the Works thereof respectively, by any Ship, Lighter, Barge, Boat, Float, Raft, or Vessel, through the wilful Negligence of any Person having the Command of any such Ship, Lighter, Barge, Boat, Float, Raft, or Vessel, or any of the Mariners or Persons employed therein, then and in every such Case the Owner of such Ship, Lighter, Barge, Boat, Float, Raft, or Vessel shall be and is hereby made answerable to the said Commissioners for the Amount or Value of any such Damage or Mischief; and the same, provided it shall not exceed the Sum of Twenty Pounds, if not forthwith paid and satisfied, shall and may be recovered in such Manner as the Penalties and Forfeitures hereby imposed are in and by this Act directed to be recovered.

Masters to recover from their Servants any Damages paid for their Neglect, &c.

LXXXVII. And be it enacted, That in case the Owner of any such Ship, Lighter, Barge, Boat, Float, Raft, or Vessel shall be compelled to pay any Penalty, or to make Satisfaction for any Damages, by reason of any Neglect or Default done or committed by his Servants or Mariners, or any of them, such Servants or Mariners, and each and every of them, shall be liable to pay such Penalty or Damages (with the Costs thereof) to such Owner; and in case of Nonpayment upon demand thereof, and Oath made by such Owner of the Payment made by him of such Penalty, Satisfaction, or Damages, and that the same and the Costs thereof have not been repaid to him by such Servants or Mariners, or any of them, although demanded, (such Oath to be made before any One or more Justice or Justices of the Peace of the County or Place where such Penalty or Satisfaction shall have been recovered,) the Amount thereof, provided the same shall not exceed the Sum of Twenty Pounds, shall be recovered in the same Manner as any Penalty is hereby directed to be recovered.

Penalty for assaulting Collectors, &c.

LXXXVIII. And be it enacted, That in case any Person shall resist or make forcible Opposition against any Person employed in the due Execution of this Act, or shall assault any Surveyor, Engineer, or Agent, or any Collector of Tolls, in the Execution of his Office, or shall forcibly pass over or use the said Bridge, Piers, Stairs, Hards, or Landing Places, or any of them, or the Toll Gates or Bars to be erected by virtue of this Act, without having paid the said Tolls, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty for Injuries to Toll Houses, &c. or Obstructions to Passengers.

LXXXIX. And be it enacted, That if any Person shall wilfully break, throw down, deface, or damage any of the Toll Houses, Watchhouses, Boxes, Benches, or Requisites, to be erected on the said Bridge, Piers, Stairs, Hards, or Landing Places, or to be provided for the Purpose of effectually carrying out the Purposes of this Act, or for the Convenience of the Passengers on the said Bridge, Piers, Stairs, Hards, or Landing Places, or wilfully break, throw down, damage, or destroy any Lamp Posts or Lamps on the same or any of them, or any of the Approaches thereto, or the Furniture of any of the said Lamps, or extinguish any of the said Lamps when lighted, or if any Person shall occasion any Obstruction, Annoyance, or Hindrance of any Description of Passengers on or along the said Bridge, Piers, Stairs, Hards, or Landing Places, he shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, and shall also make Satisfaction to the said Commissioners, or to any such Person or Persons as they shall appoint to receive the same, or to the Party injured, for the Damage so done as aforesaid, which Satisfaction shall be received as Part of and in the same Way as the said Penalty is by this Act authorized to be recovered; and if any such Injury as aforesaid shall be done negligently or by Accident, the Person doing or causing the same shall make Satisfaction to the Party injured, which shall and may be recovered in the same Manner as Penalties are by this Act directed to be recovered.

Damages and Charges, in case of Dispute, to be settled by Two Justices.

XC. And be it enacted, That in all Cases wherein Damages or Charges in respect of Acts or Offences done or committed upon or relating to the said Bridge, Piers, Stairs, Hards, or Landing Places, or the Tolls thereof respectively, are by this Act directed or authorized to be paid, and the Manner of ascertaining the Amount thereof is not specified or provided for, such Amount, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be ascertained and determined by some Two or more Justices of the Peace for the County of *Middlesex* (such Justices not being interested in the Matters in question); and where by this Act any such Damages or Charges are directed to be paid in addition to any Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be settled and determined by the Justices by or before whom any Offender shall be convicted of such Offence, and such Justices respectively are hereby authorized and required, on Nonpayment of the Damages in any of the Cases aforesaid, to levy such Damages and Charges, by Distress and Sale of the Offender's Goods and Chattels, in manner by this Act directed for the levying of any Penalties or Forfeiture; and for the Purposes of Venue and Jurisdiction of Justices, and any other legal or penal Proceedings, the said Bridge and the Abutments thereof shall be taken to be wholly in the County of *Middlesex*.

Recovery and Application of Penalties.

XCI. And be it enacted, That all Penalties and Forfeitures inflicted or imposed by this Act (the Manner of levying and recovering whereof is not herein otherwise particularly directed) may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of some Two or more Justices of the Peace for the said County of *Middlesex*, on Complaint to them for that Purpose made, and afterwards be levied, as well as the Costs, if any, of such Proceedings or Nonpayment, by Distress and Sale of the Goods and Chattels of the respective Offenders or Persons liable to pay the same,

by

by Warrant under the Hands and Seals of such Justices; and the Overplus, if any, of the Money so raised or recovered, after discharging such Penalty or Forfeiture, and the Costs and Expences as aforesaid, shall be returned, on demand, to the Party whose Goods and Chattels shall be distrained; all which Penalties and Forfeitures, not herein directed to be otherwise applied, shall be paid, One Half to the Informer and the Remainder to the said Commissioners; and in case such Penalties and Forfeitures shall not be forthwith paid it shall be lawful for such Justices and they are hereby required to order the Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless such Offender shall give sufficient Security, to the Satisfaction of such Justices of the Peace, for his Appearance before such Justices, or before some other Justices of the Peace having Jurisdiction, at such Time as shall be appointed for the Return of such Warrant of Distress, such Time not being more than Three Days from the taking of such Security, and which Security any of the said Justices are hereby empowered to take by way of Recognizance or otherwise; but in case upon Return of such Warrant it shall appear that no sufficient Distress could be had whereupon to levy the said Penalties or Forfeitures, and such Costs and Expences as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justices, upon the Confession of the Offender or otherwise, that he hath not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress should be issued, (in which last-mentioned Case such Justices shall not be required to issue such Warrant of Distress,) then and in either of such Cases such Justices are hereby required, by Warrant under their Hands and Seals, to commit such Offender to some Common Gaol or House of Correction for the County or Place within their Jurisdiction, there to remain for any Time not exceeding Three Calendar Months, or until such Penalty or Forfeiture shall be sooner paid and satisfied, together with all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justices, or until such Offender shall otherwise be discharged by due Course of Law.

Justices may proceed by Summons in the Recovery of Penalties.

XCII. And be it enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before any Justice of the Peace it shall be lawful for the Justice of the Peace before whom any Complaint shall be made for any Offence committed against this Act to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing or in Print shall have been exhibited before such Justice; and all such Proceedings by Summons without Information in Writing or in Print shall be as valid and effectual to all Intents and Purposes as if an Information in Writing or in Print had been exhibited.

For securing Offenders whose Names and Residences are unknown.

XCIII. And be it enacted, That it shall be lawful for any Officer or Agent of the said Commissioners, and all such Persons as he shall call to his Assistance, to seize and detain any Person whose Name and Residence shall be unknown to such Officer or Agent, and who shall commit any Offence against this Act, and to convey him before some Justice of the Peace for the said County of *Middlesex*, without any other Warrant or Authority than this Act, and such Justice is hereby empowered and required to proceed immediately to the hearing and determining of the Complaint.

Forms of Information and Conviction.

XCIV. And be it enacted, That all Justices of the Peace before whom any Person shall be informed against or convicted for or in respect of any Offence against this Act may cause the Information (whenever an Information shall be taken in Writing or in Print) and the Conviction respectively to be drawn up according to the following Forms, or any other Forms to the same Effect, as the Case may require; (that is to say,)

Information.

'to wit. } BE it remembered, That on the Day of *A.B.* of informeth me *C.D.*, One of Her Majesty's Justices of the Peace for the County of *Middlesex*, that *E.F.* of [*here describe the Offence, and the Time and Place when and where committed*], contrary to an Act passed in the Ninth and Tenth Years of the Reign of Her Majesty Queen Victoria, intituled [*here insert the Title of this Act*], which hath imposed a Forfeiture of for the said Offence. Taken the Day of before me, *C.D.*'

Conviction.

'to wit. } BE it remembered, That on the Day of in the Year of Our Lord *A.B.* is convicted before me *C.D.*, One of Her Majesty's Justices of the Peace for the County of *Middlesex*, [*here describe the Offence, and the Time and Place when and where committed,*] contrary to an Act passed in the Ninth and Tenth Years of the Reign of Her Majesty Queen Victoria, intituled [*here insert the Title of this Act*]. Given under my Hand and Seal, the Day and Year first above written. *C.D.*'

Power to Justices to administer Oaths.

XCV. And be it enacted, That in all Cases in which any Justice of the Peace is authorized by this Act to examine any Person, or to take cognizance of or to hear or determine any Matter of Complaint, it shall be lawful for such Justice and he is hereby required to administer an Oath or to receive the Affirmation of any Person before he shall be examined by or before such Justice.

Penalty on Witnesses refusing to attend and give Evidence.

XCVI. And be it enacted, That if any Person who shall be summoned as a Witness to attend and give Evidence before any Justice of the Peace touching any Matter or Fact contained or involved in or affecting any Information or Complaint for any Offence committed against this Act, either on the Part of the Prosecutor or on the Part of the Party summoned or accused, shall refuse to be examined upon Oath, or in the Case of a Quaker or Separatist on Affirmation, to give Evidence before such Justice, then and in either of the said Cases every such Person shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

XCVII. And

Persons aggrieved may appeal to Quarter Sessions.

XCVII. And be it enacted, That the said Commissioners, and all other Corporations and Persons who may think themselves aggrieved by any Order, Judgment, or Determination of any Justice of the Peace relating to any Matter or Thing in this Act mentioned or contained, and for which no Power of Appeal is by this Act specially given, may, within Four Calendar Months next after such Order, Judgment, or Determination shall have been made or given, appeal to the Justices of the Peace at any General or Quarter Sessions to be held for the said County of *Middlesex*, first giving Ten Days Notice in Writing of such Intention to appeal, and of the Grounds and Nature thereof, to the Party against whom such Complaint is intended to be made, or to the said Commissioners, as the Case may be, and forthwith after such Notice, in the Case of an Individual appealing, entering into Recognizance before some Justice of the Peace, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the same Justices shall, in a summary Way, either hear and determine the said Complaint at such General or Quarter Sessions, or (if they think proper) adjourn the hearing thereof to the following General or Quarter Sessions of the Peace to be held for the said County of *Middlesex*, and may, if they see Cause, mitigate or release any Penalty or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of such Order or Determination, and may also order any such further Satisfaction to be made to the Party injured as they shall judge reasonable, and may also order such Costs to be paid to the Party aggrieved by the Party aggressing as they shall think reasonable.

Declaring what shall be good Service of Notice on the Commissioners.

XCVIII. And be it enacted, That in all Cases in which it may be necessary for any Person or Corporation to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon the said Commissioners, personal Service thereof upon the Secretary or Clerk of the said Commissioners, or leaving the same at the Office of the said Commissioners, shall be deemed good and sufficient Service of the same respectively on the said Commissioners.

Declaring what shall be good Service by the Commissioners.

XCIX. And be it enacted, That in all Cases in which it may be necessary for the said Commissioners to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon any Person or Corporation, under the Provisions of this Act, personal Service thereof respectively upon such Person, or upon some Member or upon the Clerk or other Officer of such Corporation, or delivering the same to some Inmate of the last or usual Place of Abode of such Person, or of such Member, Clerk, or other Officer, shall be deemed good and sufficient Service of the same respectively upon such Person or Corporation (as the Case may be): Provided always, that every Summons, Demand, or Notice, or other Document requiring Authentication by the said Commissioners, may be signed by any One of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or by the Secretary of such Commissioners, and need not be under the Common Seal of the said Commissioners.

How Debts may be proved in Cases of Bankruptcy.

C. And be it enacted, That in case any Person against whom the said Commissioners shall have any Claim or Demand shall become bankrupt or insolvent, it shall be lawful for any Person, who shall from Time to Time in that Behalf be appointed by Writing under the Common Seal of the said Commissioners, to act on behalf of the said Commissioners in respect of any such Claim or Demand, and for that Purpose to do all the same Acts, and to have and exercise all the same Powers and Privileges, as to the Establishment or Proof of Debts, voting in the Choice of Assignees, and otherwise in respect of or relating to the Claim or Demand of the said Commissioners, as any Person, being a Creditor of such Bankrupt or Insolvent, or a Claimant against his Estate, could have or exercise in respect of such Person's Debt or Claim.

Distress not unlawful for Want of Form.

CI. And be it enacted, That where any Distress shall be made for any Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant, Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage by an Action upon the Case.

Proceedings not to be quashed for Want of Form.

CII. And be it enacted, That no Proceeding to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari, or by any other Writ or Proceeding whatsoever, into any of Her Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary notwithstanding.

Persons giving false Evidence guilty of Perjury.

CIII. And be it enacted, That all Persons who upon any Examination to be taken by virtue of this Act shall wilfully and corruptly give false Evidence or otherwise forswear themselves before any Jury, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

Plaintiff not to recover without Notice, or after Tender of Amends.

CIV. Provided always, and be it enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, or left at his, her, or their last or usual Place or Places of Abode, Twenty-one Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action, nor shall the Plaintiff or Plaintiffs recover if Tender of good and sufficient Amends shall have been made to him, her, or them, or his her, or their Attornies, by or on behalf of the Defendant or Defendants,

Defendants, before such Action brought, nor if such Tender of Amends shall be made at any Time after such Action brought, and before the Trial thereof, with Costs of Suit to the Time of such last-mentioned Tender, but on Proof of such Tender on any Trial to be had in such Action the Plaintiff or Plaintiffs shall be nonsuited, and shall pay full Costs, to be recovered in the same Manner as any Defendant or Defendants may recover Costs in any other Case by Law; or in case no Tender shall have been made it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court wherein any such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitations of Actions.

CV. Provided always, and be it enacted, That no Action or Suit shall be brought or prosecuted against the Commissioners for executing this Act, or against any other Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, for any thing done in pursuance of this Act, after Three Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damages then after Three Calendar Months next after the doing or committing such Damage shall have ceased, and not afterwards; and every such Action or Suit shall be laid and brought in the Liberty or County where the Matter in dispute shall arise, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may, at his, her, or their Election, plead specially, or plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if any such Action or Suit shall have been brought after Twenty-one Days Notice shall have been given, or after a sufficient Satisfaction made or tendered as aforesaid, or shall be brought in any other County or Place than as aforesaid, then and in every such Case the Jury or Juries shall find for the Defendant or Defendants.

Saving the Rights of Her Majesty, &c.

CVI. And be it enacted, That nothing contained in this Act shall be deemed or construed to extend, either directly or by Implication or otherwise, to prejudice or affect any Right of Property or Title belonging to Her Majesty, Her Heirs or Successors, in or to the Ground or Soil and Bed of the River *Thames* or the Shores thereof, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Saving the Rights of the Corporation of London.

CVII. Provided always, and be it enacted, That nothing in this Act contained shall prejudice or be deemed or construed to extend to prejudice any Right of Property or Title of the said Mayor and Commonalty and Citizens of the City of *London*, or their Successors, in or to the Soil and Bed of the River *Thames* or the Shores thereof, or prejudice or derogate from any of the Estates, Rights, Privileges, Franchises, Jurisdiction, or Authority of the Mayor and Commonalty and Citizens of the City of *London*, or their Successors, or the Lord Mayor for the Time being of the same City, or prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of passing this Act the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time being, as Conservator of the River *Thames*, or otherwise, did or might lawfully claim, use, or exercise.

For protecting the Rights of the Commissioners of Sewers.

CVIII. Provided always, and be it enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers for the City and Liberties of *Westminster* and Part of the County of *Middlesex*, but all the Rights, Powers, and Authorities vested in such Commissioners shall be as good, valid, and effectual as if this Act had not been made.

Commissioners may give effect to certain Agreements.

CIX. And be it enacted, That it shall be lawful for the Commissioners for executing this Act to give effect to any Agreement made or purporting to have been made on behalf of the Commissioners of Woods, Forests, Land Revenues, Works, and Buildings, by any One of the said Commissioners, in reference to the Matters contemplated by this Act.

Power for Chelsea Waterworks Company to make a Cut through the intended Roadway, &c.

CX. And be it enacted, That after the Expiration of the Lease under which the Governor and Company of *Chelsea* Waterworks now hold certain Frontage and Land at *Thames Bank*, granted by the Marquis of *Westminster*, it shall be lawful for the said Governor and Company of *Chelsea* Waterworks, provided at the Expiration of such Lease the said Governor and Company shall no longer be permitted to use the Entrance of the Cut or Layby to the *Grosvenor* Canal, so as to have Access to their Freehold Property, to make a Cut or Entrance through the said intended Roadway and Embankment on and into their Freehold Land at *Thames Bank* aforesaid, with a Bridge over it, and all necessary Works, the same to be subject to the Approval of the Commissioners for the Time being for executing this Act, and saving the Rights of the Crown and of the Corporation of the City of *London*; and the said Bridge and the Roadway over the said Cut shall be kept in repair by and maintained at the Expence of the Person or Persons liable to the Repair of the Road under the Provisions of this Act.

Application of Monies to be received by the Commissioners under this Act.

CXI. And be it enacted, That all and every Sum and Sums of Money which shall be received by the said Commissioners for executing this Act, in respect of any Contributions as aforesaid, or from any Sales herein-before directed to be made, or as the Premium on the granting any Building Lease, or which may be received on the rescinding any Contract, or which shall be forfeited in respect of the Nonperformance of any Contract, and also the Rents (if any) of all the Hereditaments which may be acquired under or by virtue of this Act, until the same shall be sold, and all other Monies to be received by the said Commissioners under or by virtue of this Act, shall (after Payment of the Costs and Expences of the said Sale or Sales which are hereby directed to be paid thereout) be applied by the said Commissioners, in the first place, in or towards any of the Purposes of this Act, and in the next place in maintaining and keeping in repair the said Bridge, Piers, Stairs, Hards, and Landing Places, and, subject as aforesaid,

said, the said Commissioners shall pay off and satisfy such Mortgage or Charge thereon as aforesaid, and the Interest thereof, and, subject as aforesaid, shall pay all the Residue and Surplus of the Monies which shall come into their Hands by virtue of this Act as aforesaid into the Bank of *England*, to the Account of Her Majesty's Exchequer, and to be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Application of Tolls received under this Act.

CXII. And be it enacted, That all Tolls which shall be received by virtue of this Act, and all Rents for the same, and all Monies to be received by the said Commissioners in respect of all Penalties, Fines, or Forfeitures hereby inflicted or authorized to be imposed, shall be applied by the said Commissioners, in the first place, in Payment of all Expences of the Management and Collection of the said Tolls, and in the next place in the keeping and maintaining the said Embankment Wall, Fences, Iron and Timber Supports connected therewith, Bridge, Piers, and Landing Places, other than private Piers and Landing Places, in good and sufficient Repair, and in the next place in Payment of all Advances, Costs, and other Expences made or paid for by the State out of the Consolidated Fund, or otherwise in and towards the Works and Improvements hereby authorized to be made; such Payments to be made to the Account of Her Majesty's Exchequer, and to be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and, subject as aforesaid, all the Surplus, if any, of the said Monies shall form a Fund for such Metropolitan Improvements as the Legislature shall determine, and shall be applied accordingly.

Commissioners to render Accounts to the Treasury.

CXIII. And be it enacted, That the said Commissioners for executing this Act shall from Time to Time render and give an Account to the Lord High Treasurer, or the Commissioners for executing the Office of the Lord High Treasurer, for the Time being, of the Amount of all Monies which shall be raised or received by the said Commissioners for executing this Act, under or by virtue of the Provisions of this Act, as aforesaid, and of the Application of all such Monies; and the said Lord High Treasurer, or Commissioners for executing the said Office of Lord High Treasurer, or any Three or more of them, shall be and he and they is and are hereby authorized and required to examine or cause to be examined every such Account, and, in case they shall approve thereof, to signify such their Approbation at the Foot of such Account, signed by the said Lord High Treasurer, or by the said Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, and to transmit and return the same, so approved, to the said Commissioners for executing this Act; and every Account so approved and signed as aforesaid shall be a full and sufficient Discharge to the said Commissioners for or on account of all such Sums of Money as shall be mentioned in such Account, and for the Expenditure and Application thereof; and the said Commissioners shall not be compelled or compellable to give or render any further or other Account of any such Money, or of the Expenditure or Application thereof, any Law, Usage, or Custom to the contrary notwithstanding.

Accounts, when approved, to be a sufficient Discharge.

Receipts of Two Commissioners of Woods, &c. Discharges.

CXIV. And be it enacted, That Receipts in Writing, signed by any Two of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for any Monies payable to the said Commissioners hereby incorporated, under or by virtue of this Act, shall be good and sufficient Discharges to the Person or Persons paying the same.

Contributors empowered to create a Charge upon their Property to the Extent of their Contributions.

CXV. 'And whereas certain of the Parties who have agreed or who may agree to contribute as aforesaid are or may be entitled for their Lives only to the Hereditaments in respect whereof such proposed Contributions as aforesaid are to be made by them, and it is reasonable that they should respectively be empowered to create a Charge upon the same respective Hereditaments to the Extent of their respective Contributions;' be it enacted, That when and so soon as the said proposed Agreements shall have been duly executed, and the proposed Contributions shall have been made, the said Parties or any of them may, by any Deed or Deeds, charge by way of Mortgage, either in Fee or for any Term of Years, the whole or an adequate Part of their respective Hereditaments for or in respect whereof such Contributions as aforesaid shall have been made by them respectively, or which may be held therewith, or under the same Settlement, Deed, or Will, with any Sum or Sums of Money not exceeding the Amount or the Value of the Contributions by them respectively made, together with Interest for the same Sum or Sums after the Rate of Four Pounds *per Centum per Annum* from the Time of making such Contributions; and every Sum or Sums of Money so to be charged as aforesaid shall be paid, together with such Interest as aforesaid, by Twenty equal annual Instalments, by the Person or Persons for the Time being beneficially entitled in possession to the Hereditaments charged therewith but so that no such Person shall be liable to pay any greater Part of any such Charge which may have become due before such Person shall have entered into possession than the current annual Instalment.

Commissioners exempted from personal Responsibility in discharge of their Duties under this Act.

CXVI. And be it enacted, That nothing in this Act, or in any Conveyance, Contract, Lease, or other Deed or Instrument hereby authorized to be entered into or made by the said Commissioners, or in any such Agreement for Contribution so to be entered into as herein mentioned, or any of them, shall extend to charge the Person or Persons of all or any of the Commissioners executing any such Conveyance, Contract, Lease, or other Deed or Instrument, or the Heirs, Executors, or Administrators of the same Commissioners or any of them, or any of their own proper Lands, Tenements, Goods, or Chattels, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in the same Conveyance, Contract, Lease, or other Deed or Instrument contained, on the Part of the same Commissioners or any of them, but the Amount of all Costs, Charges, Damages, or Expences which shall or may be recovered in any Suit or Suits at Law or in Equity against them the said Commissioners or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of such last-mentioned Conveyance, Contract, Lease, or other Deed or Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages, and Expences

Expences which the said Commissioners shall bear, pay, expend, or be put to, or which shall be occasioned to them, for or by reason or means of any such Conveyance, Contract, Lease, or other Deed or Instrument, or any Covenant, Condition, or Agreement therein contained, or any Action or Actions, Suit or Suits, to be brought or prosecuted by or against them, or any of them thereupon, shall respectively be paid and discharged by and out of the Monies applicable to the Purposes of this Act.

CXVII. And be it enacted, That this Act shall be deemed to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others. Public Act.

SCHEDULE to which the foregoing Act refers.

N° on Plan of Embankment.	Description.	Owners.	Lessees.	Occupiers.
1[a]	Embankment Wall of Wharf.	- - -	- - -	Vauxhall Bridge Company.
2	Wharf and Ground -	The Crown -	Thomas Cubitt -	Thomas Cubitt.
3	Outlet of the King's Scholars Pond Sewer.	The Commissioners of Sewers for Westminster.	- - -	The Commissioners of Sewers.
4	Wharf - -	The Equitable Gas Company.	- - -	The Equitable Gas Company.
5	Wharfs, Gardens, Land, and Draw-dock.	The Marquis of Westminster.	Thomas Cubitt -	Thomas Cubitt.
6	Tenement and Garden -	The Marquis of Westminster.	Thomas Cubitt -	John Keeble.
6[a]	Breeze yard - -	The Marquis of Westminster.	Thomas Cubitt -	Thomas Cubitt.
6[b]	Public Road - -	- - -	- - -	The Public.
6[c]	Entrance to Belgrave Dock.	The Marquis of Westminster.	Thomas Cubitt -	Thomas Cubitt.
7	Garden - -	The Marquis of Westminster.	Edward Wood, Alexander James Geddes, Thomas Cubitt.	Alexander James Geddes.
8	Draw-dock - -	The Marquis of Westminster.	- - -	The Public.
9	Docks to Messrs Smith's Distillery.	The Marquis of Westminster.	Messrs Smith & Carrington.	Messrs Smith & Carrington.
9[a]	Reservoir to Messrs Smith's Distillery.	The Marquis of Westminster.	Messrs Smith & Carrington.	Messrs Smith & Carrington.
10	Crane and Landing Place.	Sloane Stanley -	Thomas Grace & C°.	Thomas Grace & C°.
11	Draw-dock - -	Sloane Stanley -	- - -	The Public.
12	Garden, Wharf, Dock, and Conduit Pipe.	Chelsea Waterworks Company.	- - -	Chelsea Waterworks Company.
13	Broken Ground and Conduit Pipe.	The Marquis of Westminster.	Thomas Cubitt, Chelsea Waterworks Company.	Chelsea Waterworks Company.
14	Pier Heads, Entrance to the Grosvenor Canal and Garden Ground.	The Marquis of Westminster.	- - -	John Barlow.
15	White Ferry Public House and Garden.	The Marquis of Westminster.	Messrs Elliott & Company.	William Spratt.
15[a]	Ferry - -	The Marquis of Westminster.	Messrs Elliott & Company.	William Spratt.
16	Land -	The Marquis of Westminster.	- - -	William Spratt.
17	Wharf - -	Chelsea Waterworks Company.	- - -	Chelsea Waterworks Company.
18	Garden -	Chelsea Waterworks Company.	James Thorne -	James Thorne.
18[a]	Malthouses - -	Chelsea Waterworks Company.	James Thorne, Samuel Jeffreys.	Samuel Jeffreys.

N° on Plan of Embankment.	Description.	Owners.	Lessees.	Occupiers.
19	Ranelagh Wharf, Sheds, and Draw-dock.	Chelsea Waterworks Company.	Joseph Morris, Arthur Burton.	Arthur Burton.
20	Grosvenor Ferry -	Chelsea Waterworks Company and the Watermen's Company.	- - -	The Watermen's Company and the Public.
21	Land - - -	The Commissioners of Chelsea Hospital.	- - -	The Commissioners of Chelsea Hospital.
22	Outlet and Bank to Ranelagh Sewer.	The Commissioners of Sewers for Westminster.	- - -	The Commissioners of Sewers.
23	Terraces to Chelsea Hospital and Summer Houses, Stairs and Causeway.	The Crown -	- - -	The Commissioners of Chelsea Hospital.
24	Creek and Outlet of Smith Street Sewer.	- - -	- - -	The Commissioners of Chelsea Hospital and the Commissioners of Sewers.
25	Garden and Summer Houses.	The Crown -	Sir Willoughby Gordon.	Sir Willoughby Gordon.
26	Druce's N° 2. Wharf -	Lord Calthorpe -	William Druce -	William Druce.
27	Shed and open Ground	Christiana Hart -	Thomas Battcock & Son, William Druce.	William Druce.
27[a]	Public Way, Paradise Walk.	- - -	- - -	The Public.
28	Bull Wharf - -	Christiana Hart -	Thomas Battcock & Son, William Rubergall.	William Rubergall.
29	Swan Wharf - -	Isabella Bernard How.	William Druce -	William Druce.
30	Swan Brewery -	Isabella Bernard How.	Messrs Lyall -	Messrs Lyall.
31	Shed - -	The Apothecaries Company.	Messrs Lyall -	Messrs Lyall.
32	A Boathouse - -	The Apothecaries Company.	The Goldsmiths Company.	The Goldsmiths Company.
32[a]	A Boathouse - -	The Apothecaries Company.	The Skinners Company.	The Skinners Company.
33	Garden and private Landing Place.	The Apothecaries Company.	- - -	The Apothecaries Company.
34	Old Swan Wharf -	The Earl Cadogan	—— Davidge, Esquire, Executor of —— Custance, Messrs Kruse & Bull.	Messrs Kruse & Bull.
35	Malthouse - -	The Earl Cadogan	—— Davidge, John Lyall.	John Lyall.
36	Tenement, Garden, and Causeway to Old Swan Public House.	The Earl Cadogan	Messrs Elliott & Company.	Messrs Elliott & Company.
37	Chelsea Wharf and Malthouse.	The Earl Cadogan	William Leslie, Edward Lambert, Thomas Battcock & Son.	Thomas Battcock & Son.
38	Public Draw-dock, East End of Cheyne Walk.	- - -	- - -	The Public.

N° on Plan of Embankment.	Description.	Owners.	Lessees.	Occupiers.
38[a]	Public Way, Cheyne Walk.	- - -	- - -	The Public.
38[b]	Public Causeway and Stairs.	- - -	- - -	The Public.
39	The Cadogan Pier.	—	—	—
39[a]	Stairs and Landing Place.	- - -	- - -	Charles Greaves.
40	Stairs and Causeway -	- - -	- - -	The Public.
40[a]	Causeway - -	- - -	- - -	The Public.
41	Tenement, Stables, and Wharf.	James Casterton, Esquire.	Henry Alldin -	Henry Alldin.
42	Tenement, N° 19, Lombard Street.	James Casterton, Esquire.	- - -	Thomas Cook.
43	Tenement, N° 18, Lombard Street.	James Casterton, Esquire.	- - -	Napthali Marsh.
44	Tenement, N° 17, Lombard Street.	Ann Johnson -	- - -	Ann Johnson.
45	Tenement, N° 17½, Lombard Street.	William Cole, C. W. Wal.	- - -	Joseph Johnson.
46	Tenement, N° 16, Lombard Street, the Watermen's Arms Beer-house.	Richard Newman -	Thomas Lowe -	Thomas Knight.
47	Tenement, N° 15, Lombard Street, and Passage.	Sloane Stanley -	Nathaniel Handford, Charlotte Bulford.	Charlotte Bulford.
48	Tenement, N° 14, Lombard Street.	Sloane Stanley -	Nathaniel Handford	Richard Lawrence.
49	Tenements and Wharf -	Sloane Stanley -	Nathaniel Handford, Messrs Chaplin & Company, Iron Steam Boat Company.	Messrs Chaplin & Company.
50	Wharf - - -	Sloane Stanley -	Messrs Gladdish -	Messrs Gladdish.
51	Old Ferry Wharf, House, and Counting-house, Causeway.	Sloane Stanley -	John King, Esquire, John Perry, John Davis.	John Davis.
52	Tenement, N° 1, Duke Street.	Sloane Stanley -	John King, John Perry, James Morgan.	James Morgan.
53	Tenement, N° 2, Duke Street.	Sloane Stanley -	John King, James Hadderley.	James Hadderley.
54	Tenement, N° 3, Duke Street.	James Hawkes -	- - -	William Wood.
55	Tenement, N° 4, Duke Street.	James Hawkes -	- - -	John Hawkes.
56	Tenement, N° 5, Duke Street.	—— Douthwaite -	- - -	Susannah Jane Stiles.
57	Tenement, N° 12, Duke Street.	—— Earp -	Messrs Calvert & Company.	Robert Jackson.
58	Tenement, N° 13, Duke Street.	John Perry -	- - -	George Derossiere.
59	Tenement, N° 14, Duke Street.	William Boxall -	John Adam Treuter.	John Adam Treuter.
60	Tenement, N° 19, Duke Street.	Henry White -	William Belcher -	William Belcher.
61	Tenement, N° 20, Duke Street.	Thomas Purcell -	Edward Loving -	Edward Loving.

N° on Plan of Embankment.	Description.	Owners.	Lessees.	Occupiers.
62	Tenement, N° 21, Duke Street.	Messrs. Gardiner -	William Kelly -	William Kelly.
63	Tenement, N° 22, Duke Street.	Stephen Cox -	- - -	Thomas Groom.
64	Tenement, N° 23, Duke Street.	The Earl Cadogan	—— Baalham -	Empty.
65	Vacant Ground or Garden.	The Earl Cadogan.	—	—
66	Tenement, N° 1, Beaufort Place.	The Earl Cadogan	The Trustees of Thomas Long deceased, Philip Coombs.	Philip Coombs.
67	Tenement, N° 2, Beaufort Place.	The Earl Cadogan	The Trustees of Thomas Long deceased, William Dicker.	William Dicker.
68	Tenement, N° 2, Duke Street.	The Earl Cadogan	The Trustees of Thomas Long deceased, Samuel Broadbent.	John Alfred Mills.
69	Tenement, N° 7, Duke Street.	The Earl Cadogan	The Trustees of Thomas Long deceased.	William Carpenter.
70	Tenement, N° 6, Duke Street.	The Earl Cadogan	The Trustees of Thomas Long deceased, William Scales.	William Scales.
71	Tenement, N° 5, Duke Street.	The Earl Cadogan	Elizabeth Harrison, Richard Baker Leslie, William Leslie.	James Fowler.
72	Tenement, N° 4, Duke Street.	The Earl Cadogan	William Simpkins -	James Lancaster.
73	Tenement, N° 3, Duke Street.	The Earl Cadogan	William Simpkins, William John Carless.	William John Carless.
74	Tenement, N° 2, Duke Street.	Sloane Stanley -	John King, Elizabeth Budd, John Michael Weidner.	John Michael Weidner.
75	Tenement, N° 1, Duke Street.	Sloane Stanley -	John King, John Perry.	George Southam.
76	Tenement in White Hart Alley.	Sloane Stanley -	John King, John Perry.	John Perry.
77	Stable in White Hart Alley.	Sloane Stanley -	John King, John Perry.	John Michael Weidner.
78	Tenement and Yard in White Hart Alley.	Sloane Stanley -	John King, John Perry.	John Perry.
79	Three Cottages, North End of White Hart Alley.	Sloane Stanley -	John King, John Perry.	John Perry.
80	Tenement, N° 2, Duke Street, the White Hart Public House.	Sloane Stanley -	John King, Richard Wyatt.	Richard Wyatt.
81	Tenement, N° 1, Duke Street, South-west Corner of Danvers Street.	Sloane Stanley -	James Sheriff, Esquire, Nicholas Morrison.	Nicholas Morrison.

N° on Plan of Embankment.	Description.	Owners.	Lessees.	Occupiers.
82	Tenement, N° 12, Lombard Street, South-east Corner of Danvers Street.	Sloane Stanley -	Elizabeth Freeman	Elizabeth Freeman.
83	Tenement, N° 11, Lombard Street.	Sloane Stanley -	John Carter -	John Carter.
84	Tenement, N° 10, Lombard Street.	Sloane Stanley -	John Long, Esquire, Henry Flack, Charles Vandenburgh.	Henry Flack, Charles Vandenburgh.
85	Tenement, N° 9, Lombard Street.	Sloane Stanley -	Samuel Livermore	William Haines.
86	Tenement, N° 8, Lombard Street.	Sloane Stanley -	Joseph Keats, Executor of —— Letchmere.	Robert Brown.
87	Tenement, N° 7, Lombard Street.	—— Mears -	- - -	Thomas Mitchell.
88	Tenement, N° 6, Lombard Street.	JamesMinns,James Eades, George Edwards.	- - -	Elizabeth Roof.
89	Tenement, N° 5, Lombard Street.	JamesMinns,James Eades, George Edwards.	- - -	Sarah White.
90	Tenement, N° 4, Lombard Street.	James Casterton -	William Hall -	Joseph Gardiner.
91	Tenement, N° 3, Lombard Street, the Rising Sun Public House.	James Casterton -	William Hall -	William Hall.
92	Eight Tenements, with vacant Ground, in Lombard Buildings.	James Casterton -	William Hall -	William Hall.
93	Tenement, N° 4, Lombard Street.	James Casterton -	Thomas Cuthbertson.	Thomas Cuthbertson.
94	Land - - -	Thomas Cubitt -	Charles Wright -	Charles Wright.
95	Public Way - -	- - -	- - -	The Public.

N° on Plan of Street.	Description.	Owners.	Lessees.	Occupiers.
1	Vacant Ground - -	Marquis of Westminster.	- - -	Marquis of Westminster.
2	Vacant Ground -	The Earl Cadogan	——— Holland -	——— Holland.
3	Tenement, N° 1, Sloane Square, with Premises behind.	The Earl Cadogan	Dorothy Fudge, Herbert Sawyer, Philip Burgess.	Herbert Sawyer, Philip Burgess.
4	Cottage and Garden -	The Earl Cadogan	Dorothy Fudge, James Fudge.	Sarah Cruse.
5	Cottage and Garden -	The Earl Cadogan	Dorothy Fudge, James Fudge.	William Ampleford.
6	Tenement, N° 2, Sloane Square, with Premises in rear.	The Earl Cadogan	Emma Johnson, Orbell James Hustler.	Orbell James Hustler.
7	Tenement, N° 3, Sloane Square, with Premises in rear.	The Earl Cadogan	William Painter, Charles Shepherd.	Charles Shepherd.

N° on Plan of Street.	Description.	Owners.	Lessees.	Occupiers.
8	Tenement, N° 4, Sloane Square, with Premises behind.	The Earl Cadogan	George Zobell, Joshua Nettleton.	Joshua Nettleton.
9	Tenement, N° 34, Lower Sloane Street.	The Earl Cadogan	Caroline Holland, Ann Taylor, William Peter Warr.	William Peter Warr.
10	Tenement, N° 35, Lower Sloane Street.	The Earl Cadogan	Caroline Holland, AnnTaylor, Henry George Bartlett.	Henry George Bartlett.
11	Ride, Stables, and Premises.	The Earl Cadogan	Thomas Crump, John Chancellor.	John Chancellor.
12	Coach-houses and Stables.	The Earl Cadogan	Thomas Crump, John Chancellor.	John Chancellor.
13	Vacant Ground -	The Earl Cadogan	- - -	The Earl Cadogan.
14	Tenement, N° 18, White Lion Street.	The Earl Cadogan	John Marshall -	John Bains.
15	Tenement, N°s 16 and 17, White Lion Street.	The Earl Cadogan	John Marshall -	John Needham.
16	Tenement, N° 15, White Lion Street.	The Earl Cadogan	John Marshall -	Andrew Kilpatrick.
17	Tenement, N° 14, White Lion Street.	The Earl Cadogan	John Marshall -	Hannah Barnes.
18	Sheds - -	The Earl Cadogan	James Gray, Arabella Atkinson.	Richard Freeman.
19	Tenement, N° 9, Royal Hospital Row.	The Earl Cadogan	James Gray, Arabella Atkinson, Robert Edward Batley.	Robert Edward Batley.
20	Tenement, N° 8, Royal Hospital Row.	The Earl Cadogan	James Gray, Arabella Atkinson.	Harriett Gingell.
21	Burial Ground - -	The Crown -	The Commissioners of Chelsea Hospital.	The Commissioners of Chelsea Hospital.
22	Playground and Garden	Catherine Riley -	- - -	James Law.
23	Garden - -	George Brett -	- - -	Thomas Winks.
24	House and Grounds -	George Brett -	- - -	George Brett.
25	The Ranelagh Sewer -	The Commissioners of Sewers for Westminster.	- - -	The Commissioners of Sewers for Westminster.
26	Land - - -	The Commissioners of Chelsea Hospital.	- - -	The Commissioners of Chelsea Hospital.
27	Land - - -	The Commissioners of Chelsea Hospital.	- - -	The Commissioners of Chelsea Hospital.
28	Land - - -	The Marquis of Westminster.	- - -	The Marquis of Westminster.
29	House and Garden -	Chelsea Waterworks Company.	Messrs Thorne & Company.	Empty.
30	Garden - -	The Marquis of Westminster.	- - -	William Spratt.
31	The Ferry House, Grounds, and Sheds.	The Marquis of Westminster.	Messrs Elliott & Company.	William Spratt.

CAP. XL.

An Act to declare certain Ropeworks not within the Operation of the Factory Acts.

[3d *August* 1846.]

'WHEREAS in the Fourth Year of the Reign of His late Majesty King *William* the Fourth an Act was passed, intituled *An Act to regulate the Labour of Children and young Persons in the Mills and Factories of the United Kingdom*, and the said Act was amended by another Act passed in the Seventh Year of the Reign of Her present Majesty, intituled *An Act to amend the Laws relating to Labour in Factories*; and the said Acts have been construed to apply to Ropeworks; and it is expedient to relieve Ropemakers from the Effect of such Construction, and of the said Acts:' Be it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Ropery, Ropewalk, or Ropework in which Machinery, moved by Steam, Water, or other mechanical Power, is not used for drawing or spinning the Fibres of Flax, Hemp, Jute, or Tow, but only for laying or twisting or other Process of preparing or finishing the Lines, Twines, Cords, or Ropes, and which has no internal Communication with any Buildings or Premises forming or forming Part of a Mill or Factory within the Meaning of the said Acts, except such as is necessary for the Transmission of Power, shall be deemed to be a Mill or Factory within the Provisions of the said Acts or of either of them, and that nothing in the said Acts, or in either of them, shall be deemed to apply to the Employment of Children, young Persons, or Women in any such Ropery, Ropewalk, or Ropework.

3 & 4 W. 4. c. 103.

7 & 8 Vict. c. 15.

Certain Ropeworks not to be deemed Mills or Factories within the Provisions of recited Acts.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

CAP. XLI.

An Act for granting to Her Majesty, until the Fifth Day of *September* One thousand eight hundred and forty-six, certain Duties on Sugar imported into the United Kingdom.

[3d *August* 1846.]

" Duties imposed on Sugar and Molasses by 8 & 9 *Vict.* c. 5. continued till 5th *September* 1846, " § 1. Clauses, Powers, &c., of recited Act to extend to this Act, § 2. Act may be amended, " &c., § 3."

CAP. XLII.*

An Act to authorize a Loan from the Consolidated Fund to the *New Zealand* Company.

[3d *August* 1846.]

'WHEREAS Her Majesty, by Her Royal Letters Patent, bearing Date at *Buckingham Palace* the Twelfth Day of *February* in the Year One thousand eight hundred and forty-one, did grant and ordain that certain Persons therein named and described should be and constitute a Body Corporate, with perpetual Succession and a Common Seal, by the Name of the "*New Zealand* Company," for the Purpose of purchasing and acquiring, settling, improving, cultivating, letting, selling, granting, alienating, mortgaging, charging, or otherwise dealing with and making a Profit of Lands, Tenements, and Hereditaments within Her Majesty's Colony of *New Zealand* and its Dependencies, and of laying out Settlements and Towns, and of working therein all Mines, Pits, and Quarries, and all Minerals and Metals; and for the further Purpose of conveying or contracting for the Conveyance of Emigrants to the said Colony and its Dependencies, and of furnishing to Emigrants all Things requisite for their immediate Settlement in the said Colony: And whereas by the said Letters Patent, and also by additional Letters Patent bearing Date at *Buckingham Palace* the Fourth Day of *August* in the Year One thousand eight hundred and forty-three, the Court of Directors of the said Company was empowered from Time to Time, with the Consent of a Court of Proprietors specially convened for that Purpose, to borrow and take up, at any lawful Rate of Interest, any Sum or Sums of Money not exceeding in the whole Five hundred thousand Pounds, upon the Security and Credit of any Portion of the subscribed Capital of the said Company for the Time being not at that Time called up, and of the Profits of the Undertaking, and of the Lands, Tenements, Hereditaments, and other Property for the Time being of the said Company, or any or either of such Securities, or any Part thereof: And whereas many of Her Majesty's Subjects have already emigrated to *New Zealand* at the Instance of the said Company, and have expended much of their own Capital in forming Settlements, in full reliance on the Continuance of the Company's Operations: And whereas the Court of Directors of the said Company, in pursuance of the Powers granted to them in and by the said Letters Patent, have borrowed the Sum of Seventy-five thousand Pounds on the Security and Credit of that Portion of the subscribed Capital of the said

* See post, C. 82.

' Company

'Company which was not at that Time called up, amounting in the whole to One hundred thousand 'Pounds, and for securing Repayment of the said Loan, with lawful Interest thereon, have granted, 'executed, and issued Debentures under the Seal of the said Company, amounting in the whole to the 'said Sum of Seventy-five thousand Pounds, and bearing Interest after the Rate of Four Pounds Two 'Shillings in the Hundred by the Year: And whereas it is expedient, in order to prevent the Discon-'tinuance of the Operations of the said Company, and for promoting the Well-being of the said Settlers, 'and the future Prosperity of the said Colony, that further Aid should be afforded to the said Company 'for the Fulfilment of its pecuniary Engagements:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Lord High Treasurer, or any Three or more Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, from Time to Time to advance and lend to the *New Zealand* Company, out of the growing Produce of the Consolidated Fund of the said United Kingdom, free of all Fees and Deductions, any Sum or Sums of Money not exceeding in the whole the Sum of One hundred thousand Pounds, to be applied by the said Company, in the following Proportions, in making good the Expences already incurred or hereafter to be incurred for the following Purposes; (that is to say,) any Sum not exceeding Eight thousand Pounds toward discharging outstanding Claims on the said Company in *New Zealand* and in the said United Kingdom; a further Sum not exceeding Twenty-five thousand Pounds toward placing and carrying on the Establishments of the Company in a State of Efficiency, and toward Contingencies; and a further Sum not exceeding Sixty-seven thousand Pounds toward the Purchase of Land in *New Zealand*, and for satisfying the Claims of the native Inhabitants thereto, also toward Payment of the Surveyors and others employed in surveying Land in *New Zealand*, and all other Expences of such Survey, and toward defraying the Expences of establishing Settlements of Colonists at *Otago* and *Wairarapo*: Provided always, that no Part of the said Sums shall be applied to the Payment of any Principal Sum of Money for which any Debenture has been or shall be issued under the Seal of the said Company.

Treasury may advance out of the Consolidated Fund the Sum of 100,000*l.* to the New Zealand Company, for certain Purposes herein mentioned.

II. And be it enacted, That the said Advances and Loans, not exceeding in the whole One hundred thousand Pounds, shall be granted and made at such Times and in such Proportions, and subject to such Conditions and Undertakings for insuring the due Application and Apportionment thereof to the several Purposes before mentioned, as the said Lord High Treasurer or Commissioners of the Treasury shall think fit; and the Repayment within Seven Years after the passing of this Act of all Sums of Money so to be lent under the Provisions thereof, with Interest on the same after the Rate of Three Pounds in the Hundred Pounds by the Year, to be computed in each Case from the Time when each separate Sum shall be so lent, shall be secured upon the Security and Credit of the Profits of the Undertaking, and upon the Security and Credit of the Lands, Tenements, and Hereditaments in *New Zealand* now belonging to or hereafter to be acquired by the said Company, by a Deed or Deeds of Assignment and Mortgage of the same under their Common Seal, to such Persons, in such Manner, and under such Conditions and Regulations as the said Lord High Treasurer or Commissioners of Her Majesty's Treasury shall order.

Repayment of Loans, with Interest, to be made within Seven Years, and secured by Mortgage of Lands, &c. belonging to the Company.

III. And be it enacted, That, notwithstanding such Deed or Deeds of Assignment and Mortgage as aforesaid, or any thing in this Act contained, it shall be lawful for the said Company, with the Consent in Writing of any Person authorized in that Behalf by Writing under the Hand or Hands of the Lord High Treasurer, or any Three or more Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, for the Time being, enrolled in Her Majesty's High Court of Chancery in *England*, and whose Authority shall not have been revoked by a similar Writing so enrolled, (full Power being hereby given to the said Lord High Treasurer, and also to any Three or more of the said Commissioners, for the Time being, at any Time and from Time to Time to authorize any Person or Persons in that Behalf, and to revoke any such Authorization at pleasure,) to hold, enjoy, sell, dispose of, receive, take, and deal with the Lands, Tenements, and Hereditaments now belonging to or hereafter to be acquired by the said Company, and the Issues and Profits thereof, in like Manner in all respects, both at Law and in Equity, as if such Deed or Deeds of Assignment and Mortgage had not been made, and this Act had not been passed, until Default shall be made in Payment by the said Company, in such Manner as may be expressed in any such Deed of Assignment or Mortgage, in or towards Satisfaction of the Monies thereby secured, until the whole be discharged, of One Half of the Purchase Money from Time to Time paid to the said Company for or in respect of any of the Lands, Tenements, and Hereditaments of the said Company that shall be sold by the said Company subsequently to the Execution of such Deed of Assignment and Mortgage, after deducting from the Money so paid to the said Company all Money that on any such Sale may have been agreed to be expended by the said Company for Emigration or public or general Purposes, and also of One Half of the net Rents, if any, that may have been reserved to the said Company on any such Sale in respect of the Lands, Tenements, and Hereditaments so sold as aforesaid, and of the Rents reserved or fixed on any other Lands, Tenements, and Hereditaments of the said Company that may be demised or may be agreed to be demised by the said Company subsequently to the Execution of such Deed of Assignment and Mortgage, and which respectively shall have been received by the said Company, or until Default shall be made in the Repayment by the said Company of the Principal Money secured by any such Deed of Assignment and Mortgage, at or before the Expiration of Seven Years from the passing of this Act, with Interest thereon after the Rate aforesaid; and that no Purchaser

Power to Company, with Consent of Treasury, to dispose of Lands, &c. acquired by them, notwithstanding the Existence of the Mortgage, until Company make Default in Payment of Principal and Interest.

Purchaser from or Lessee or Tenant of a Person in any Manner dealing with the said Company for or in respect to or on account of the Lands, Tenements, and Hereditaments now belonging to or hereafter to be acquired by the said Company or any of them, or the Rents, Issues, and Profits thereof, or any of them, with such Consent as aforesaid, prior to the Expiration of the said Seven Years, shall be affected by any such Default as aforesaid, notwithstanding the same may have been actually made, and he or she may have Notice thereof.

Money paid by the Company under Mortgage shall be carried to the Consolidated Fund, and go in discharge of Money borrowed.

IV. And be it enacted, That all Money to be secured by any such Deed or Deeds of Assignment and Mortgage as aforesaid that shall be paid by the said Company, their Successors or Assigns, shall be carried to the Credit of the Consolidated Fund, and shall go in discharge of the Principal Money so secured, and the Interest thereof; nevertheless every Receipt that shall be given by the Persons to whom any such Assignment and Mortgage shall be made as aforesaid, or the Survivors or Survivor of them, his Executors or Administrators, or their or his Assigns, or any Person for the Time being authorized to consent to Dispositions and Dealings by the said Company as aforesaid, or their or his Agent or Agents, for any Money to be secured by any such Assignment and Mortgage, shall exonerate the said Company, their Successors and Assigns, from all Liability with respect to the Application thereof.

Act may be amended, &c.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. XLIII.

An Act to suspend until the First Day of *October* One thousand eight hundred and forty-seven the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom. [7th *August* 1846.]

[*This Act is the same, except as to Dates, as* 8 & 9 *Vict. c.* 58.]

CAP. XLIV.

An Act to remove Doubts as to the Election of Members to serve in Parliament for the County of *Chester*, the Boroughs situate therein, and for the County of the City of *Chester*. [7th *August* 1846.]

11 G. 4. & 1 W. 4. c. 70.

'WHEREAS by an Act passed in the First Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the more effectual Administration of Justice in* England *and* Wales, 'it was amongst other things enacted, that all the Power, Authority, and Jurisdiction of the Chamberlain 'and Vice Chamberlain of the County Palatine of *Chester*, both at Law and in Equity, should cease and 'determine: And whereas since the passing of the said Act Doubts have arisen whether Writs for the 'Election of Members to serve in Parliament for the County of *Chester*, and for the Boroughs situate 'therein, and for the County of the City of *Chester*, ought to be directed to the said Chamberlain, or to 'the Sheriffs of the said County and County of the said City respectively:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act all Writs for the Election of Members to serve in Parliament shall be directed to the Sheriff of the County of *Chester* in all Cases where the Election is to be for Members or a Member to serve in Parliament for either of the Divisions of that County, or for the Boroughs situate therein, or any of them, and to the Sheriff of the County of the City of *Chester* where the Election is to be for Members or a Member to serve in Parliament for the County of the said City.

Writs for the County of Chester, or Boroughs therein, to be directed to the Sheriff of the County; and for the City, to the Sheriff of the County of the City.

All Elections since passing of recited Act deemed valid.

II. And be it enacted, That all Elections heretofore held since the passing of the said Act shall be deemed to be valid, notwithstanding that the Writs for such Elections shall have been directed to the Chamberlain of the County Palatine of *Chester*; and that all Writs for the Election of Members or a Member to serve in Parliament for the County of the City of *Chester* shall be executed by the Sheriff of the County of the said City, notwithstanding that the same shall have been directed to the Chamberlain of the County Palatine of the County of *Chester*.

CAP. XLV.

An Act to continue until the First Day of *September* One thousand eight hundred and forty-seven certain of the Provisions of an Act of the Fifth and Sixth Years of Her present Majesty, for amending the Constitution of the Government of *Newfoundland*. [7th *August* 1846.]

" Changes made in the Constitution of *Newfoundland* by 5 & 6 *Vict.* c. 120. to continue in force until " 1st *September* 1847, § 1. Act may be amended, &c., § 2.'

CAP. XLVI.

An Act to continue until the Thirty-first Day of *December* One thousand eight hundred and fifty-one an Act of the Fourth and Fifth Years of Her present Majesty, for authorizing and facilitating the Completion of a Survey of *Great Britain*, *Berwick-upon-Tweed*, and the *Isle of Man*. [7th *August* 1846.]

" 4 & 5 *Vict.* c. 30. continued until 31st *December* 1851."

CAP. XLVII.

An Act to apply the Sum of Four Millions out of the Consolidated Fund, and the Surplus of Ways and Means, to the Service of the Year One thousand eight hundred and forty-six. [13th *August* 1846.]

CAP. XLVIII.

An Act for legalizing Art Unions. [13th *August* 1846.]

'WHEREAS certain voluntary Associations have been and may hereafter be formed in various Parts of the United Kingdom, under the Name of Art Unions, for the Purchase of Paintings, Drawings, or other Works of Art, to be afterwards allotted and distributed, by Chance or otherwise, among the several Members, Subscribers, or Contributors forming Part of such Associations, or for raising Sums of Money by Subscription or Contribution, to be allotted and distributed, by Chance or otherwise, as Prizes, amongst the Members, Subscribers, or Contributors forming Part of such Associations, on the Condition nevertheless that such Sums of Money so allotted and distributed be expended solely and entirely in the Purchase of Paintings, Drawings, or other Works of Art: And whereas such Allotment and Distribution of Paintings, Drawings, or other Works of Art, or of Sums of Money for their Purchase, and the Proceedings taken to carry the same into effect, may be deemed and taken to come within the Provisions of the several Acts of Parliament passed for the Prevention of Lotteries, Littlegoes, and unlawful Games, whereby the Members, Subscribers, or Contributors of such Associations as aforesaid, or Persons acting under their Authority or on their Behalf, may be liable or subjected to certain Pains and Penalties imposed by Law on Persons concerned in Lotteries, Littlegoes, and unlawful Games: And whereas it is expedient that all Members of and Subscribers and Contributors to such voluntary Associations as aforesaid, and all Persons acting under their Authority or on their Behalf, so long only as their Proceedings are carried on in good Faith for the Encouragement of the Fine Arts, shall be discharged and protected from any Pains and Penalties to which they may have rendered themselves liable, or may hereafter render themselves liable, by reason of any such their Proceedings as aforesaid:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all such voluntary Associations as aforesaid, now constituted, or which may hereafter be constituted according to the Provisions herein-after contained, shall be deemed to be lawful Associations; and the Members of and Subscribers and Contributors to all such lawful Associations, and all Persons acting under their Authority or on their Behalf for the Purposes aforesaid, shall be freed and discharged from all Pains and Penalties, Suits, Prosecutions, and Liabilities, to which by Law they would be liable but for the passing of this Act, as being concerned in illegal Lotteries, Littlegoes, or unlawful Games, by reason of any thing done or which may be done by them or any of them in furtherance of the Allotment or Distribution, by Scheme or otherwise, of Paintings, Drawings, or other Works of Art, or of the Allotment or Distribution of Sums of Money as Prizes to be expended for their Purchase: Provided always, that a Royal Charter or Charters shall have been first obtained for the Incorporation of any such Association, or provided that the Deed of Partnership, or other Instrument or Instruments constituting such Association, and the Rules and Regulations relating to the Proceedings of such Association for such Purposes as aforesaid, shall have first been submitted to the Consideration and be approved of by a Committee of Her Majesty's Most Honourable Privy Council, and a Copy thereof deposited with such Committee; and that it shall be expressed in every such Charter, Deed, or Instrument, that it shall be lawful for any Committee of Her Majesty's Privy Council to whom the Consideration of Art Unions shall be referred by Her Majesty, whenever it shall appear to them that any such Association is perverted from the Purposes of this Act, to certify the Fact to Her Majesty, and thereupon it shall be lawful for Her Majesty to revoke or annul the Charter, Deed, or Instrument under which the Association so offending shall have been constituted; and nothing in this Act contained shall be deemed to apply to any Association whose Charter, Deed of Partnership, or other Instrument constituting the same shall have been so revoked or annulled.

Voluntary Associations constituted for the Distribution of Works of Art by Lot deemed legal, provided a Royal Charter shall have been first obtained, &c.

II. 'And whereas an Act was passed in the Seventh and Eighth Years of Her present Majesty's Reign, intituled *An Act to indemnify Persons connected with Art Unions, and others, against certain Penalties*, which Act was continued by another Act passed in the Eighth and Ninth Years of Her present Majesty's Reign, which Acts only apply to Acts done before the First Day of *August* last passed: And whereas it

Indemnity granted by 8 & 9 Vict. c. 57. till 1st Aug. 1846 further

'it is expedient that the said Indemnity granted as aforesaid should be further continued;' be it therefore enacted, That the Indemnity granted as aforesaid shall be extended to the First Day of *November* in the present Year, to the same Effect as if the said last-recited Act had in place of the Words "the First Day of *August* One thousand eight hundred and forty-six" contained the Words "the First Day of *November* One thousand eight hundred and forty-six." extended to 1st Nov. 1846.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

CAP. XLIX.

An Act to continue until the First Day of *October* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament, an Act for authorizing the Application of Highway Rates to Turnpike Roads. [18th *August* 1846.]

"4 & 5 *Vict.* c. 59. continued as in Title, § 1."

CAP. L.

An Act to continue until the First Day of *October* One thousand eight hundred and forty-seven, and to the End of the then Session of Parliament, the Exemption of Inhabitants of Parishes, Townships, and Villages from Liability to be rated as such, in respect of Stock in Trade or other Property, to the Relief of the Poor. [18th *August* 1846.]

"3 & 4 *Vict.* c. 89. continued as in Title, § 1."

CAP. LI.

An Act to continue certain Turnpike Acts until the First Day of *October* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament. [18th *August* 1846.]

"Acts relating to Turnpike Roads which will expire on or before the End of the next Session, continued "as in Title, § 1."

CAP. LII.

An Act to continue to the First Day of *October* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament, the Act to amend the Laws relating to Loan Societies. [18th *August* 1846.]

"3 & 4 *Vict.* c. 110. continued as in Title, § 1."

CAP. LIII.

An Act to continue the Copyhold Commission until the Thirty-first Day of *July* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament. [18th *August* 1846.]

"4 & 5 *Vict.* c. 35., 6 & 7 *Vict.* c. 23., and 7 & 8 *Vict.* c. 55. recited. Copyhold Commission continued "as in Title, § 1."

CAP. LIV.

An Act to extend to all Barristers practising in the Superior Courts at *Westminster* the Privileges of Serjeants at Law in the Court of Common Pleas. [18th *August* 1846.]

'WHEREAS it would tend to the more equal Distribution and to the consequent Despatch of Business in the Superior Courts of Common Law at *Westminster*, and would at the same Time be greatly 'for the Benefit of the Public, if the Right of Barristers at Law to practise, plead, and to be heard 'extended equally to all the said Courts; but by reason of the exclusive Privilege of Serjeants at Law 'to practise, plead, and have Audience in the Court of Common Pleas at *Westminster* during Term 'Time, such Object cannot be effected without the Authority of Parliament:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act all Barristers at Law, according to their respective Rank and Seniority, shall and may have and exercise equal Rights and Privilege of practising, pleading, and Audience in the said Court of Common Pleas at *Westminster* with the said Serjeants at Law; and it shall be lawful for the Justices of the said Court, or any Three of them, of whom the Lord Chief Justice of the said Court shall be one, to make Rules and Orders, and to do all other things necessary for giving Effect to this Enactment. Barristers at Law to have and exercise equal Rights and Privileges in the Court of Common Pleas as Serjeants at Law.

CAP. LV.

An Act to defray until the First Day of *August* One thousand eight hundred and forty-seven the Charge of the Pay, Clothing, and contingent and other Expences of the Disembodied Militia in *Great Britain* and *Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers. [18th *August* 1846.]

[*This Act is the same, except as to Dates and the Sections here inserted, as* 8 & 9 *Vict. c.* 82.]

Secretary at War may place certain Officers unfit for Duty upon a retired Allowance, upon making the following Declaration. Form of Declaration.

X. And be it enacted, That it shall be lawful for the Secretary at War to place any such Lieutenant, Ensign, and Surgeon's Mate of the Militia of *Great Britain*, or Subaltern Officer and Assistant Surgeon of the Militia of *Ireland*, when unfit for further Duty, upon a retired Allowance equal to and instead of the Allowance granted on the disembodying of the Militia at the Termination of the War; and all such Subaltern, Surgeon's Mates, and Assistant Surgeons, to entitle them to the Receipt of such retired Allowance, shall make and subscribe the following Declaration; (*videlicet*,)

'I do solemnly and sincerely declare, That I formerly served as a in the Militia; that I am not in Holy Orders; and that from the Day of to the Day of I did not hold or enjoy any Place or Employment of Profit, Civil or Military, under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, besides my Allowance of *per Diem* as a of the said Militia, except my Half Pay or Civil Pension as a .'

Allowances granted to Adjutants who have been appointed since 24th Dec. 1814, &c. on Completion of certain Periods of Service.

XXVI. And be it enacted, That the following Allowances shall be granted and paid, under the Restrictions and Limitations herein-after expressed, to Adjutants of the Militia of *Great Britain* and *Ireland* who have been appointed since the Twenty-fourth Day of *December* One thousand eight hundred and fourteen, and who shall hereafter be appointed, on the Completion of the following Periods of Service in Her Majesty's Regular Forces and in the Militia, if unfit for the Performance of the Duties of their Commissions; that is to say,

To every Adjutant who shall have completed in the Service a Period of, *viz.*

Fifteen Years, of which Five Years as an Adjutant of Militia, an Allowance of	3*s. per Diem.*
Twenty Years, of which Seven Years ditto	4*s.* —
Twenty-five Years, of which Ten Years ditto	5*s.* —
Thirty Years, of which Fifteen Years ditto	6*s.* —

No Adjutant whose Commission bears Date between 24th Dec. 1814 and 9th July 1823 excluded. Right to Half Pay and Pension reserved.

Provided also, that no such Adjutant whose Commission bears date between the Twenty-fourth Day of *December* One thousand eight hundred and fourteen and the Ninth Day of *July* One thousand eight hundred and twenty-three shall be excluded from the Operation of the Authority vested in the Secretary at War to determine certain Cases of Adjutants of long and meritorious Services; and provided also, that such Adjutants shall retain any Right they may have to Half Pay or to Out-Pension, notwithstanding the Grant of such retired Allowance as aforesaid; and all such Allowances shall be granted upon the Production to the Secretary at War of a Certificate of such Service and Disability; and the Paymaster General shall pay to such Adjutant the above Allowance, subject to the same Limitations and Restrictions in respect to the holding of any Civil Place or Employment of Profit under the Crown, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, as attach to other Adjutants to whom retired Allowances have been or shall be granted.

CAP. LVI.

An Act to provide Forms of Proceedings under the Acts relating to the Duties of Assessed Taxes, and the Duties on Profits arising from Property, Professions, Trades, and Offices in *England*. [18th *August* 1846.]

43 G. 3. c. 99.

'WHEREAS by an Act passed in the Forty-third Year of the Reign of King *George* the Third, intituled *An Act for consolidating certain of the Provisions contained in any Act or Acts relating to the Duties under the Management of the Commissioners for the Affairs of Taxes, and for amending the same*, the Duties of Assessed Taxes then under the Management of the Commissioners for the Affairs of Taxes, so far as the same related to *England*, *Wales*, and *Berwick-upon-Tweed*, were directed to be assessed, raised, levied, and paid under the Regulations of the said Act: And whereas divers Acts of Parliament have from Time to Time been passed for explaining, altering, or amending the said recited Act and the Laws relating to the Duties of Assessed Taxes: And whereas since the passing of the said first-recited Act divers Duties of Assessed Taxes and Duties on Profits arising from Property, Professions, Trades, and Offices have from Time to Time been granted by Parliament, and directed to be assessed, raised, levied, collected, and paid under the Rules and Regulations of the said first-recited Act, and the several other Acts relating thereto, or for explaining, altering, or amending the same; and such of the said several Duties as are now in force, and payable to Her Majesty, Her

'Heirs and Successors, are placed by Law under the Direction and Management of the Commissioners of 'Stamps and Taxes: And whereas in and by the said several Acts herein-before recited, mentioned, or 'referred to, and other Acts relating to the said respective Duties, the Commissioners and Officers acting 'in the Execution of the said Acts are required and authorized respectively to make and allow divers 'Assessments, and to make, sign, and issue certain Warrants, Certificates, Notices, and other official 'Documents in the assessing, levying, and collecting of the said Duties, and otherwise in relation thereto; 'and it would tend to promote and facilitate the due and uniform Execution of the said Acts, if proper 'Forms of Proceedings for that Purpose were provided and established by Law:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, in the assessing, charging, levying, and collecting of the said several Duties herein-before mentioned, and on all other Occasions in the Execution of the several Acts relating to the Matters herein-before mentioned, or any of them, in *England*, it shall be lawful for the respective Commissioners, Officers, and other Persons acting in that Behalf to cause their respective Assessments, Duplicates, Charges, Warrants, Orders, Notices, and other Proceedings to be drawn, prepared, and made out according to the several Forms contained in the Schedule hereunto annexed, or to the Effect thereof, *mutatis mutandis*, as the Case shall require; and every such Assessment, Duplicate, Charge, Warrant, Order, Notice, or other Proceeding which shall be so drawn, prepared, or made out, shall be good and effectual to all Intents and Purposes whatsoever, without stating the Case, or the Facts or Evidence, in any more particular Manner than is required in and by such Forms respectively; and no Information, Summons, Conviction, or other preliminary Proceeding shall be deemed to be necessary to authorize or justify the making or issuing of any Warrant, Order, or other Proceeding, whereof a Form is contained in the said Schedule, other than such preliminary Proceeding as is recited or mentioned in such Form; and the said Schedule, and the several Forms, Rules, and Directions therein contained, shall respectively be deemed to be Part of this Act.

The Forms contained in the Schedule to this Act to be used in all Proceedings under the Acts relating to the Assessed Taxes and the Property and Income Tax.

II. Provided always, and be it enacted, That no Assessment, Charge, Warrant, or other Proceeding which shall be made, or shall purport to be made, by virtue or in pursuance or in execution of the said several Acts herein-before recited, mentioned, or referred to, or any of them, or of any other Act or Acts relating to the said several Duties herein-before mentioned, shall be quashed or deemed to be void or voidable for Want of Form, or be impeached or affected by reason of any Mistake, Defect, or Omission therein, provided the Person or Property charged or intended to be charged or affected by any such Proceeding be designated therein to common Intent and Understanding, and such Proceeding be in Substance and Effect in conformity with or according to the Intent and Meaning of the said Acts.

Proceedings not to be void or voidable for Want of Form, or affected by any Mistake, &c. therein.

III. And be it enacted, That wherever the Terms and Expressions following occur in this Act or in the Schedule hereunto annexed, and wherever the same Terms and Expressions respectively shall occur or be used in any Form of Proceeding to be drawn, prepared, or made out according to the respective Forms contained in the said Schedule, the said Terms and Expressions shall be construed to have the Meanings herein-after assigned to them respectively; (that is to say,) the several Expressions, "Duties of Assessed Taxes," and "Duties on Profits arising from Property, Professions, Trades, and Offices," shall respectively mean and include as well the said respective Duties as all Compositions for the same, and all Sums of Money which may lawfully be included in or added to any Assessment of the said respective Duties; the Expression "Commissioners of Assessed Taxes" shall be construed and deemed to mean Commissioners for putting into execution the several Acts relating to the Duties of Assessed Taxes; the Expression "Commissioners of the Property and Income Tax" shall be construed and deemed to mean Commissioners for the general Purposes of the Act passed in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, until the Sixth Day of* April *One thousand eight hundred and forty-five;* the Expression "Additional Commissioners of the Property and Income Tax" shall be construed and deemed to mean additional Commissioners for executing the Powers of the said last-mentioned Act; the Expression "Special Commissioners of the Property and Income Tax" shall be construed and deemed to mean Commissioners for the special Purposes of the said last-mentioned Act; the Expression "Commissioners for Offices" shall be construed and deemed to mean Commissioners for executing the said last-mentioned Act in relation to the Duties chargeable under Schedule (E.) of the same Act, in respect of Offices or Employments of Profit in any Court or public Department of Office, or in any Corporate City, Borough, Town, or Place, or in any Cinque Port; the Term "Oath" shall mean and include an Affirmation in the Case of Quakers or other Persons entitled by Law to make an Affirmation in lieu of an Oath; the Term "*England*" shall mean and include *England*, *Wales*, and *Berwick-upon-Tweed;* the Term "Parish" shall mean and include any Parish, Ward, or Place for which a separate Assessment of the Duties of Assessed Taxes, or of the Duties on Profits arising from Property, Professions, Trades, and Offices, may lawfully be made, or for which any Assessor or Collector may be lawfully appointed for the Purpose of assessing or collecting the said respective Duties; and any Word or Words importing the Singular Number or the Masculine Gender only shall respectively be understood to include several Persons, Matters, and Things, as well as one Person, Matter, or Thing, and Females as well as Males, unless there be something in the Subject or Context repugnant to such Construction.

Construction of Terms in this Act or in Schedule annexed:

"Duties of Assessed Taxes," &c.

"Commissioners of Assessed Taxes."

"Commissioners of the Property and Income Tax."

"Additional Commissioners of the Property and Income Tax."

"Special Commissioners of the Property and Income Tax."

"Commissioners for Offices."

"Oath."

"England"

"Parish."

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

The

The SCHEDULE to which this Act refers;

CONTAINING THE

FORMS of PROCEEDINGS for carrying into execution the several Acts relating to the Duties of Assessed Taxes, and the Duties on Profits arising from Property, Professions, Trades, and Offices; (that is to say,)

No.

1.—Form of Appointment of Assessors.
2.—Form of Certificate of Assessments of the Duties of Assessed Taxes, and of the Allowance thereof.
3. Form of Duplicate of First Assessments of the Duties of Assessed Taxes, and Abstract of Contracts of Composition for the said Duties.
4.—Form of Collectors Appointment and Warrant to be annexed or subjoined to the foregoing Duplicate.
5.—Form of Certificate of Assessments of Duties under Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.
6.—Form of Duplicate of First Assessments of Duties under Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35.
7.—Form of Collectors Appointment and Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 6.
8.—Form of Certificate of First Assessments of Duties under Schedule (D.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.
9.—Form of Certificate of Assessments of Duties under Schedule (E.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.
10.—Form of Duplicate of First Assessments of Duties under Schedules (D.) and (E.) of the Act 5 & 6 Vict. c. 35.
11.—Form of Collectors Appointment and Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 10.
12.—Form of Special Commissioners Assessments of Duties under Schedule (D.) of the Act 5 & 6 Vict. c. 35.
13.—Form of Duplicate of Special Commissioners Assessments of Duties under Schedule (D.) of the Act 5 & 6 Vict. c. 35.
14.—Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 13.
15.—Form of Certificate of Assessments of Duties under Schedule (E.) of the Act 5 & 6 Vict. c. 35. in respect of Public Offices, and of the Allowance thereof.
16.—Form of Additional First Assessments of the Duties of Assessed Taxes, and of the Allowance thereof.
17.—Form of Duplicate of Additional First Assessments of the Duties of Assessed Taxes.
18.—Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 17.
19.—Form of Additional First Assessments of Duties under Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.
20.—Form of Duplicate of Additional First Assessments of Duties under Schedules (A.) and (B.) of the Act 5 and 6 Vict. c. 35.
21.—Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 20.
22.—Form of Certificate of additional First Assessments of Duties under Schedule (D.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.
23.—Form of Additional First Assessments of Duties under Schedule (E.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.
24.—Form of Duplicate of Additional First Assessments of Duties under Schedules (D.) and (E.) of the Act 5 & 6 Vict. c. 35.
25.—Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 24.
26.—Form of Supplementary Assessments of the Duties of Assessed Taxes, and of the Allowance thereof.
27.—Form of Duplicate of Supplementary Assessments of the Duties of Assessed Taxes.
28.—Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 27.
29.—Form of Supplementary Assessments of Duties under Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.
30.—Form of Duplicate of Supplementary Assessments of Duties under Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35.
31.—Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 30.
32.—Form of Supplementary Assessments of Duties under Schedule (D.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.
33.—Form of Supplementary Assessments of Duties under Schedule (E.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.

No.
34.—Form of Duplicate of Supplementary Assessments of Duties under Schedules (D.) and (E.) of the Act 5 & 6 Vict. c. 35.
35.—Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 34.
36.—Form of Appointment of Assessors for making a Re-assessment of Duties pursuant to the Act 43 Geo. 3. c. 161. s. 56. or the Act 5 & 6 Vict. c. 35. s. 174., on the Default or Failure of the Collector.
37.—Form of Certificate of Re-assessment under the Act 43 Geo. 3. c. 161. s. 56. or the Act 5 & 6 Vict. c. 35. s. 174., and of the Allowance thereof.
38.—Form of Duplicate of Re-assessment under the Act 43 Geo. 3. c. 161. s. 56. or 5 & 6 Vict. c. 35. s. 174.
39.—Form of Collectors Appointment and Warrant to be annexed or subjoined to the foregoing Duplicate of the Re-assessment of Duties, N° 38.
40.—Form of Assessors Appointment for making an Assessment pursuant to the Acts 43 Geo. 3. c. 99. s. 70. and c. 161. s. 86., to defray Costs incurred by the Commissioners in Actions at Law.
41.—Form of Certificate of Assessment for raising the Costs incurred by Commissioners in Actions at Law, and of the Allowance thereof.
42.—Form of Duplicate of Assessment for Costs incurred by Commissioners in Actions at Law.
43.—Form of Collectors Appointment and Warrant to be annexed or subjoined to the foregoing Duplicate of Assessment, Form N° 42.
44.—Form of Surveyor's Certificate of Charges of Assessed Taxes for Supplementary Assessment.
45.—Form of Oath of Service of Notices of Charge, to be subjoined to the foregoing Certificate, Form N° 44.
46.—Form of Allowance by the Commissioners of Surveyor's Certificate of Charges, Form N° 44.
47.—Form of Surveyor's Certificate of Charges of the Duties on Profits arising from Property, Professions, Trades, and Offices, for Supplementary Assessment.
48.—Form of Oath of Service of Notices of Charge, to be subjoined to the foregoing Certificate, Form N° 47.
49.—Form of Allowance by the Commissioners of Surveyor's Certificate of Charges, Form N° 47.
50.—Form of Certificate under the Act 43 Geo. 3. c. 99. s. 35. as to Duties of Assessed Taxes in arrear.
51.—Form of Warrant to be annexed or subjoined to the foregoing Certificate, Form N° 50.
52.—Form of Certificate under the Act 5 & 6 Vict. c. 35. s. 177. as to Duties in arrear.
53.—Form of Warrant to be annexed or subjoined to the foregoing Certificate, Form N° 52.
54.—Form of Certificate under the Act 5 & 6 Vict. c. 35. s. 155. as to Duties in arrear.
55.—Form of Warrant to be annexed or subjoined to the foregoing Certificate, Form N° 54.
56.—Form of a Schedule of Persons who have made Default in Payment of the Duties of Assessed Taxes to be delivered by the Collector, pursuant to the Acts 48 Geo. 3. c. 141., N° V., Rule 1st, and 3 Geo. 4. c. 88., N° III., Rule 4th.
57.—Form of Collector's Affidavit, to be subjoined to the foregoing Schedule, Form N° 56.
58.—Form of Collector's Affidavit, to be subjoined to the Forms N° 56 and 57, and to be made after the Schedule has remained with the Commissioners of the Division for the Space of 40 Days, as directed by the Act 48 Geo. 3. c. 141., N° V., Rule 2nd.
59.—Form of a Schedule of Persons who have made Default in Payment of the Duties on Profits arising from Property, Professions, Trades, and Offices, to be delivered by the Collector pursuant to the Acts 48 Geo. 3. c. 141., N° V., Rule 1st, and 3 Geo. 4. c. 88., N° III., Rule 4th.
60.—Form of Collector's Affidavit, to be subjoined to the foregoing Schedule, Form N° 59.
61.—Form of Collector's Affidavit, to be subjoined to Forms N° 59 and 60, and to be made after the Schedule has remained with the Commissioners of the District for the Space of 40 Days as directed by the Act 48 Geo. 3. c. 141., N° V., Rule 2nd.
62.—Form of Receiving Officer's Certificate, certifying the foregoing Schedules of Defaulter's Forms, N° 56 and 59, to the Court of Exchequer, pursuant to the Acts 48 Geo. 3. c. 141., N° V., Rule 2nd, and 1 & 2 Geo. 4. c. 113. s. 32.
63.—Form of Receiving Officer's Certificate to the Court of Exchequer, pursuant to the Acts 48 Geo. 3. c. 141., N° V., Rule 3rd, and 1 & 2 Geo. 4. c. 113. s. 34., of Collectors who have made Default in accounting for Duties.
64.—Form of Certificate to be made by Two Commissioners of Stamps and Taxes for Enrolment in the Office of Her Majesty's Remembrancer of the Court of Exchequer, pursuant to the Act 5 & 6 Will. 4. c. 20. s. 11.
65.—Form of Collectors Warrant, which may be issued during the Period the Schedules of Defaulters remain with the Commissioners, under the Act 48 Geo. 3. c. 141., N° V., Rule 2nd.
66.—Form of Return to be made by Collectors, under the Act 43 Geo. 3. c. 99. s. 45., of Arrears of Duties which cannot be recovered by the Collectors.
67.—Form of Oath to be made by the Collectors, and endorsed on the foregoing Schedule, Form N° 66.
68.—Form of a Schedule of Defaulters to be made out by the Commissioners pursuant to the Act 43 Geo. 3. c. 99. s. 45., and to be deposited with the Commissioners of Stamps and Taxes pursuant to the Act 5 & 6 Will. 4. c. 20. s. 13.

No.
69.—Form of Revocation of the Appointment of a Collector, and Appointment of another Collector in his Stead, under the Act 43 Geo. 3. c. 99. s. 40.
70.—Form of a Warrant under the Act 3 Geo. 4. c. 88. s. 3. to imprison the Person and seize the Estate of a Collector making Default in Payment of Duties collected.
71.—Form of a Warrant to sell a Collector's Estate seized under the foregoing Warrant, Form N° 70.
72.—Form of a Warrant under the Act 3 Geo. 4. c. 88. s. 3. to seize the Estate of a deceased Collector who has made Default in Payment of Duties collected.
73.—Form of a Warrant to sell a deceased Collector's Estate seized under the foregoing Warrant, Form N° 72.
74.—Form of public Notice of a Meeting of Commissioners required by 3 Geo. 4. c. 88. s. 3. to be held after the Seizure of a Collector's Estate.
75.—Form of a Deed of Conveyance and Assignment of a Collector's Estate seized under the Act 3 Geo. 4. c. 88. s. 4.
76.—Form of Warrant under the Act 43 Geo. 3. c. 99. s. 33. to break open a House for the Purpose of levying a Distress for Duties in arrear.
77.—Form of Warrant under the Act 43 Geo. 3. c. 99. ss. 33. and 35. to break open a House for the Purpose of levying a Distress for the Duties of Assessed Taxes in arrear.
78.—Form of Warrant under the Acts 43 Geo. 3. c. 99. s. 33. and 5 & 6 Vict. c. 35. ss. 155. and 177. to break open a House for the Purpose of levying a Distress for the Duties on Profits arising from Property, Professions, Trades, and Offices in arrear.
79.—Form of a Warrant of Commitment under the Act 43 Geo. 3. c. 99. s. 33. for Want of a sufficient Distress for Duties in arrear.
80.—Form of a Warrant of Commitment under the Act 5 & 6 Will. 4. c. 20. s. 16. for Want of a sufficient Distress for the Duties of Assessed Taxes in arrear.
81.—Form of a Warrant of Commitment under the Act 5 & 6 Will. 4. c. 20. s. 16. for Want of a sufficient Distress for the Duties on Profits arising from Property, Professions, Trades, and Offices.

N° 1.

Form of Appointment of Assessors.

To and Inhabitants of the Parish of in the District of in the County of .

We the undersigned, being Commissioners of Assessed Taxes [*or* of the Property and Income Tax], acting in and for the District of in the County of have, by virtue and in pursuance of the Acts enabling us in this Behalf, appointed you the above-named and to be the Assessors of the Duties of Assessed Taxes [*or* of the Duties on Profits arising from Property, Professions, Trades, and Offices] for the said Parish of in the said District and County for the Year ending the 5th Day of April 184 ; and we do hereby strictly enjoin and require that you and each of you do perform the Office of such Assessors according to the Directions of the Acts of Parliament relating thereto, and that you do charge and assess yourselves, and all other Persons who are chargeable to the said Duties or any of them, within the said Parish of and that you do make your Assessments according to the Provisions of the Laws now in force; and hereof you will not fail, as you and each of you will answer the contrary at your Peril.

Given under our Hands and Seals at in the said District, this . Day of in the Year of our Lord 184 .

{ Commissioners of Assessed Taxes [*or* of the Property and Income Tax].

N° 2.

Form of Certificate of Assessments of the Duties of Assessed Taxes, and of the Allowance thereof.

County of District of

Assessments of the Duties of Assessed Taxes made upon the several Persons chargeable with the said Duties within the Parish of in the said District for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties, duly certified upon Oath by the Assessors, and allowed according to the Directions of the said Acts, by the Commissioners of Assessed Taxes whose Names are signed at the End hereof.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We, the undersigned, Assessors appointed for making Assessments of the Duties of Assessed Taxes for the before-mentioned Parish of for the Year ending the 5th Day of April 184 , do hereby certify the foregoing Assessments of the said Duties for the Parish aforesaid; and we do make Oath

Oath and declare, that in the foregoing Assessments we have charged and assessed ourselves, and all other Persons who are chargeable with the said Duties or any of them within the said Parish, and that we have made our said Assessments conformably to the Provisions of the Laws now in force, according to the best of our Knowledge and Belief; and we do hereby, in pursuance of the Directions of the Statute in that Behalf, return the Names of and of the said Parish as able and sufficient Persons to be Collectors of the said Duties.

Witness our Hands, this Day of in the Year of our Lord 184 .

} Assessors.

We the undersigned, Commissioners of Assessed Taxes acting in and for the District and County aforesaid, do hereby, in pursuance of the said Acts relating to the Duties of Assessed Taxes, sign and allow the foregoing Assessments, amounting to the Sum of the same having been duly verified before us by the above-named Assessors, as directed by the Act of Parliament in that Behalf made.

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of Assessed Taxes.

N° 3.

Form of Duplicate of First Assessments of the Duties of Assessed Taxes, and Abstract of Contracts of Composition for the said Duties.

County of District of .

A DUPLICATE of the First Assessments of the Duties of Assessed Taxes made upon the several Persons chargeable with the said Duties within the Parish of in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties; and an Abstract of Contracts of Composition for the said Duties entered into or renewed under the Statutes in that Behalf by the several Persons within mentioned, to be paid for the same Year.

[*Set forth the Particulars of the Assessments and the Amount to be paid under each Contract of Composition, in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of Assessed Taxes acting in and for the District and County aforesaid, do hereby sign and allow the foregoing Duplicate of the First Assessments of the Duties of Assessed Taxes, and Abstract of Contracts of Composition for the said Duties, amounting in the whole to the Sum of .

Given under our Hands and Seals, at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of Assessed Taxes.

N° 4.

Form of Collectors Appointment and Warrant, to be annexed or subjoined to the foregoing Duplicate.

To and Two of the Inhabitants of the Parish of in the District of in the County of .

WE the undersigned, Commissioners of Assessed Taxes, acting in and for the District aforesaid in the County aforesaid, do hereby nominate and appoint you the above-named and Collectors of the Duties of Assessed Taxes for the Parish of in the said District and County, for the Year ending the 5th Day of April 184 .

And whereas, by virtue and in pursuance of the Powers and Authorities of the several Acts of Parliament relating to the said Duties, we the said Commissioners have signed and allowed the First Assessments of the said Duties for the said Year upon the several Persons chargeable with the same within the Parish aforesaid, and have set our Hands and Seals to the Duplicate of the said Assessments, and to the Abstract of Contracts of Composition for the said Duties entered into with the Persons therein named under the Statutes in that Behalf, which said Duplicate and Abstract are herewith delivered unto you: Now we the said Commissioners do hereby enjoin and require you the above-named Collectors, or either of you, to make demand of the several Sums contained in the said Duplicate and Abstract from the Parties charged therewith, or at the Places of their last Abode, or on the Premises charged with the Assessment, as the Case may require, within the Time and in the Manner appointed and directed by the said Acts, and upon Payment thereof to give Acquittances under your Hands (without taking any thing for such Acquittances, the Stamp Duty for the same excepted,) unto the several Persons who shall pay the same; and if any Person or Persons shall refuse to pay the Sum and Sums charged upon him, her, or

them, upon Demand duly made by you or either of you, then we hereby enjoin and strictly require you or either of you, for Nonpayment thereof, to distrain for the same according to the Directions of the said Acts, by virtue of this our Warrant, without further Authority.

Given under our Hands and Seals at within the said District, the Day of in the Year of our Lord 184 .

{ Commissioners of Assessed Taxes.

N° 5.

Form of Certificate of Assessments of Duties under Schedules (A.) and (B.) of the Act 5 and 6 Vict. c. 35., and of the Allowance thereof.

County of District of .

ASSESSMENTS of the Duties under the respective Schedules (A.) and (B.) of the Act 5 and 6 Vict. c. 35. made upon the several Persons chargeable with the said Duties within the Parish of in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties, duly certified upon Oath by the Assessors, and allowed according to the Directions of the said Acts by the Commissioners whose Names are signed at the End hereof.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Assessors of the Duties on Profits arising from Property, Professions, Trades, and Offices for the Parish of aforesaid for the Year ending the 5th Day of April 18 , do hereby certify the foregoing Assessments of the Duties payable under the respective Schedules (A.) and (B.) of the Act 5 and 6 Vict. c. 35. for the Parish aforesaid; and we do make Oath and declare, that in the foregoing Assessments we have charged and assessed ourselves, and all other Persons who are chargeable with the said Duties under the said Schedules, or either of them, within the said Parish, and that we have made our said Assessments conformably to the Provisions of the Laws now in force, according to the best of our Knowledge and Belief; and we do hereby, in pursuance of the Statute in that Behalf, return the Names of and of the said Parish as able and sufficient Persons to be Collectors of the said Duties.

As witness our Hands, this Day of in the Year of our Lord 184 .

} Assessors.

We the undersigned, Commissioners of the Property and Income Tax, acting in and for the District of aforesaid, do hereby, in pursuance of the Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, sign and allow the foregoing Assessments, the same having been duly verified before us by the above-named Assessors, as directed by the Act of Parliament in that Behalf made.

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of the Property and Income Tax.

N° 6.

Form of Duplicate of First Assessments of Duties under Schedules (A.) and (B.) of the Act 5 and 6 Vict. c. 35.

County of District of .

A DUPLICATE of the First Assessments of the Duties under the respective Schedules (A.) and (B.) of the Act 5 and 6 Vict. c. 35., made upon the several Persons chargeable with the said Duties within the Parish of in the said District for the Year ending the 5th Day of April 184 , to be and remain in force for the Space of Years ending on the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of aforesaid, do hereby sign and allow the foregoing Duplicate of the First Assessments of the Duties payable under the respective Schedules (A.) and (B.) of the Act 5 and 6 Vict. c. 35., amounting in the whole to the Sum of .

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of the Property and Income Tax.

N° 7.

N° 7.

Form of Collectors Appointment and Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 6.

To and Two of the Inhabitants of the Parish of in the District of in the County of .

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District aforesaid in the County aforesaid, do hereby nominate and appoint you the above-named and Collectors of the Duties on Profits arising from Property, Professions, Trades, and Offices for the Parish of in the said District, for the Year ending the 5th Day of April 184 .

And whereas, by virtue and in pursuance of the Powers and Authorities of the several Acts of Parliament relating to the said Duties, we the said Commissioners have signed and allowed the foregoing Duplicate of the First Assessments of the said Duties chargeable under the respective Schedules (A.) and (B.) of the Act 5 and 6 Vict. c. 35., and charged upon the several Persons mentioned in the foregoing Duplicate, within the Parish aforesaid, for the Year ending the 5th Day of April 184 , to be and remain in force for the Space of Years ending on the 5th Day of April 184 .

Now we the said Commissioners do hereby enjoin and require you the above-named Collectors, or either of you, to make demand of the several Sums contained in the foregoing Duplicate from the Parties charged therewith, or at the Places of their last Abode, or on the Premises charged with the Assessment, as the Case may require, within the Time and in the Manner appointed and directed by the said Acts, and upon Payment thereof to give Acquittances under your Hands (without taking any thing for such Acquittances) unto the several Persons who shall pay the same; and if any Person or Persons shall refuse to pay the Sum or Sums charged upon him, her, or them, upon demand duly made by you or either of you, then we do hereby enjoin and strictly require you or either of you, for Nonpayment thereof, to distrain for the same according to the Directions of the said Acts, by virtue of this our Warrant, without further Authority.

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of the Property and Income Tax.

N° 8.

Form of Certificate of First Assessments of Duties under Schedule (D.) of the Act 5 and 6 Vict. c. 35., and of the Allowance thereof.

County of District of .

Assessments of the Duties under Schedule (D.) of the Act 5 and 6 Vict. c. 35. made upon the several Persons chargeable with the said Duties within the Parish of in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties, by the Commissioners whose Names are signed at the End hereof.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, additional Commissioners of the Property and Income Tax acting in and for the District of aforesaid, do hereby, in pursuance of the Acts relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, certify the foregoing First Assessments of the Duties payable under Schedule (D.) of the Act 5 and 6 Vict. c. 35. for the Parish of aforesaid, amounting to the Sum of .

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Additional Commissioners of the Property and Income Tax.

The foregoing Certificate of Assessments having been presented to us the undersigned, Commissioners of the Property and Income Tax acting in and for the District of aforesaid, and all Appeals against the same having been heard and determined, we do hereby allow and confirm the said Assessments.

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of the Property and Income Tax.

N° 9.

Form of Certificate of Assessments of Duties under Schedule (E.) of the Act 5 and 6 Vict. c. 35., and of the Allowance thereof.

County of District of .

ASSESSMENTS of the Duties under Schedule (E.) of the Act 5 and 6 Vict. c. 35. made upon the several Persons within mentioned, chargeable with the said Duties within the Parish of in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties, duly certified upon Oath by the Assessors, and allowed according to the Directions of the said Acts of Parliament by the Commissioners of the Property and Income Tax whose Names are signed at the End hereof.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Assessors of the Duties on Profits arising from Property, Professions, Trades, and Offices, for the Parish of aforesaid, do hereby certify the foregoing Assessments of the Duties payable under Schedule (E.) of the Act 5 and 6 Vict. c. 35. for the Parish aforesaid; and we do make Oath, that in the foregoing Assessments we have charged and assessed ourselves and all other Persons chargeable under the said Schedule with the said Duties within the said Parish, and that we have made our said Assessments conformably to the Provisions of the Laws now in force, according to the best of our Knowledge and Belief; and we do hereby, in pursuance of the Statute in that Behalf, return the Names of and as able and sufficient Persons to be the Collectors of the said Duties.

As witness our Hands, this Day of in the Year of our Lord 184 .

} Assessors.

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of aforesaid, do hereby, in pursuance of the Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, sign and allow the foregoing Assessments, the same having been duly verified before us by the above-named Assessors, as directed by the Act of Parliament in that Behalf made.

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of the Property and Income Tax.

N° 10.

Form of Duplicate of First Assessments of Duties under Schedules (D.) and (E.) of the Act 5 and 6 Vict. c. 35.

County of District of .

A DUPLICATE of the First Assessments of the Duties under the respective Schedules (D.) and (E.) of the Act 5 and 6 Vict. c. 35. made upon the several Persons chargeable with the said Duties within the Parish of in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of the Property and Income Tax, acting in and for the District of aforesaid, do hereby sign and allow the foregoing Duplicate of the First Assessments of the said Duties payable under the respective Schedules (D.) and (E.) of the Act 5 and 6 Vict. c. 35., amounting in the whole to the Sum of .

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of the Property and Income Tax.

N° 11.

Form of Collectors Appointment and Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 10.

To and Two of the Inhabitants of the Parish of in the District of in the County of .

WE the undersigned, Commissioners of the Property and Income Tax, acting in and for the District aforesaid in the County aforesaid, do hereby nominate and appoint you the above-named and Collectors of the Duties on Profits arising from Property, Professions, Trades, and Offices, for the Parish of in the said District, for the Year ending the 5th Day of April 18 .

And

And whereas by virtue and in pursuance of the Powers and Authorities of the several Acts of Parliament relating to the said Duties, we the said Commissioners have signed and allowed the foregoing Duplicate of the First Assessments of the said Duties payable under the respective Schedules (D.) and (E.) of the Act 5 and 6 Vict. c. 35., and charged upon the several Persons mentioned in the foregoing Duplicate, within the Parish of aforesaid, for the Year ending the 5th Day of April 184 .

Now we the said Commissioners do hereby enjoin and require you the said Collectors or either of you to make demand of the several Sums contained in the foregoing Duplicate from the Parties charged therewith, or at the Places of their last Abode, as the Case may require, within the Time and in the Manner appointed and directed by the said Acts, and upon Payment thereof to give Acquittances under your Hands (without taking any thing for such Acquittances) under the several Persons who shall pay the same; and if any Person or Persons shall refuse to pay the Sum and Sums charged upon him, her, or them, upon demand duly made by you or either of you, then we do hereby enjoin and strictly require you or either of you, for Nonpayment thereof, to distrain for the same according to the Directions of the said Acts, by virtue of this our Warrant, without further Authority.

Given under our Hands and Seals, at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of the Property and Income Tax.

No 12.

Form of Special Commissioners Assessments of Duties under Schedule (D.) of the Act 5 and 6 Vict. c. 35.

County of District of .

ASSESSMENTS of the Duties under Schedule (D.) of the Act 5 and 6 Vict. c. 35., made upon the several Persons within mentioned, chargeable with the said Duties, within the Parish of in the said District for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties, and allowed by the Special Commissioners of the Property and Income Tax whose Names are signed at the End hereof.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

I the undersigned, Surveyor of Taxes acting in and for the District of aforesaid, do hereby certify, That in the foregoing Assessments I have pursuant to the Acts of Parliament in that Behalf computed and assessed upon the several Persons within mentioned the Duties with which, according to the best of my Judgment, they are chargeable, under Schedule (D.) of the Act 5 and 6 Vict. c. 35., for the Year ending the 5th Day of April 184 .

As witness my Hand, this Day of in the Year of our Lord 184 .

Surveyor of Taxes.

We the undersigned, Special Commissioners of the Property and Income Tax, do hereby, in pursuance of the Acts of Parliament in that Behalf made and provided, make, sign, and allow the foregoing Assessments of the Duties payable under Schedule (D.) of the Act 5 and 6 Vict. c. 35., for the Year ending the 5th Day of April 184 .

Given under our Hands and Seals, this Day of in the Year of our Lord 184 .

{ Special Commissioners of the Property and Income Tax.

No 13.

Form of Duplicate of Special Commissioners Assessments of Duties under Schedule (D.) of the Act 5 & 6 Vict. c. 35.

County of District of .

A DUPLICATE of Assessments of the Duties under Schedule (D.) of the Act 5 & 6 Vict. c. 35., made by the Special Commissioners of the Property and Income Tax upon the several Persons within mentioned, chargeable with the said Duties, within the Parish of in the said District pursuant to the Acts of Parliament relating to the said Duties, for the Year ending the 5th Day of April 18 .

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Special Commissioners of the Property and Income Tax, do hereby make, sign, and allow the foregoing Duplicate of the Assessments of the Duties payable under Schedule (D.) of the Act 5 & 6 Vict. c. 35., amounting in the whole to the Sum of .

Given under our Hands and Seals, this Day of in the Year of our Lord 184 .

{ Special Commissioners of the Property and Income Tax.

No 14.

N° 14.

Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 13.

To and Collectors of the Duties herein-after mentioned for the Parish of in the District of in the County of .

WHEREAS by virtue and in pursuance of the several Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, we the undersigned, Special Commissioners of the Property and Income Tax, have made, executed, and allowed the foregoing Duplicate of Assessments of the said Duties payable under Schedule (D.) of the Act 5 & 6 Vict. c. 35., for the Year ending the 5th Day of April 184 , upon the several Persons mentioned in the foregoing Duplicate, within the Parish of in the said District.

Now we the said Commissioners, *&c.* [*Proceed as in Form N° 11., from the Words "Now we the said Commissioners" to the Words "Given under our Hands."*]

Given under our Hands and Seals, the Day of in the Year of our Lord 184 .

{ Special Commissioners of the Property and Income Tax.

N° 15.

Form of Certificate of Assessments of Duties under Schedule (E.) of the Act 5 & 6 Vict. c. 35. in respect of Public Offices, and of the Allowance thereof.

ASSESSMENTS of the Duties under Schedule (E.) of the Act 5 & 6 Vict. c. 35. made upon the several Officers of the Department of pursuant to the Acts of Parliament relating to the said Duties, for the Year ending the 5th Day of April 18 , duly certified upon Oath by the Assessors, and allowed, according to the Directions of the Acts of Parliament in that Behalf, by the Commissioners for Offices for the said Department whose Names are signed at the End hereof.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Assessors appointed for making Assessments of the Duties under Schedule (E.) of the Act 5 & 6 Vict. c. 35. for the Department of , do hereby certify the foregoing Assessments of the said Duties for the said Department, and we do make Oath, that in the foregoing Assessments we have charged and assessed ourselves and all other Persons who are chargeable with the said Duties within the said Department, and that we have made our said Assessments conformably to the Provisions of the Laws now in force according to the best of our Knowledge and Belief.

Witness our Hands, this Day of in the Year of our Lord 184 .

} Assessors.

We the undersigned, Commissioners for Offices for the Department of do hereby, in pursuance of the Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, sign and allow the foregoing Assessments of the Duties payable under Schedule (E.) of the Act 5 & 6 Vict. c. 35. for the said Department for the Year ending the 5th Day of April 18 , the same having been duly verified before us by the above-named Assessors as directed by the Act of Parliament in that Behalf made.

Given under our Hands and Seals, this Day of in the Year of our Lord 18 .

{ Commissioners for Offices.

N° 16.

Form of Additional First Assessments of the Duties of Assessed Taxes, and of the Allowance thereof.

County of District of .

ADDITIONAL First Assessments of the Duties of Assessed Taxes made upon the several Persons within mentioned, chargeable to the said Duties within the Parish of in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties, in consequence of or arising from Returns made by the Parties, or Consents given before the Delivery of a Notice of Charge, or from Omissions of the Assessors, or from Houses in which there are Windows chargeable becoming occupied after the First Assessments were signed, the same having been duly certified to the Commissioners by the Surveyor of the District.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of Assessed Taxes acting in and for the District and County aforesaid, do hereby sign and allow the foregoing Additional First Assessments of the said Duties amounting to the Sum of .

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of Assessed Taxes.

N° 17.

N° 17.

Form of Duplicate of Additional First Assessments of the Duties of Assessed Taxes.

County of District of .

A DUPLICATE of Additional First Assessments of the Duties of Assessed Taxes made upon the several Persons within mentioned, chargeable to the said Duties within the Parish of in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of Assessed Taxes acting in and for the District and County aforesaid, do hereby sign and allow the foregoing Duplicate of Additional First Assessments of the Duties of Assessed Taxes amounting in the whole to the Sum of .

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of Assessed Taxes.

N° 18.

Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 17.

To and , Collectors of the Duties of Assessed Taxes for the Parish of in the District of in the County of .

WHEREAS by virtue and in pursuance of the Powers and Authorities of the several Acts of Parliament relating to the Duties of Assessed Taxes, we the undersigned, Commissioners of Assessed Taxes acting in and for the District aforesaid in the County aforesaid, have signed and allowed the additional First Assessments of the said Duties for the Year ending the Fifth Day of April 184 , upon the several Persons mentioned in the foregoing Duplicate, chargeable with the same within the Parish aforesaid, and have set our Hands and Seals to the Duplicate of the said Additional First Assessments, which said Duplicate is herewith delivered unto you.

Now we the said Commissioners, *&c.* [*Proceed as in Form N° 4. from the Words, "Now we the said Commissioners," to the End thereof.*]

N° 19.

Form of Additional First Assessments of Duties under Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.

County of District of .

ADDITIONAL First Assessments of the Duties under the respective Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., made upon the several Persons within mentioned, chargeable to the said Duties within the Parish of in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties, by the Commissioners whose Names are signed at the End hereof.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of aforesaid, do hereby sign and allow the foregoing Additional First Assessments of the Duties payable under the respective Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., amounting to the Sum of the several Charges included therein having being duly certified to us by the Surveyor of Taxes for the said District.

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of the Property and Income Tax.

N° 20.

Form of Duplicate of Additional First Assessments of Duties under Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35.

County of District of .

A DUPLICATE of the Additional First Assessments of the Duties under the respective Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., made upon the several Persons within mentioned, chargeable to the said Duties within the Parish of in the said District, pursuant to the Acts of Parliament relating

relating to the said Duties, for the Year ending the 5th Day of April 18 , to be and remain in force for the Space of Years ending on the 5th Day of April 184 .

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of aforesaid, do hereby sign and allow the foregoing Duplicate of the Additional First Assessments of the Duties payable under the respective Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., amounting in the whole to the Sum of .

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 18 .

{ Commissioners of the Property and Income Tax.

N° 21.

Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 20.

To and Collectors of the Duties herein-after mentioned for the Parish of in the District of in the County of .

WHEREAS by virtue and in pursuance of the Powers and Authorities of the several Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, we the undersigned, Commissioners of the Property and Income Tax acting in and for the District aforesaid in the County aforesaid, have signed and allowed the foregoing Duplicate of the Additional First Assessments of the said Duties payable under the respective Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., and charged upon the several Persons mentioned in the foregoing Duplicate, within the Parish of aforesaid, for the Year ending the 5th Day of April 184 , to be and remain in force for the Space of Years ending on the 5th Day of April 184 .

Now we the said Commissioners, *&c.* [*Proceed as in Form N° 7., from the Words "Now we the said Commissioners," to the End thereof.*]

N° 22.

Form of Certificate of Additional First Assessments of Duties under Schedule (D.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.

County of District of .

ADDITIONAL First Assessments of the Duties under Schedule (D.) of the Act 5 & 6 Vict. c. 35., made upon the several Persons within mentioned, chargeable with the said Duties within the Parish of in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties, by the Commissioners whose Names are signed at the End hereof.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Additional Commissioners of the Property and Income Tax acting in and for the District of aforesaid, do hereby, in pursuance of the Acts relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, certify the foregoing Additional First Assessments of the Duties payable under Schedule (D.) of the Act 5 & 6 Vict. c. 35. for the Parish of amounting to the Sum of .

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Additional Commissioners of the Property and Income Tax.

The foregoing Certificate of Additional First Assessments having been presented to us the undersigned, Commissioners of the Property and Income Tax acting in and for the District aforesaid, and all Appeals against the same having been heard and determined, we do hereby allow and confirm the said Assessments.

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of the Property and Income Tax.

N° 23.

Form of Additional First Assessments of Duties under Schedule (E.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.

County of District of .

ADDITIONAL First Assessments of the Duties under Schedule (E.) of the Act 5 & 6 Vict. c. 35., made upon the several Persons within mentioned, chargeable with the said Duties within the Parish of

in

in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties, by the Commissioners of the Property and Income Tax whose Names are signed at the End hereof.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of aforesaid, do hereby, in pursuance of the Acts of Parliament in that Behalf made and provided, sign and allow the foregoing Additional First Assessments of the Duties payable under Schedule (E.) of the Act 5 & 6 Vict. c. 35., amounting to the Sum of , the several Charges included therein having been duly certified to us by the Surveyor of Taxes for the said District.

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of the Property and Income Tax.

N° 24.

Form of Duplicate of Additional First Assessments of Duties under Schedules (D.) and (E.) of the Act 5 & 6 Vict. c. 35.

County of District of .

A DUPLICATE of the Additional First Assessments of the Duties under the respective Schedules (D.) and (E.) of the Act 5 & 6 Vict. c. 35., made upon the several Persons within mentioned chargeable to the said Duties within the Parish of in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of aforesaid, do hereby sign and allow the foregoing Duplicate of the Additional First Assessments of the Duties payable under the respective Schedules (D.) and (E.) of the Act 5 & 6 Vict. c. 35., amounting in the whole to the Sum of .

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of the Property and Income Tax.

N° 25.

Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 24.

To and Collectors of the Duties herein-after mentioned for the Parish of in the District of in the County of .

WHEREAS by virtue and in pursuance of the Powers and Authorities of the several Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, we the undersigned, Commissioners of the Property and Income Tax acting in and for the District aforesaid in the County aforesaid, have signed and allowed the foregoing Duplicate of the Additional First Assessments of the said Duties payable under the respective Schedules (D.) and (E.) of the Act 5 & 6 Vict. c. 35., and charged upon the several Persons mentioned in the foregoing Duplicate, within the Parish of in the said District and County, for the Year ending the 5th Day of April 184 .

Now we the said Commissioners, *&c.* [*Proceed as in Form N° 11., from the Words "Now we the said Commissioners" to the End thereof*].

N° 26.

Form of Supplementary Assessments of the Duties of Assessed Taxes, and of the Allowance thereof.

County of District of .

SUPPLEMENTARY Assessments of the Duties of Assessed Taxes charged upon the several Persons within mentioned, within the Parish of in the said District, for the Year ending the 5th Day of April 184 , pursuant to the several Acts of Parliament relating to the said Duties.

[*Set forth the Particulars of the Supplementary Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of Assessed Taxes acting in and for the District and County aforesaid, do hereby, in pursuance of the Acts of Parliament relating to the Duties of Assessed Taxes, sign and allow the foregoing Supplementary Assessments of the said Duties, amounting in the whole to the Sum of conformably to the Directions of the said Acts.

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of Assessed Taxes.

N° 27.

Form of Duplicate of Supplementary Assessments of the Duties of Assessed Taxes.

County of District of .

A DUPLICATE of Supplementary Assessments of the Duties of Assessed Taxes charged upon the several Persons within mentioned, within the Parish of in the said District, for the Year ending the 5th Day of April 184 , pursuant to the several Acts of Parliament relating to the said Duties.

[*Set forth the Particulars of the Supplementary Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of Assessed Taxes acting in and for the District and County aforesaid, do hereby, in pursuance of the Acts of Parliament relating to the Duties of Assessed Taxes, sign and allow and confirm the foregoing Supplementary Assessments of the said Duties, amounting in the whole to the Sum of conformably to the Directions of the said Acts.

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of Assessed Taxes.

N° 28.

Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 27.

To and Collectors of the Duties of Assessed Taxes for the Parish of in the District of in the County of .

WHEREAS by virtue and in pursuance of the Powers and Authorities of the several Acts of Parliament relating to the Duties of Assessed Taxes, we the undersigned, Commissioners of Assessed Taxes acting in and for the District aforesaid in the County aforesaid, have made and executed the Supplementary Assessments for the Year ending the 5th Day of April 184 of the said Duties charged upon the several Persons mentioned in the foregoing Duplicate, within the Parish aforesaid, and have set our Hands and Seals to the foregoing Duplicate of the said Supplementary Assessments, which said Duplicate is herewith delivered unto you.

Now we the said Commissioners, &c. [*Proceed as in Form N° 4., from the Words "Now we the said Commissioners" to the End thereof*].

N° 29.

Form of Supplementary Assessments of Duties under Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.

County of District of .

SUPPLEMENTARY Assessments of Duties under the respective Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., charged upon the several Persons within mentioned, within the Parish of in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties.

[*Set forth the Particulars of the Supplementary Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of aforesaid, do hereby sign and allow the foregoing Supplementary Assessments of Duties, amounting in the whole to the Sum of conformably to the Directions of the several Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices.

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of the Property and Income Tax.

N° 30.

Form of Duplicate of Supplementary Assessments of Duties under Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35.

County of District of .

A DUPLICATE of Supplementary Assessments of Duties under the respective Schedules (A.) and (B). of the Act 5 & 6 Vict. c. 35., charged upon the several Persons within mentioned, within the Parish of in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties.

[*Set forth the Particulars of the Supplementary Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of aforesaid, do hereby, in pursuance of the Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, sign and allow and confirm the foregoing Duplicate of the Supplementary Assessments of Duties, amounting in the whole to the Sum of .

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of the Property and Income Tax.

N° 31.

Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 30.

To and Collectors of the Duties herein-after mentioned for the Parish of in the District of in the County of .

WHEREAS by virtue and in pursuance of the several Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, we the undersigned, Commissioners of the Property and Income Tax acting in and for the District aforesaid in the County aforesaid, have made and executed the Supplementary Assessments for the Year ending the 5th Day of April 184 , of the said Duties payable under the respective Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., charged upon the several Persons mentioned in the foregoing Duplicate, within the Parish of and have set our Hands and Seals to the foregoing Duplicate of the said Supplementary Assessments.

Now we the said Commissioners, *&c.* [*Proceed as in Form N° 7., from the Words "Now we the said Commissioners" to the End thereof*].

N° 32.

Form of Supplementary Assessments of Duties under Schedule (D.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.

County of District of .

SUPPLEMENTARY Assessments of Duties under Schedule (D.) of the Act 5 & 6 Vict. c. 35. charged upon the several Persons within mentioned, within the Parish of in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties.

[*Set forth the Particulars of the Supplementary Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of aforesaid, do hereby sign and allow the foregoing Supplementary Assessments of Duties, amounting in the whole to the Sum of , conformably to the Directions of the several Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices.

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of the Property and Income Tax.

N° 33.

Form of Supplementary Assessments of Duties under Schedule (E.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.

County of District of .

SUPPLEMENTARY Assessments of Duties under Schedule (E.) of the Act 5 & 6 Vict. c. 35., charged upon the several Persons within mentioned, within the Parish of in the said District, for the Year ending the 5th Day of April 18 , pursuant to the Acts of Parliament relating to the said Duties.

[*Set forth the Particulars of the Supplementary Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of aforesaid, do hereby sign and allow the foregoing Supplementary Assessments of Duties, amounting in the whole to the Sum of , conformably to the Directions of the several Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices.

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of the Property and Income Tax.

N° 34.

Form of Duplicate of Supplementary Assessments of Duties under Schedules (D.) and (E.) of the Act 5 & 6 Vict. c. 35.

County of District of .

A DUPLICATE of Supplementary Assessments of Duties under the respective Schedules (D.) and (E.) of the Act 5 & 6 Vict. c. 35., charged upon the several Persons within mentioned, within the Parish of in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties.

[*Set forth the Particulars of the Supplementary Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of aforesaid, do hereby, in pursuance of the Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, sign and allow and confirm the foregoing Duplicate of the Supplementary Assessments of Duties, amounting in the whole to the Sum of .

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of the Property and Income Tax.

N° 35.

Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 34.

To and Collectors of the Duties herein-after mentioned for the Parish of in the District of in the County of .

WHEREAS by virtue and in pursuance of the several Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, we the undersigned, Commissioners of the Property and Income Tax acting in and for the District aforesaid, have made and executed the Supplementary Assessments for the Year ending the 5th Day of April 184 of the said Duties payable under the respective Schedules (D.) and (E.) of the Act 5 & 6 Vict. c. 35., charged upon the several Persons mentioned in the foregoing Duplicate, within the Parish of aforesaid, and have set our Hands and Seals to the foregoing Duplicate of the said Supplementary Assessments.

Now we the said Commissioners, &c. [*Proceed as in Form N° 11., from the Words "Now we the said Commissioners" to the End thereof.*]

N° 36.

Form of Appointment of Assessors for making a Re-assessment of Duties pursuant to the Act 43 Geo. 3. c. 161. s. 56., or the Act 5 & 6 Vict. c. 35. s. 174., on the Default or Failure of the Collector.

To and Assessors of the Duties of Assessed Taxes [*or* Assessors of the Duties on Profits arising from Property, Professions, Trades, and Offices, *as the Case may be,*] for the Parish of in the District of in the County of .

WHEREAS an Arrear of the Duties of Assessed Taxes [*or* of the Duties chargeable under the Schedule or respective Schedules (A.) and (B.), *as the Case may be,* of the Act 5 & 6 Vict. c. 35., for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices], for the Year ending the 5th Day of April 18 , amounting to the Sum of has arisen in the Parish of aforesaid, by the Default [*or* Neglect *or* Failure] of Collector of the said Duties for the said Parish, we the undersigned, being Commissioners of Assessed Taxes [*or* of the Property and Income Tax] acting in and for the said District, do hereby, by virtue of the Acts of Parliament enabling us in this Behalf, appoint you the above-named and Assessors for making a Re-assessment within and upon the said Parish, for raising the said Arrear; and we do hereby strictly enjoin and require you and each of you to make a Re-assessment within and upon the said Parish, by charging the said Sum of on the Amount of the Assessment for the said Parish made for the said Duties for the Year ending the 5th Day of April 18 , by duly apportioning the Amount of such Arrear amongst the several Persons assessed in the said last-mentioned Assessment to the same Duties respectively, according to each Person's Assessment thereof, as nearly as the Case will admit; and in making the said Re-assessment you are to pursue the like Methods, Rules, and Directions by which the original Assessment was made of the same Duties. Hereof you will not fail, as you and each of you will answer the contrary at your Peril.

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 18 .

{ Commissioners of Assessed Taxes [*or* of the Property and Income Tax].

N° 37.

N° 37.

Form of Certificate of Re-assessment, under the Act 43 *Geo.* 3. *c.* 161. *s.* 56., *or the Act* 5 *&* 6 *Vict. c.* 35. *s.* 174., *and of the Allowance thereof.*

County of District of .

A RE-ASSESSMENT of the Duties of Assessed Taxes [*or* of the Duties chargeable under the Schedule or respective Schedules (A.) and (B.) *as the Case may be,* of the Act 5 & 6 Vict. c. 35., for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices,] made upon the several Persons chargeable with the said Duties within the Parish of in the said District, pursuant to the several Acts of Parliament in that Behalf, for raising the Sum of , being the Amount of an Arrear of the said Duties which has arisen within the said Parish for the Year ending the 5th Day of April 18 by the Default [*or* Neglect *or* Failure] of Collector of the said Duties for the said Parish, for the said Year ending as aforesaid, duly verified upon Oath by the Assessors, and allowed, according to the Directions of the said Acts of Parliament, by the Commissioners of Assessed Taxes [*or* of the Property and Income Tax] acting for the said District, whose Names are signed at the End hereof.

[*Set forth the Particulars of the Re-assessment in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Assessors appointed for making the foregoing Re-assessment of the Duties of Assessed Taxes [*or* of the Duties chargeable under the Schedule or respective Schedules (A.) and (B.), *as the Case may be,* of the Act 5 & 6 Vict. c. 35.] for the Parish of aforesaid, do hereby certify the foregoing Re-assessment of the said Duties, and do make Oath and declare that we have charged and assessed ourselves and all other Persons who are chargeable with the said Re-assessment, and that we have made our Re-assessment conformably to the Provisions of the Laws now in force, according to the best of our Knowledge and Belief.

Witness our Hands, this Day of in the Year of our Lord 18 .

} Assessors.

We the undersigned, Commissioners of Assessed Taxes [*or* of the Property and Income Tax, *as the Case may be,*] acting for the District of aforesaid, do hereby sign and allow the foregoing Re-assessment of the Duties of Assessed Taxes [*or, as the Case may be*], amounting to the Sum of , the same having been duly verified before us by the above-named Assessors.

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 18 .

{ Commissioners of Assessed Taxes [*or* of the Property and Income Tax].

Note.—*This Form may be adapted and applied to the Duties payable under the Schedule* (*D.*) *of the Act* 5 *&* 6 *Vict. c.* 35.

N° 38.

Form of Duplicate of Re-assessment, under the Act 43 *Geo.* 3. *c.* 161. *s.* 56., *or* 5 *&* 6 *Vict. c.* 35. *s.* 174.

County of District of .

A DUPLICATE of the Re-assessment of the Duties of Assessed Taxes [*or* of the Duties chargeable under the Schedule or respective Schedules *as the Case may be,* of the Act 5 & 6 Vict. c. 35., for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices,] made upon the several Persons chargeable with the said Duties within the Parish of in the said District, pursuant to the several Acts of Parliament in that Behalf, for raising the Sum of , being the Amount of an Arrear of the said Duties which has arisen within the said Parish for the Year ending the 5th Day of April 18 , by the Default [*or* Neglect *or* Failure] of Collector of the said Duties for the said Parish for the said Year ending as aforesaid.

[*Set forth the Particulars of the Re-assessment in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of Assessed Taxes [*or* of the Property and Income Tax, *as the Case may be,*] acting in and for the District of aforesaid, do hereby sign and allow the foregoing Duplicate of the Re-assessment of the Duties of Assessed Taxes [*or, as the Case may be*], amounting to the Sum of .

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of Assessed Taxes [*or* of the Property and Income Tax].

N° 39.

N° 39.

Form of Collectors Appointment and Warrant to be annexed or subjoined to the foregoing Duplicate of the Re-assessment of Duties, N° 38.

To and Collectors of the Duties of Assessed Taxes [*or* of the Duties on Profits arising from Property, Professions, Trades, and Offices, *as the Case may be,*] for the Parish of in the District of in the County of .

WHEREAS we the undersigned, Commissioners of Assessed Taxes [*or* of the Property and Income Tax] acting in and for the District of aforesaid, have, by virtue of the Acts relating to the Duties of Assessed Taxes [*or* of the Duties on Profits arising from Property, Professions, Trades, and Offices], made and executed a Re-assessment of the said Duties, for raising an Arrear of the said Duties arising by the Default [*or* Neglect *or* Failure] of , Collector of the said Duties for the Parish aforesaid, for the Year ending the 5th Day of April 18 , upon the several Persons chargeable with the said Duties within the said Parish, and have set our Hands and Seals to the Duplicate of the said Re-assessment, which is herewith delivered unto you.

Now we the said Commissioners do hereby nominate and appoint you the above-named and Collectors thereof, and do hereby enjoin and require you or either of you the said Collectors to make demand of the several Sums contained in the said Duplicate from the Parties charged therewith, or at the Places of their last Abode, and upon Payment thereof to give Acquittances under your Hands unto the several Persons who shall pay the same; and if any Person or Persons shall refuse to pay the Sum and Sums charged upon him, her, or them, upon demand duly made by you or either of you, then we hereby enjoin and strictly require you or either of you, for Nonpayment thereof, to distrain for the same according to the Directions of the said Acts, by virtue of this our Warrant, without further Authority.

Given under our Hands and Seals at within the said District, the Day of 18 .

{ Commissioners of Assessed Taxes [*or* of the Property and Income Tax].

N° 40.

Form of Assessors Appointment for making an Assessment, pursuant to the Acts 43 *Geo.* 3. *c.* 99. *s.* 70. *and c.* 161. *s.* 86., *to defray Costs incurred by the Commissioners in Actions at Law.*

To and Assessors of the Duties of Assessed Taxes [*or* of the Duties on Profits arising from Property, Professions, Trades, and Offices, *as the Case may be,*] for the Parish of in the District of in the County of .

WHEREAS certain Costs and Charges amounting to the Sum of have been incurred in an Action [*or* Suit] commenced by [*or* against] the Commissioners of Assessed Taxes [*or* of the Property and Income Tax] acting in and for the District of in the County of [*or* against the Collectors of the Parish of in the said District, *as the Case may be*], against [*or* by] one *E. F.*, and which Action [*or* Suit] was commenced [*or* defended] by the said Commissioners in pursuance of the Powers given to them by the Acts of Parliament in that Behalf; we the undersigned, being Commissioners of Assessed Taxes [*or* of the Property and Income Tax] acting in and for the said District, do hereby, by virtue of the Acts of Parliament enabling us in this Behalf, appoint you the above-named and Assessors for making an Assessment for defraying the said Sum of ; and we do hereby strictly enjoin and require you and each of you to make an Assessment within and upon the Parish of aforesaid, by charging the said Sum of in a just Proportion to the Amount of the Duties of Assessed Taxes [*or* of the Duties on Profits arising from Property, Professions, Trades, and Offices,] assessed on the respective Persons chargeable to the same in the Assessment of the said Duties for the said Parish made for the Year ending the 5th Day of April 18 , and in making the said Assessment you are to pursue the like Rules, Methods, and Directions by which the Assessments of the said Duties were made for the said Parish: Hereof you will not fail, as you and each of you will answer the contrary at your Peril.

Given under our Hands and Seals at within the said District, the Day of in the Year of our Lord 184 .

{ Commissioners of Assessed Taxes [*or* of the Property and Income Tax].

N° 41.

Form of Certificate of Assessment for raising the Costs incurred by Commissioners in Actions at Law, and of the Allowance thereof.

County of District of .

AN Assessment made upon the several Persons within mentioned who are chargeable with the Duties of Assessed Taxes [*or* the Duties on Profits arising from Property, Professions, Trades, and Offices, *as the*

the Case may be,] within the Parish of in the said District, for defraying the Sum of , being the Amount of certain Costs and Charges incurred in an Action [*or* Suit] commenced by [*or* against] the Commissioners of Assessed Taxes [*or* of the Property and Income Tax] acting in and for the said District [*or* against the Collector of the said Duties for the said Parish], against [*or* by] one *F. F.*, and which Action [*or* Suit] was commenced [*or* defended] by the said Commissioners in pursuance of the Powers given to them by the Acts of Parliament in that Behalf, which Assessment is duly certified on Oath by the Assessors, and allowed by the Commissioners whose Names are signed at the End hereof.

[*Set forth the Particulars of the Assessment in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Assessors appointed for making an Assessment for defraying the Costs and Charges herein-before mentioned, do hereby certify the foregoing Assessment, and do make Oath and declare that in the said Assessment we have charged and assessed ourselves and all other Persons who are chargeable with the said Assessment, and that we have made our said Assessment conformably to the Provisions of the Laws now in force, according to the best of our Knowledge and Belief.

Witness our Hands, this Day of in the Year of our Lord 18 .

} Assessors.

We the undersigned, Commissioners of Assessed Taxes [*or* of the Property and Income Tax] acting in and for the District of aforesaid, do hereby sign and allow the foregoing Assessment, amounting to the Sum of the same having been duly verified before us by the above-named Assessors.

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of Assessed Taxes [*or* of the Property and Income Tax].

N° 42.

Form of Duplicate of Assessment for Costs incurred by Commissioners in Actions at Law.

County of District of .

A DUPLICATE of an Assessment made upon the several Persons within mentioned, who are chargeable with the Duties of Assessed Taxes [or the Duties on Profits arising from Property, Professions, Trades, and Offices, *as the Case may be*], within the Parish of in the said District, for defraying the Sum of , being the Amount of certain Costs and Charges incurred in an Action [*or* Suit] commenced by [*or* against] the Commissioners of Assessed Taxes [*or* of the Property and Income Tax] acting in and for the said District [*or* against the Collector of the said Duties for the said Parish], against [*or* by] one *E.F.*, and which Action [*or* Suit] was commenced [*or* defended] by the said Commissioners in pursuance of the Powers given to them by the Acts in that Behalf.

[*Set forth the Particulars of the Assessment in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of Assessed Taxes [*or* of the Property and Income Tax, *as the Case may be,*] acting in and for the District of aforesaid, do hereby sign and allow the foregoing Duplicate of Assessment, amounting to the Sum of .

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of Assessed Taxes [*or* of the Property and Income Tax].

N° 43.

Form of Collectors Appointment and Warrant to be annexed or subjoined to the foregoing Duplicate of Assessment, Form N° 42.

To and Collectors of the Duties of Assessed Taxes [*or* of the Duties on Profits arising from Property, Professions, Trades, and Offices,] for the Parish of in the District of in the County of .

WHEREAS we the undersigned, Commissioners of Assessed Taxes [*or* of the Property and Income Tax] acting in and for the District of aforesaid, have by virtue of the Acts of Parliament relating to the Duties of Assessed Taxes [*or* the Duties on Profits arising from Property, Professions, Trades, and Offices], made and executed upon the several Persons chargeable with the Duties of Assessed Taxes [*or* the Duties on Profits arising from Property, Professions, Trades, and Offices,] within the Parish of , an Assessment for defraying the Sum of , being the Amount of certain Costs and Charges incurred in an Action [*or* Suit] commenced by [*or* against] the Commissioners of Assessed Taxes [*or* of the Property and Income Tax] for the said District [*or* against the Collector

Collector of the said Duties for the Parish aforesaid] against [*or* by] one *E.F.*, which said Action [*or* Suit] was commenced [*or* defended] by the said Commissioners in pursuance of the Powers given to them by the said Acts; and we have set our Hands and Seals to the Duplicate of the said Assessment, which is herewith delivered unto you.

Now we the said Commissioners do hereby nominate and appoint you the above-named and Collectors thereof, and do hereby enjoin and strictly require you or either of you the said Collectors to make demand of the several Sums contained in the said Duplicate from the Parties charged therewith, or at the Places of their last Abode; and if any Person or Persons shall refuse to pay the Sum and Sums charged upon him, her, or them, upon Demand duly made by you or either of you, then we hereby enjoin and strictly require you or either of you, for Nonpayment thereof, to distrain for the same, according to the Directions of the said Acts, by virtue of this our Warrant, without further Authority.

Given under our Hands and Seals at in the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of Assessed Taxes [*or* of the Property and Income Tax].

N° 44.

Form of Surveyor's Certificate of Charges of Assessed Taxes for Supplementary Assessment.

A CERTIFICATE of Charges of the Duties of Assessed Taxes for the Year ending the Fifth Day of April 18 , made pursuant to the Statutes in that Behalf by Surveyor of Taxes acting for the District of in the County of , and presented to the Commissioners of Assessed Taxes acting in and for the said District.

[*Here set forth, in such tabular or other Form as may be convenient for the Purpose, the Names of the several Parties charged, and of the Parishes or Places in which they ought to be assessed, with the Particulars and Amount of the Charges, and Dates of the Service of Notices of Charge.*]

I Surveyor of Taxes acting for the District of in the County of do hereby certify to the Commissioners of Assessed Taxes acting within and for the said District, the foregoing Charges of the Duties of Assessed Taxes for the Year ending the Fifth Day of April 18 made by me upon the several Persons before mentioned, pursuant to the Statutes in that Behalf.

Witness my Hand, this Day of in the Year of our Lord 18 .

} Surveyor.

N° 45.

Form of Oath of Service of Notices of Charge to be subjoined to the foregoing Certificate, Form N° 44.

I of do swear, That a Notice in Writing was duly served upon each Person mentioned in the above Certificate, containing the Particulars as set forth therein respectively, on the Day or Days mentioned in the said Certificate.

Sworn at in the County of the Day of 18 , before me.

{ Commissioner of Assessed Taxes.

N° 46.

Form of Allowance by the Commissioners of Surveyor's Certificate of Charges, Form N° 44.

THE foregoing Certificate of Charges of the Duties of Assessed Taxes having been presented to us the undersigned, Commissioners of Assessed Taxes acting in and for the District of in the County of , and Oath having been made that a Notice of Charge has been duly served upon each Person mentioned in the said Certificate as the Party charged, pursuant to the Statute in that Behalf, we the said Commissioners do hereby allow the said Certificate.

Witness our Hands, the Day of in the Year of our Lord 18 .

{ Commissioners of Assessed Taxes.

N° 47.

Form of Surveyor's Certificate of Charges of the Duties on Profits arising from Property, Professions, Trades, and Offices, for Supplementary Assessment.

A CERTIFICATE of Charges of the Duties on Profits arising from Property, Professions, Trades, and Offices for the Year ending the Fifth Day of April 18 , made pursuant to the Statutes in that Behalf by Surveyor of Taxes acting for the District of in the County of ,

and

and presented to the Commissioners of the Property and Income Tax acting in and for the said District [*or* the Commissioners for Offices for the Department of].

[*Here set forth, in such tabular or other Form as may be convenient for the Purpose, the Names of the several Parties charged, and of the Parishes or Places in which they ought to be assessed, with the Particulars, and the Amount of the Charges, and Dates of the Service of Notices of Charge.*]

I Surveyor of Taxes acting for the District of in the County of do hereby certify to the Commissioners of the Property and Income Tax acting within and for the said District [*or* the Commissioners for Offices for the Department of] the foregoing Charges of the Duties payable under the Act 5 and 6 Vict. c. 35. for the Year ending the Fifth Day of April 18 , made by me upon the several Persons before mentioned, pursuant to the Statutes in that Behalf.

Witness my Hand, this Day of in the Year of our Lord 184 .

} Surveyor.

N° 48.

Form of Oath of Service of Notices of Charge to be subjoined to the foregoing Certificate, Form N° 47.

I of do swear, That a Notice in Writing was duly served upon each Person mentioned in the above Certificate, containing the Particulars as set forth therein respectively on the Day or Days mentioned in the said Certificate.

Sworn at in the County of the Day of 18 , before me

{ Commissioner of the Property and Income Tax [*or* Commissioner for Offices].

N° 49.

Form of Allowance by the Commissioners of Surveyor's Certificate of Charges, Form N° 47.

THE foregoing Certificate of Charges of the Duties payable under the Act 5 and 6 Vict. c. 35., having been presented to us the undersigned, Commissioners of the Property and Income Tax acting in and for the District of in the County of [*or* the Commissioners for Offices for the Department of], and Oath having been made that a Notice of Charge has been duly served upon each Person mentioned in the said Certificate as the Party charged, pursuant to the Statute in that Behalf, we the said Commissioners do hereby allow the said Certificate.

Witness our Hands, the Day of in the Year of our Lord 18 .

{ Commissioners of the Property and Income Tax [*or* Commissioners for Offices].

N 50.

Form of Certificate under the Act 43 Geo. 3. c. 99. s. 35. as to Duties of Assessed Taxes in arrear.

To the Commissioners of Assessed Taxes acting within and for the Parish of in the District of in the County of .

WE the undersigned, Commissioners of Assessed Taxes acting within and for the Parish of in the District of in the County of , do hereby certify, That in and by the First [*or* Additional First, *or* Supplementary, *as the Case may be*,] Assessments of the Duties of Assessed Taxes for the said last-mentioned Parish for the Year ending the Fifth Day of April 18 , *A.B.*, now residing in the Parish of aforesaid, hath been duly charged and assessed in the Sum of for the under-mentioned Duties of Assessed Taxes; (that is to say,)

[*Here specify the Particulars of the Assessment.*]	£	*s.*	*d.*
Total - - - £			

And we do further certify, That the said *A.B.* hath left unpaid the Sum of in respect of the said Duties so charged and assessed aforesaid, which became due and payable on the Day of , and the said last-mentioned Sum is now in arrear.

And we the undersigned Commissioners do request you the said Commissioners of Assessed Taxes acting within and for the Parish of aforesaid to raise and levy the said Sum of so charged and assessed upon and left unpaid by the said *A.B.*, and now in arrear as aforesaid, and to cause the same to be paid and applied according to the Directions of the several Acts of Parliament for raising the said Duties.

Given under our Hands and Seals at in the said District of this Day of in the Year of our Lord 184 .

{ Commissioners of Assessed Taxes.

N° 51.

Form of Warrant to be annexed or subjoined to the foregoing Certificate, Form N° 50.

To and Collectors of the Duties of Assessed Taxes for the Parish of in the District of in the County of .

We the undersigned, Commissioners of Assessed Taxes acting within and for the Parish of in the District of in the County of , do hereby authorize and require you, the above-named Collectors, or either of you, to make due Demand of and from *A.B.*, the Person named in the foregoing Certificate, of Payment of the Sum of in respect of the Duties of Assessed Taxes charged and assessed upon and left unpaid by him, as in the said Certificate is mentioned, and if he shall refuse or neglect to pay the same upon such Demand being made, then we hereby empower and require you or either of you to distrain for the same, according to the Directions of the Statute in that Behalf, by virtue of this our Warrant, without further Authority; and upon Receipt of the said Sum of Money or any Part thereof we hereby direct and enjoin you to pay over the same to the Receiving Officer for the County of to the Account of the Collectors of Assessed Taxes for the said Parish of for which this shall be your sufficient Authority.

Given under our Hands and Seals at in the said District of this Day of in the Year of our Lord 18 .

{ Commissioners of Assessed Taxes.

N° 52.

Form of Certificate under the Act 5 and 6 Vict. c. 35. s. 177., as to Duties in arrear.

To the Commissioners of the Property and Income Tax acting within and for the District of in the County of .

We the undersigned, Commissioners of the Property and Income Tax acting within and for the District of in the County of do hereby certify, That in and by the First [*or* Additional First, *or* Supplementary, *as the Case may be*,] Assessments of the Duties payable under the Schedule [*or* respective Schedules] of the Act 5 and 6 Vict. c. 35., for the Parish of in the said District of for the Year ending the Fifth Day of April 18 , *A.B.*, now residing in the Parish of in the District of in the County of hath been duly charged and assessed for the under-mentioned Duties; (that is to say,)

[*Here specify the Particulars of the Assessment.*]	£	s.	d.
Total - - - £			

And we do further certify, That the said *A.B.* hath left unpaid the Sum of in respect of the said Duties so charged and assessed as aforesaid, which became due and payable on the Day of [*or, as the Case may be*, that the said *A.B.* did not, at the Time of his being so charged and assessed as aforesaid, reside, nor does he now reside, in the said Parish of and that the Sum of in respect of the said Duties so charged and assessed as aforesaid became due and payable on the Day of], and the said last-mentioned Sum is now in arrear.

And we the undersigned Commissioners do request you the said Commissioners of the Property and Income Tax acting within and for the District of aforesaid to raise and levy the said Sum of so charged and assessed upon the said *A.B.*, and now in arrear as aforesaid, and to cause the same to be paid and applied according to the Directions of the several Acts of Parliament for raising the said Duties.

Given under our Hands and Seals at within the said District of this Day of in the Year of our Lord 184 .

{ Commissioners of the Property and Income Tax.

N° 53.

N° 53.

Form of Warrant to be annexed or subjoined to the foregoing Certificate, Form N° 52.

To and Collectors of the Duties on Profits arising from Property, Professions, Trades, and Offices for the Parish of in the District of in the County of .

WE the undersigned, Commissioners of the Property and Income Tax acting within and for the District of aforesaid, do hereby authorize and require you the above-named Collectors, or either of you, to make due Demand of and from *A.B.*, the Person named in the foregoing Certificate, of Payment of the Sum of in respect of the Duties charged and assessed upon him, as in the said Certificate is mentioned; and if he shall refuse or neglect to pay the same upon such Demand being made, then we hereby empower and require you or either of you to distrain for the same, according to the Directions of the Statute in that Behalf, by virtue of this our Warrant, without further Authority; and upon Receipt of the said Sum of Money or any Part thereof we hereby direct and enjoin you to pay over the same to the Receiving Officer for the County of to the Account of the Collectors of the said Duties for the Parish of for which this shall be your sufficient Authority.

Given under our Hands and Seals at in the said District of this Day of in the Year of our Lord 18 .

{ Commissioners of the Property and Income Tax.

N° 54.

Form of Certificate under the Act 5 and 6 Vict. c. 35. s. 155., as to Duties in arrear.

To the Commissioners of the Property and Income Tax acting within and for the District of in the County of .

WE the undersigned, Commissioners for Offices for the Department of do hereby certify, That in and by the First [*or* Additional First, *or* Supplementary, *as the Case may be*,] Assessments of the Duties payable under Schedule (E.) of the Act 5 and 6 Vict. c. 35. for the said Department of for the Year ending the Fifth Day of April 18 , *A.B.*, now residing in the Parish of in the District of aforesaid, hath been duly charged and assessed for the under-mentioned Duties; (that is to say,)

	£	s.	d.
[*Here specify the Particulars of the Assessment.*]			
Total - - - - £			

And we do further certify, That there is now due and owing from the said *A.B.* the Sum of in respect of the said Duties so charged and assessed as aforesaid, which became due and payable on the Day of .

And we the undersigned Commissioners do request you the said Commissioners of the Property and Income Tax acting within and for the said District of to raise and levy the said Sum of so charged and assessed upon the said *A.B.*, and to cause the same to be paid and applied according to the Directions of the several Acts of Parliament for raising the said Duties.

Given under our Hands and Seals, this Day of 184 .

{ Commissioners for Offices.

N° 55.

Form of Warrant to be annexed or subjoined to the foregoing Certificate, Form N° 54.

To and Collectors of the Duties on Profits arising from Property, Professions, Trades, and Offices for the Parish of in the District of in the County of .

WE the undersigned, Commissioners of the Property and Income Tax acting within and for the District of aforesaid, do hereby authorize and require you the above-named Collectors, or either of you, to make due Demand of and from *A.B.*, the Person named in the foregoing Certificate, of Payment of the Sum of in respect of the Duties charged and assessed upon him, as in the said Certificate mentioned; and if he shall refuse or neglect to pay the same upon such Demand being made, then we hereby empower and require you or either of you to distrain for the same, according to the Directions of the Statute in that Behalf, by virtue of this our Warrant, without further Authority;

and upon Receipt of the said Sum of Money or any Part thereof we hereby direct and enjoin you to pay over the same to the Receiving Officer of the County of to the Account of the Collector of the said Duties for the Department of for which this shall be your sufficient Authority.

Given under our Hands and Seals at in the said District of this Day of 18 .

{ Commissioners of the Property and Income Tax.

N° 56.

Form of a Schedule of Persons who have made default in Payment of the Duties of Assessed Taxes, to be delivered by the Collector, pursuant to the Acts 48 *Geo.* 3. *c.* 141., *N° V., Rule* 1st, *and* 3 *Geo.* 4. *c.* 88., *N° III., Rule* 4th.

A SCHEDULE containing the Christian and Surname of Persons who have been charged and assessed to the Duties of Assessed Taxes within the Parish of in the Division of in the County of for the Year ending the Fifth Day of April 18 , who have respectively made default in Payment of the under-mentioned Sums in respect of the said Duties, and which said Schedule is delivered by the undersigned Collector of Assessed Taxes for the said Parish, pursuant to the Acts of Parliament in that Behalf.

{ Collector of Assessed Taxes.

The Christian and Surname of each Defaulter.	Amount of Assessed Taxes due the Day of 18 .
	£ s. d.

Note.—*If the Collector of the Duties of Assessed Taxes be also the Collector of the Land Tax for the same Parish or Place, the Names of the Persons making default in Payment of the Land Tax may also be returned, pursuant to the Act* 4 *and* 5 *Will.* 4. *c.* 60. *s.* 7., *in the same Schedule with those of the Defaulters to the Assessed Taxes; and in that Case the foregoing Form N°* 56, *and the following Forms, severally numbered* 57, 58, *and* 62, *may be used, with such Alterations therein and Additions thereto as may be necessary to adapt them to the Occasion.*

N° 57.

Form of Collector's Affidavit to be subjoined to the foregoing Schedule, Form N° 56.

I of Collector of the Duties of Assessed Taxes for the Parish of in the Division of in the County of do make Oath and say, That the several Sums of Money contained in the foregoing Schedule, and set against the Names of the several Persons therein mentioned, have been demanded from and are due and wholly unpaid from the respective Persons charged therewith, either to me or to any other Person or Persons for me, to the best of my Knowledge and Belief.

{ Collector of Assessed Taxes.

Sworn before me, the Receiving Officer of the Land and Assessed Taxes for the County of the Day of 18 .

N° 58.

Form of Collector's Affidavit to be subjoined to the Forms N° 56 *and* 57, *and to be made after the Schedule has remained with the Commissioners of the Division for the Space of Forty Days, as directed by the Act* 48 *Geo.* 3. *c.* 141., *N° V., Rule* 2d.

I the Collector above named, do make Oath and say, That, in pursuance of and according to the Directions given to me by the Commissioners of Assessed Taxes acting for the above-named Division, I gave Notice, on or before the Day of to each and every of the Persons whose Names are contained in the foregoing Schedule, that the Name of each such Person was returned

in

in a Schedule to the said Commissioners as having made default in Payment of the Sums of Money set against their respective Names; and that the several Sums of Money for which the several Persons whose Names are contained in the said Schedule as now remaining in default, and to whom such Notices were delivered, are still due and unpaid from the said several Persons respectively, either to me or to any Person or Persons for me, to the best of my Knowledge and Belief.

{ Collector of Assessed Taxes.

Sworn at in the Division of in the County of the
Day of 18 , before me

{ A Commissioner of Assessed Taxes.

N° 59.

Form of a Schedule of Persons who have made default in Payment of the Duties on Profits arising from Property, Professions, Trades, and Offices, to be delivered by the Collector, pursuant to the Acts 48 *Geo.* 3. *c.* 141., *N° V., Rule* 1st, *and* 3 *Geo.* 4. *c.* 88., *N° III., Rule* 4th.

A SCHEDULE containing the Christian and Surnames of Persons who have been charged and assessed to the Duties on Profits arising from Property, Professions, Trades, and Offices within the Parish of in the District of in the County of for the Year ending the Fifth Day of April 18 , and who have respectively made default in Payment of the under-mentioned Sums in respect of the said Duties, and which said Schedule is delivered by the undersigned Collector of the said Duties for the said Parish, pursuant to the Acts of Parliament in that Behalf.

{ Collector of the said Duties.

The Christian and Surname of each Defaulter.	Amount of Property and Income Tax due the Day of 18 .
	£ s. d.

N° 60.

Form of Collector's Affidavit to be subjoined to the foregoing Schedule, Form N° 59.

I of Collector of the Duties on Profits arising from Property, Professions, Trades, and Offices for the Parish of in the District of in the County of do make Oath and say, That the several Sums of Money contained in the foregoing Schedule, and set against the Names of the several Persons therein mentioned, have been demanded from and are due and wholly unpaid from the respective Persons charged therewith, either to me or to any other Person or Persons for me, to the best of my Knowledge and Belief.

{ Collector of the said Duties.

Sworn before me, the Receiving Officer of the Duties on Profits arising from Property, Professions, Trades, and Offices for the County of this Day of 18 .

N° 61.

Form of Collector's Affidavit, to be subjoined to Forms No. 59 *and* 60, *and to be made after the Schedule has remained with the Commissioners of the District for the Space of Forty Days, as directed by the Act* 48 *Geo.* 3. *c.* 141., *N° V., Rule* 2d.

I the Collector above named, do make Oath and say, That in pursuance of and according to the Directions given to me by the Commissioners of the Property and Income Tax acting for the above-named District, I gave Notice, on or before the Day of to each and every of the Persons whose Names are contained in the foregoing Schedule, that the Name of each such Person was returned in a Schedule to the said Commissioners as having made default in Payment of the Sums of Money set against their respective Names, and that the several Sums of Money for which the several Persons whose Names are contained in the said Schedule as now remaining in default, and to whom such Notices

Notices were delivered, are still due and unpaid from the said several Persons respectively, either to me or to any Person or Persons for me, to the best of my Knowledge and Belief.

{ Collector of the said Duties.

Sworn at in the District of in the County of this Day of 18 , before me

{ A Commissioner of the Property and Income Tax.

N° 62.

Form of Receiving Officer's Certificate, certifying the foregoing Schedules of Defaulters, Forms N° 56 and 59, to the Court of Exchequer, pursuant to the Acts 48 *Geo.* 3. *c.* 141., *N° V., Rule* 2nd, *and* 1 *and* 2 *Geo.* 4. *c.* 113. *s.* 32.

In the Exchequer.

To the Right Honourable Lord Chief Baron of Her Majesty's Court of Exchequer at Westminster, and to the Honourable the rest of the Barons of the same Court.

I of in the County of Receiving Officer of the Duties of Land and Assessed Taxes [*or* of the Duties on Profits arising from Property, Professions, Trades, and Offices,] for the County of do hereby humbly certify to the Barons of this Honourable Court, in pursuance of the Statutes in this Behalf made and provided, That on my Receipt, held after the Day of now last past, I received of and from the Collector of the Duties aforesaid charged and assessed on the several Persons chargeable within the Parish of in the Division of in the said County, for the Year ending the Day of 18 , the Schedule hereunto annexed, signed by the said Collector, and containing the Christian and Surname of each and every Person who made default in the Payment of the Duties and Sums of Money specified in the said Schedule, which had been charged and assessed upon such Persons respectively by virtue of the several Acts of Parliament granting the said Duties, and which became due on the Day of and also the Sums then in arrear from each and every such Person; which said Schedule was then and there duly attested and subscribed by the said Collector, according to the Directions of the Statutes in such Case made and provided; and I the said Receiving Officer do hereby further certify to this Honourable Court, that the several Sums of Money so mentioned in the said Schedule to be in arrear are wholly due and unpaid to me as such Receiving Officer as aforesaid.

Given under my Hand, this Day of in the Year of our Lord 18 .

N° 63.

Form of Receiving Officer's Certificate to the Court of Exchequer, pursuant to the Acts 48 *Geo.* 3. *c.* 141., *N° V. Rule* 3rd, *and* 1 *and* 2 *Geo.* 4. *c.* 113. *s.* 33., *of Collectors who have made default in accounting for Duties.*]

In the Exchequer.

To the Right Honourable Lord Chief Baron of Her Majesty's Court of Exchequer at Westminster, and to the Honourable the rest of the Barons of the same Court.

I of Receiving Officer of the Duties of Assessed Taxes [*or* the Duties on Profits arising from Property, Professions, Trades, and Offices,] charged and assessed in the Parishes and Places herein-after mentioned, by virtue of the several Acts of Parliament in that Behalf, do hereby humbly certify to the Barons of this Honourable Court, in pursuance of the several Statutes in this Behalf made and provided, That the several and respective Times and Places mentioned and described against the Name of each Division in the Schedule hereunto subjoined were by me appointed, according to the Directions of the Statutes in that Case made and provided, for Payment to me, as such Receiving Officer as aforesaid, of the First Moiety [*or* Remainder] of the Duties of Assessed Taxes [*or* the Duties on Profits arising from Property, Professions, Trades, and Offices,] assessed and charged within the several Parishes and Places, and within the respective Divisions mentioned in the said Schedule for the Year ending on the Fifth Day of April 18 , and which are by the said Statutes directed to be collected or levied by the several Collectors of the said Duties before the Day of now last past, or within Twenty-one Days thereafter; and that I the said Receiving Officer did attend at the said several and respective Times and Places so appointed as aforesaid, for the Purpose of receiving the said Duties; and that the several Collectors of the said Duties for the said several Parishes and Places within the said Divisions respectively did then and there make default in paying or accounting for the said First Moiety [*or* Remainder] of the said Duties given to them in charge

charge for the said Parishes and Places respectively, in the several Sums mentioned in the said Schedule, and did then and there neglect and wholly make default in delivering to me, the said Receiving Officer, a Schedule in Writing signed by such Collectors respectively, containing the Christian and Surname of each Person making default in Payment of the said Duties and the respective Sums then in arrear from each such Defaulter, with an Affidavit subscribed and made according to the Directions of the Statutes in that Case made and provided, contrary to the Form of the said Statutes.

And I the said Receiving Officer, in pursuance of the several Statutes in this Behalf, do hereby further humbly certify to this Honourable Court, That the said Schedule hereunto subjoined doth also contain the Names of the several Collectors in default as aforesaid, and of the several Parishes and Places in which default has been made as aforesaid, and the Divisions where such Failure hath happened, and the Amounts of the several Duties which remain unpaid or unaccounted for by the said Collectors respectively, to the best of my Knowledge, and as I verily believe.

Given under my Hand, this Day of in the Year of our Lord 184 .

Witness,

SCHEDULE to which the foregoing Certificate doth refer, containing the Names of Collectors who have not paid, or duly accounted by the Delivery of Schedules of Defaulters, for the full Amount of the First Moiety [*or* Remainder] of the Duties of Assessed Taxes [*or* the Duties on Profits arising from Property, Professions, Trades, and Offices] for the Year ending the Fifth Day of April 184 .

Division.	Times and Places appointed within and for each Division for the Payment of the Duties above described.	Parishes and Places.	Collector's Names.	Amount of the Duties remaining unpaid, and for which no Paper Schedules have been delivered.		
				£	s.	d.

N° 64.

Form of Certificate to be made by Two Commissioners of Stamps and Taxes, for Enrolment in the Office of Her Majesty's Remembrancer of the Court of Exchequer, pursuant to the Act 5 *and* 6 *Will.* 4. *c.* 20. *s.* 11.

In the Exchequer.

To the Right Honourable Lord Chief Baron of Her Majesty's Court of Exchequer at Westminster, and to the Honourable the rest of the Barons of the same Court.

WE, and Esquires, Two of the Commissioners of Stamps and Taxes, do hereby humbly certify to the Barons of this Honourable Court, in pursuance of an Act passed in the Sixth Year of the Reign of King William the Fourth, intituled "An Act to consolidate certain Offices in the Collection of the Revenues of Stamps and Taxes, and to amend the Laws relating thereto," That the several Collectors of the Duties of Assessed Taxes [*or* of the Duties on Profits arising from Property, Professions, Trades, and Offices,] for the several Parishes, Wards, and Places specified and set forth in the Schedule hereunto annexed within the County of , have made default in Payment of the several Sums contained in the said Schedule, and set opposite to the Names of such Parishes, Wards, and Places, and to the Names of such Collectors for the same respectively, which said Sums are charged and chargeable upon the same Parishes, Wards, and Places respectively for the said Duties, as set forth and distinguished in the said Schedule, for the Year ended on the Day of and which said several Sums are now wholly in arrear and unpaid; and we the said Commissioners do make this Certificate to the Intent that due Process in the Law may be issued in relation to the said Duties respectively.

Given under our Hands, this Day of in the Year of our Lord 184 .

SCHEDULE

SCHEDULE referred to in the foregoing Certificate.

Division.	Name of Parish, Ward, or Place.	Names of the Collectors.	Sums in arrear.
			£ s. d.

Note.—*The Collectors who make default in paying or accounting for the Land Tax within the same Divisions may also be included in the same Schedule with the Collectors who are Defaulters as to the Duties of Assessed Taxes; and in that Case the foregoing Forms of Certificates* N^os 63 *and* 64, *and of the Schedule to be subjoined thereto, may be used, with such Alterations therein and Additions thereto as may be necessary to adapt them to the Occasion.*

N° 65.

Form of Collector's Warrant which may be issued during the Period the Schedules of Defaulters remain with the Commissioners, under the Act 48 *Geo.* 3. *c.* 141., *N° V., Rule* 2nd.

To and Collectors of the Duties herein-after mentioned for the Parish of in the District of in the County of .

WHEREAS the Commissioners of Assessed Taxes [*or* of the Property and Income Tax] acting in and for the before-mentioned District have made and executed the several Assessments of the Duties of Assessed Taxes [*or* of the Duties on Profits arising from Property, Professions, Trades, and Offices,] for the Year ending the Fifth Day of April 18 , upon the several Persons chargeable with the said Duties within the Parish aforesaid, and Duplicates of the same have been delivered to you, the above-named Collectors of the said Duties: And whereas the said Commissioners have received, in pursuance of the Acts of Parliament in that Behalf, a certain Schedule in Writing, signed and duly sworn to by you the said Collectors, whereby the several Persons therein named are returned as Defaulters, for that the several Sums assessed upon them and therein contained have been demanded from and are due and wholly unpaid from the respective Persons charged therewith: Now we the undersigned, Commissioners of Assessed Taxes [*or* of the Property and Income Tax] acting in and for the District aforesaid, do hereby enjoin and require you or either of you the above-named Collectors to make demand of the several Sums mentioned in the said Schedule, and contained in the said Assessments, from the Parties charged therewith, or at the Places of their last Abode, or on the Premises charged with the Assessment, as the Case may require, and upon Payment thereof to give Acquittances under your Hands unto the several Persons who shall pay the same; and if any Person or Persons shall refuse to pay the Sum and Sums charged upon him, her, or them, upon demand duly made by you or either of you, then we hereby enjoin and strictly require you or either of you, for Nonpayment thereof, to distrain for the same, according to the Directions of the said Acts, by virtue of this our Warrant, and that you return to us the Amount and Particulars of the several Sums received by you on the Day of now next, at the usual Place of Meeting, namely, at in the said District.

Given under our Hands and Seals at in the said District, the Day of in the Year of our Lord 184 .

{ Commissioners of Assessed Taxes [*or* of the Property and Income Tax].

N° 66.

Form of Return to be made by Collectors under the Act 43 *Geo.* 3. *c.* 99. *s.* 45., *of Arrears of Duties which cannot be recovered by the Collectors.*

A SCHEDULE made by me, the undersigned Collector of the Duties of Assessed Taxes [*or* of the Duties on Profits arising from Property, Professions, Trades, and Offices,] for the Parish of in the District of in the County of containing the Names, Surnames, and Places of Abode of every Person charged with the Duties and Sums of Money in the Assessments made by virtue of the Acts relating to the said Duties, within and for the said Parish of for the Year ending the Fifth Day of April 18 , who have made default in Payment of the several Duties and Sums of Money set opposite to their respective Names, and charged upon them respectively

respectively in the said Assessments, and from whom I have not been able to collect or receive such Duties and Sums of Money for the Causes herein mentioned.

[*Set forth, in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for the Purpose, the Christian and Surnames and Places of Abode of the Defaulters, with the Particulars of the Duties and Sums of Money charged upon them respectively, and the particular Reason for returning each Defaulter.*]

Given under my Hand this Day of in the Year of our Lord 184 .

{ Collector of the aforesaid Duties.

N° 67.

Form of Oath to be made by the Collectors, and endorsed on the foregoing Schedule, Form N° 66.

I Collector of the Duties of Assessed Taxes [*or* of the Duties on Profits arising from Property, Professions, Trades, and Offices,] for the within-mentioned Parish of do make Oath and say, That the several Sums for which the Persons within mentioned are respectively returned in default are and each of them is due and wholly unpaid to me, or to any other Person or Persons for me, to the best of my Knowledge and Belief, and that the several Persons whose Names are returned in the within Schedule, and who are therein described as insolvent or bankrupt, became insolvent or bankrupt, as within respectively described, before the Day on which the Duties respectively charged upon the said several Persons, and within set forth, or any Part thereof, became payable, and that the said several Persons respectively had not Goods and Chattels sufficient whereon to raise and levy the said respective Duties within the said Parish, at any Time since such Duties respectively or any Part thereof became payable; and that the several Persons whose Names are returned in the within Schedule, and who are therein described as removed from the said Parish, did respectively remove from the said Parish before the Day on which the Duties respectively charged upon the said last-mentioned Persons, and within set forth, or any Part thereof, became payable, without leaving in the said Parish sufficient Goods and Chattels whereon the said last-mentioned respective Duties, payable at the Time of the said last-mentioned Persons respectively removing, could be raised and levied; and that the several Persons whose Names are returned in the within Schedule, and who are therein described as having died, did respectively die before the Day on which the Duties respectively charged upon the said last-mentioned Persons, and within set forth, or any Part thereof, became payable, without leaving sufficient Goods and Chattels whereon the said last-mentioned respective Duties, or any Part thereof, could be raised and levied, and that there were not nor are any Goods and Chattels of any Person or Persons liable to the Payment of the said Duties respectively within set forth, and mentioned to be in arrear, or any Part thereof, whereby the same or any Part thereof could or might respectively be raised or levied.

{ Collector of the aforesaid Duties.

We the undersigned, Commissioners of Assessed Taxes [*or* of the Property and Income Tax] acting in and for the District of in the County of do hereby certify, That the above-named Collector, did take and subscribe the foregoing Oath before us at in the said District, this Day of in the Year of our Lord 18 .

{ Commissioners of Assessed Taxes *or* of the Property and Income Tax.

N° 68.

Form of a Schedule of Defaulters to be made out by the Commissioners, pursuant to the Act 43 *Geo.* 3. *c.* 99. *s.* 45., *and to be deposited with the Commissioners of Stamps and Taxes, pursuant to the Act* 5 *and* 6 *Will.* 4. *c.* 20. *s.* 13.

A SCHEDULE made in pursuance of an Act of Parliament passed in the Forty-third Year of the Reign of King George the Third, intituled "An Act for consolidating certain of the Provisions contained in any Act or Acts relating to the Duties under the Management of the Commissioners for the Affairs of Taxes, and for amending the same," by the Commissioners of Assessed Taxes [*or* of the Property and Income Tax] acting in and for the District of in the County of containing the Names of certain Persons charged with Duties and Sums of Money in the Assessments made by virtue of the Acts relating to the Duties of Assessed Taxes [*or* of the Duties on Profits arising from Property, Professions, Trades, and Offices], within and for the Parish of in the said District, for the Year ending the Fifth Day of April 184 , and whose Names have been returned to the said Commissioners by Collector of the said Duties for the said Parish as Persons who have made default in Payment of the several Duties and Sums of Money set opposite to their respective Names, and charged upon them respectively in the said Assessments, and from whom the said Collector has not been able

able to collect or receive such Duties and Sums of Money for the Causes herein mentioned, and which have been duly verified on the Oath of the said Collector.

[*Set forth, in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for the Purpose, the Names of the Defaulters, with the Particulars of the Duties and Sums of Money charged upon them respectively, and the particular Reason assigned by the Collector for returning each Defaulter.*]

Given under the Hands and Seals of us the undersigned, Two of the Commissioners of Assessed Taxes [*or* of the Property and Income Tax] acting in and for the District aforesaid at within the said District, the Day of in the Year of our Lord 18 .

{ Commissioners of Assessed Taxes
[*or* of the Property and Income Tax].

N° 69.

Form of Revocation of the Appointment of a Collector, and Appointment of another Collector in his Stead, under the Act 43 *Geo.* 3. *c.* 99. *s.* 40.

To One of the Inhabitants of the Parish of in the District of in the County of .

WHEREAS by virtue and in pursuance of the Powers and Authorities of the several Acts of Parliament relating to the Duties of Assessed Taxes [*or* of the Duties on Profits arising from Property, Professions, Trades, and Offices,] and Two of the Commissioners of Assessed Taxes [*or* of the Property and Income Tax] acting in and for the District aforesaid, did, by their Precept bearing Date the Day of 184 , nominate and appoint and to be Collectors of the said Duties for the Parish aforesaid for the Year ending the Fifth Day of April 184 : And whereas wilful Delay and Failure hath happened in demanding, receiving, and recovering and paying over divers Sums of Money and Duties charged and assessed on the several Persons chargeable with the said Sums of Money and Duties within the said Parish for the Year aforesaid, through the Default and Neglect of the said One of the Collectors of the said Duties:

Now we the undersigned, Two of the Commissioners of Assessed Taxes [*or* of the Property and Income Tax] acting in and for the said District, do, by virtue and in pursuance of the Powers and Authorities given by the Acts of Parliament in this Behalf, hereby revoke the Appointment of the said as such Collector as aforesaid; and we do by this our Precept nominate and appoint you the above-named in the Place and Stead of the said to be Collector of the Duties and Sums of Money remaining due and in arrear and uncollected on the Duplicate of Assessments herewith delivered to you for the said Year ending the Fifth Day of April 184 , with full Power to collect all Arrears and Sums of Money which are now due and unreceived from the Parties charged therewith by the said Assessments; and we do hereby enjoin and require you immediately to make demand of the several Sums contained in the said Duplicate from the Parties charged therewith, or at the Places of their last Abode, or on the Premises charged with the Assessment, as the Case may require, and upon Payment thereof to give Acquittances unto the several Persons who shall pay the same; and if any Person or Persons from whom any of the said Duties or Sums of Money, or any Part thereof, now remain due or unpaid, shall refuse to pay the Sum and Sums charged upon and due and owing from him, her, or them, upon demand made by you, then we hereby enjoin and strictly require you, for Nonpayment thereof, to distrain for the same according to the Directions of the said Acts, by virtue of this our Warrant, without further Authority.

Given under our Hands and Seals at within the said District, the Day of .

{ Commissioners of Assessed Taxes
[*or* of the Property and Income Tax].

N° 70.

Form of a Warrant under the Act 3 *Geo.* 4. *c.* 88. *s.* 3. *to imprison the Person and seize the Estate of a Collector making default in Payment of Duties collected.*

To Constable of in the County of , and to Keeper of the Gaol of in the said County.

WHEREAS it appears to us and whose Hands and Seals are hereunto subscribed and set, being Two of the Commissioners of Assessed Taxes [*or* of the Property and Income Tax, *as the Case may be,*] acting for the District of in the County of upon the Oath of and other sufficient Evidence [*or* upon Confession of the Defaulter, *as the Case may be*], that *C.D.* of, *&c.*, a Collector of the Duties of Assessed Taxes [*or as the Case may be*] for the Parish of in the said District, hath as such Collector collected and received from divers Persons within the said Parish the Sum of

in

in respect of the said Duties, and that the said *C.D.* hath neglected [*or* refused] to pay the said Sum of Money according to the Directions of the several Acts of Parliament in that Behalf, and that he hath detained and doth now detain the same in his Hands:

Now therefore we the said Commissioners, whose Hands and Seals are hereunto subscribed and set, do hereby command you the above-named Constable to apprehend the said *C.D.*, and him safely to convey to the Gaol of in the said County of , and to deliver him to the Keeper thereof; and we do hereby command you the said Keeper to receive him the said *C.D.* into your Custody in the said Gaol, and there to detain and keep him until Payment shall be made of the aforesaid Sum of Money, or until he shall be otherwise discharged by due Course of Law; and we do hereby further command you the said Constable to seize and secure the Estate, as well Freehold as Copyhold, and all other Estate, both Real and Personal, of him the said *C.D.* to him belonging, wheresoever the same can be discovered and found; and if the said *C.D.* shall not pay or satisfy the said Sum of Money as ought to be done according to the Directions of the said several Acts, you are forthwith to give Notice to us, that we may proceed further as the Law directs; and for so doing this shall be to you and each of you a sufficient Warrant and Authority.

Given under our Hands and Seals at in the said District, this Day of in the Year of our Lord 18 .

{ Commissioners of Assessed Taxes [*or* of the Property and Income Tax].

N° 71.

Form of a Warrant to sell a Collector's Estate seized under the foregoing Warrant, Form N° 70.

To of .

WHEREAS by a certain Warrant, bearing Date the Day of in the Year of our Lord 18 , under the Hands and Seals of and Two of the Commissioners of Assessed Taxes [*or* of the Property and Income Tax, *as the Case may be,*] acting for the District of in the County of , reciting that *C.D.* of, *&c.*, a Collector of the Duties of Assessed Taxes [*or as the Case may be*] for the Parish of in the said District, had as such Collector collected and received from divers Persons within the said Parish the Sum of in respect of the said Duties, and that the said *C.D.* had neglected [*or* refused] to pay the said Sum of Money, according to the Directions of the several Acts of Parliament in that Behalf, and that he had detained and did then detain the same in his Hands, the said Commissioners whose Hands and Seals are subscribed and set to the said Warrant did thereby command One Constable of in the said County, to seize and secure the Estate, as well Freehold as Copyhold, and all other Estate, both Real and Personal, of the said *C.D.*, to him belonging, wheresoever the same could be discovered and found:

And whereas by virtue and in pursuance of the said Warrant the several Estates, Goods, and Chattels belonging to the said *C.D.*, mentioned and particularized in the Schedule or Inventory hereunder written [*or* hereunto annexed], have been seized and secured:

And whereas and , Commissioners as aforesaid, did, in pursuance of the Statute in that Behalf, appoint the Day of at in the said District for a Meeting of the Commissioners of Assessed Taxes [*or* of the Property and Income Tax] for the said District, and did cause public Notice to be given of the Time and Place when and where such Meeting was appointed to be held, Ten Days at least before such Meeting:

And whereas the said Meeting hath been held in pursuance of the said Notice, and the said *C.D.* hath not paid or satisfied, as ought to be done, according to the Directions of the said Acts, the said Sum of Money so detained by him as aforesaid:

Now therefore we, whose Hands and Seals are hereunto subscribed and set, being the major Part of the said Commissioners present at the said Meeting, do hereby require and empower you the above-named to sell and dispose of the said Estates, Goods, and Chattels so seized and secured for the Cause aforesaid, to satisfy and pay into the Hands of the Receiver General of Stamps and Taxes [*or* Receiving Officer of the said Duties for the County of] the aforesaid Sum of Money so detained by the said *C.D.*, and remaining unpaid as aforesaid, together with the reasonable Costs and Charges of recovering, raising, and paying the same; and for your so doing this shall be your sufficient Authority.

Given under our Hands and Seals at in the said District, the Day of in the Year of our Lord 18 .

{ Commissioners of Assessed Taxes [*or* of the Property and Income Tax].

N° 72.

Form of a Warrant under the Act 3 *Geo.* 4. *c.* 88. *s.* 3. *to seize the Estate of a deceased Collector who has made default in Payment of Duties collected.*

To Constable of in the County of .

WHEREAS it appears to us, and whose Hands and Seals are hereunto subscribed and set, being Two of the Commissioners of Assessed Taxes [*or* of the Property and Income Tax, *as the Case may be,*] acting for the District of in the County of upon the Oath of and other substantial Evidence, that *C.D.*, late of a Collector of the Duties of Assessed Taxes [*or as the Case may be*] for the Parish of in the said District, but now deceased, as herein-after mentioned, hath as such Collector collected and received from divers Persons within the said Parish the Sum of in respect of the said Duties, and that the said *C.D.* hath neglected [*or* did in his Lifetime refuse] to pay the said Sum of Money, according to the Directions of the several Acts of Parliament in that Behalf, and that he hath detained the same in his Hands:

And whereas the said *C.D.* departed this Life on the Day of without having paid the said Sum of Money according to the Directions of the said Acts:

Now therefore we the said Commissioners, whose Hands and Seals are hereunto subscribed and set, do hereby command you the above-named Constable to seize and secure the Estate, as well Freehold as Copyhold, and all other Estate, both Real and Personal, of him the said *C.D.*, to him belonging at the Time of his Death, or which shall or may have descended and come into the Hands or Possession of the Heirs, Executors, Administrators, or Assigns of the said *C.D.*, wheresoever the same can be discovered and found; and if the aforesaid Sum of Money shall not be paid or satisfied, as ought to be done, according to the Directions of the said several Acts, you are forthwith to give Notice to us, that we may proceed further as the Law directs; and for your so doing this shall be to you a sufficient Warrant.

Given under our Hands and Seals at in the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of Assessed Taxes [*or* of the Property and Income Tax].

N° 73.

Form of a Warrant to sell a deceased Collector's Estate seized under the foregoing Warrant, Form N° 72.

To of .

WHEREAS by a certain Warrant, bearing Date the Day of in the Year of our Lord 18 , under the Hands and Seals of and , Two of the Commissioners of Assessed Taxes [*or* of the Property and Income Tax, *as the Case may be,*] acting for the District of in the County of reciting that *C.D.*, late of, *&c.*, a Collector of the Duties of Assessed Taxes [*or as the Case may be*] for the Parish of in the said District, but now deceased, as herein-after mentioned, had as such Collector collected and received from divers Persons within the said Parish the Sum of in respect of the said Duties, and that the said *C.D.* had neglected [*or* did in his Lifetime refuse] to pay the said Sum of Money, according to the Directions of the several Acts of Parliament in that Behalf, and that he had detained the same in his Hands; and that the said *C.D.* departed this Life on the Day of without having paid the said Sum of Money, according to the Directions of the said Acts, the said Commissioners, whose Hands and Seals are subscribed and set to the said Warrant, did thereby command one , Constable of in the said County, to seize and secure the Estate, as well Freehold as Copyhold, and all other Estate, both Real and Personal, of the said *C.D.*, to him belonging at the Time of his Death, or which should or might have descended or come into the Hands or Possession of the Heirs, Executors, Administrators, or Assigns of the said *C.D.*, wheresoever the same could be discovered and found:

And whereas by virtue and in pursuance of the said Warrant the several Estates, Goods, and Chattels belonging to the said *C.D.*, mentioned and particularized in the Schedule or Inventory hereunder written [*or* hereunto annexed] have been seized and secured:

And whereas and , Commissioners as aforesaid, did, in pursuance of the Statute in that Behalf, appoint the Day of at in the said District for a Meeting of the Commissioners of Assessed Taxes [*or* of the Property and Income Tax] for the said District, and did cause public Notice to be given of the Time and Place when and where such Meeting was appointed to be held, Ten Days at least before such Meeting:

And whereas the said Meeting hath been held in pursuance of the said Notice, and the said Sum of Money so detained by the said *C.D.* as aforesaid hath not been paid or satisfied, as ought to be done, according to the Directions of the said Acts:

Now

Now therefore we, whose Hands and Seals are hereunto subscribed and set, being the major Part of the said Commissioners present at the said Meeting, do hereby empower and require you the above-named to sell and dispose of the said Estates, Goods, and Chattels so seized and secured for the Cause aforesaid, to satisfy and pay into the Hands of the Receiver General of Stamps and Taxes [*or* Receiving Officer of the said Duties for the County of] the aforesaid Sum of Money so detained by the said *C.D.*, and remaining unpaid as aforesaid, together with the reasonable Costs and Charges of recovering, raising, and paying the same; and for your so doing this shall be your sufficient Authority.

Given under our Hands and Seals at in the said District, the Day of in the Year of our Lord 184 .

{ Commissioners of Assessed Taxes [*or* of the Property and Income Tax].

N° 74.

Form of public Notice of a Meeting of Commissioners required by 3 *Geo.* 4. *c.* 88. *s.* 3. *to be held after the Seizure of a Collector's Estate.*

WHEREAS by a certain Warrant, bearing Date the Day of , under the Hands and Seals of Two of the Commissioners of Assessed Taxes [*or* of the Property and Income Tax, *as the Case may be,*] acting for the District of in the County of reciting that *C.D.* of a Collector of the Duties of Assessed Taxes [*or as the Case may be*] for the Parish of in the said District, had as such Collector collected and received from divers Persons within the said Parish the Sum of in respect of the said Duties, and that the said *C.D.* had neglected [*or* refused] to pay the said Sum of Money, according to the Directions of the several Acts of Parliament in that Behalf, and that he had detained and did then detain the same in his Hands:

The said Commissioners did thereby command the Constable of to whom the said Warrant was directed to seize and secure the Estate, as well Freehold as Copyhold, and all other Estate, both Real and Personal, of the said *C.D.* to him belonging, wheresoever the same could be discovered and found:

And whereas certain Estates, Goods, and Chattels of the said Collector have been seized and secured under the said Warrant:

Now we the undersigned and being Two of the said Commissioners acting in the said District, do, in pursuance of the Act of Parliament in that Behalf, appoint the Day of for a Meeting of the Commissioners of Assessed Taxes [*or* of the Property and Income Tax] for the said District, to be held at in the said District, at of the Clock in the noon of the said Day; and we do hereby give Notice, that if the said Sum of Money so due and owing from the said Collector be not paid or satisfied, as ought to be done, according to the Directions of the Acts in that Behalf, the Commissioners present at such Meeting, or the major Part of them, will sell and dispose of the said Estates, Goods, and Chattels, to satisfy and pay the said Sum of Money.

Given under our Hands, this Day of in the Year of our Lord 18 .

{ Commissioners of Assessed Taxes [*or* of the Property and Income Tax].

N° 75.

Form of a Deed of Conveyance and Assignment of a Collector's Estate seized under the Act 3 *Geo.* 4. *c.* 88. *s.* 4.

THIS Indenture, made the Day of in the Year of our Lord 18 , between and , Two of the Commissioners of Assessed Taxes [*or* of the Property and Income Tax] acting in and for the District of in the County of , of the First Part, and of the Second Part:

Whereas by a certain Warrant, bearing Date the Day of in the Year of our Lord 18 , under the Hands and Seals of and , Two of the Commissioners of Assessed Taxes [*or* of the Property and Income Tax, *as the Case may be,*] acting for the District of in the County of , reciting that *C.D.* of, *&c.*, a Collector of the Duties of Assessed Taxes [*or as the Case may be*] for the Parish of in the said District, had as such Collector collected and received from divers Persons within the said Parish the Sum of in respect of the said Duties, and that the said *C.D.* had neglected [*or* refused] to pay the said Sum of Money according to the Directions of the several Acts of Parliament in that Behalf, and that he had detained and did then detain the same in his Hands, the said Commissioners, whose Hands and Seals are subscribed and set to the said Warrant, did thereby command one Constable of in the said County to seize and secure the Estate, as well Freehold as Copyhold, and all other Estate, both Real and Personal, of the said *C.D.* to him belonging, wheresoever the

the same could be discovered and found: [*If the Warrant was issued against the Estate of a deceased Collector, the above Recital should be according to the Warrant issued in such Case:*]

And whereas by virtue and in pursuance of the said Warrant the Hereditaments [*or* Premises, Term of Years, *or* Property, *as the Case may be,*] herein-after mentioned, belonging to the said *C.D.* have been seized and secured:

And whereas a Meeting of the said Commissioners of Assessed Taxes [*or* of the Property and Income Tax] acting for the said District was held at in the said District on the Day of pursuant to public Notice, given in conformity with the Directions of the Statute in that Behalf, of the Time and Place of holding such Meeting; and the said Sum of Money so due and owing from the said *C.D.*, not being paid or satisfied, as ought to be done according to the Directions of the Acts of Parliament in that Behalf, the major Part of the said Commissioners present at such Meeting have sold and disposed of the Hereditaments [*or* Premises, Terms of Years, *or* Property, *as the Case may be,*] so seized and secured as aforesaid, and herein-after described, to the said for the Price or Sum of .

Now this Indenture witnesseth, that in pursuance of and under the Authority of the Act and Acts of Parliament in this Behalf, and in consideration of the Sum of of lawful Money of Great Britain paid by the said to the Receiver General of Stamps and Taxes [*or* Receiving Officer of Taxes for the County of , *as the Case may be*], as by the Certificate of the said Receiver General [*or* Receiving Officer] indorsed hereon doth appear, they the said Commissioners, Parties hereto, do hereby bargain, sell, assign, and convey unto the said , his Heirs and Assigns [*or* Executors, Administrators, and Assigns, *as the Case may be*], all that, *&c.*, and all the Estate, Right, Title, *&c.* of the said *C.D.* of, in, and to the said Hereditaments [*or as the Case may be*] hereby bargained, sold, assigned, and conveyed, or intended so to be, to have and to hold all and singular the Premises hereby bargained, sold, assigned, and conveyed, or intended so to be, with their and every of their Rights, Members, and Appurtenances, unto and to the Use of the said his Heirs and Assigns [*or* to the said his Heirs, Executors, Administrators, and Assigns, *or as the Case may be*].

In witness whereof the Parties to these Presents have hereunto set their Hands and Seals, the Day and Year first above written.

Note.—*If the Defaulter has been Collector of the Land Tax and also of the Duties of Assessed Taxes, the Arrears of both the said several Rates and Duties for which such Collector shall have made default may be included in the same Warrants, and in such Case the several foregoing Forms* Nos 70, 71, 72, 73, 74, *and* 75, *may be used, with such Alterations therein respectively as may be necessary or proper for the Purpose of adapting the said respective Forms to the Circumstances of the Case.*

No 76.

Form of Warrant under the Act 43 *Geo.* 3. *c.* 99. *s.* 33. *to break open a House for the Purpose of levying a Distress for Duties in arrear.*

To and Collectors of the Duties herein-after mentioned for the Parish of in the District of in the County of .

Whereas in and by the First [*or* Additional First, *or* Supplementary, *as the Case may be,*] Assessments of the Duties of Assessed Taxes [*or* the Duties payable under Schedule of the Act 5 and 6 Vict. c. 35.] for the aforesaid Parish, for the Year ending the Fifth Day of April 18 , *A.B.* of, *&c.*, hath been duly charged and assessed to the said Duties in the Sum of .

And whereas it appears by the Oath of , Collector of the said Duties appointed for the said Parish, taken before us whose Hands and Seals are hereunto subscribed and set, being Two of the Commissioners of Assessed Taxes [*or* of the Property and Income Tax] acting in and for the District aforesaid, that the said Sum of as and for the Duties so assessed and charged as aforesaid hath been duly demanded of the said *A.B.*, and that he hath refused and neglected to pay the same [*or as the Case may be,* that he hath refused and neglected to pay the Sum of Part of the said Sum of], and that the same now remains due and unpaid:

And whereas it further appears by the Oath aforesaid that divers Goods and Chattels, liable by Law to be distrained for the said Duties, charged and assessed as aforesaid, are lying and being in a certain House, situate, *&c.*, in the Parish of in the District and County aforesaid, now in the Possession of :

These are therefore to authorize and require you the above-named Collectors, and either of you, calling to your Assistance the Constable, Tythingman, or Headborough within and for the Parish of aforesaid, and in the Presence of the said Constable, Tythingman, or Headborough, to demand Entrance into the said House, and in case of Resistance, or Neglect or Refusal to open the same, to break open in the Daytime the said House, and enter the same, and to distrain therein the said Goods and Chattels, and the Distress there found to keep by the Space of Four Days, at the Costs and Charges of the said *A.B.*; and if the whole of the said Sum of , together with the said Costs and Charges, be not paid within the said Four Days then the said Distress, having been first duly valued and appraised by Two of the Inhabitants of the said Parish of , or other sufficient Persons to be sold by

by you, and the Overplus, if any, of the Monies arising by such Sale, after paying and deducting the said Sum of and all Costs and Charges of taking, keeping, and selling the said Distress, to be restored to the Owner thereof.

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 18 .

{ Commissioners of Assessed Taxes [*or* of the Property and Income Tax].

N° 77.

Form of Warrant under the Act 43 *Geo.* 3. *c.* 99. *ss.* 33. *&* 35. *to break open a House for the Purpose of levying a Distress for the Duties of Assessed Taxes in arrear.*

To and Collectors of the Duties of Assessed Taxes for the Parish of in the District of in the County of .

WHEREAS in and by a certain Certificate, bearing Date the Day of in the Year of our Lord 18 , under the Hands and Seals of Two of the Commissioners of Assessed Taxes acting within and for the Parish of in the District of in the County of they the said Commissioners did certify to the Commissioners of Assessed Taxes acting within and for the Parish of in the District of in the County of that in and by the First [*or* Additional First *or* Supplementary] Assessments of the Duties of Assessed Taxes for the Parish of aforesaid, for the Year ending the Fifth Day of April 18 , *A.B.*, now residing in the Parish of aforesaid, had been duly charged and assessed in the Sum of for the Duties of Assessed Taxes in the said Certificate mentioned, and that the said *A.B.* had left unpaid the Sum of in respect of the said Duties so charged and assessed as aforesaid, which had become due and payable on the Day of and that the said last-mentioned Sum was then in arrear, and the said Commissioners acting within and for the said Parish of did request the said Commissioners acting within and for the said Parish of to raise and levy the said Sum of so charged and assessed upon and left unpaid by the said *A.B.*, and then in arrear as aforesaid:

And whereas in pursuance of the said Certificate and Request the Commissioners of Assessed Taxes acting within and for the Parish of aforesaid did by a Warrant in that Behalf under the Hands and Seals of Two of the said last-mentioned Commissioners, duly authorize and require the Collectors of the Duties of Assessed Taxes for the said last-mentioned Parish to make due Demand of and from the said *A.B.* of the said Sum of mentioned in the said Certificate, and for Nonpayment thereof to distrain for the same, according to the Directions of the Statute in that Behalf:

And whereas it appears by the Oath of , Collector of the said Duties for the last-mentioned Parish taken before us whose Hands and Seals are hereunto subscribed and set, being Two of the Commissioners of Assessed Taxes acting within and for the said last-mentioned Parish, that the said Sum of mentioned in the said Certificate to be in arrear and unpaid hath been duly demanded of the said *A.B.*, and that he hath refused and neglected to pay the same [*or, as the Case may be*, to pay the Sum of Part of the said Sum of], and that the same now remains due and unpaid:

And whereas it further appears by the Oath aforesaid that divers Goods and Chattels of the said *A.B.* are lying and being in a certain House, situate, *&c.*, in the Parish of aforesaid, now in the Possession of :

These are therefore, *&c.* [*Proceed as in Form N°* 76, *from the Words "These are therefore" to the End thereof*].

N° 78.

Form of Warrant under the Acts 43 *Geo.* 3. *c.* 99. *s.* 33., *and* 5 *and* 6 *Vict. c.* 35. *ss.* 155. *and* 177., *to break open a House, for the Purpose of levying a Distress for the Duties on Profits arising from Property, Professions, Trades, and Offices in arrear.*

To and Collectors of the Duties herein-after mentioned for the *Parish of in the District of* in the County of .

WHEREAS in and by a certain Certificate, bearing Date the Day of in the Year of our Lord 18 , under the Hands and Seals of Two of the Commissioners of the Property and Income Tax acting for the District of in the County of [*or* Commissioners for Offices for the Department of *or as the Case may be*], they the said Commissioners did certify to the Commissioners of the Property and Income Tax acting within and for the District of in the County of that in and by the First [or Additional First *or* Supplementary] Assessments of the Duties payable under the Schedule [*or* respective Schedules] of the Act 5 and 6 Vict. c. 35., for the Parish of aforesaid [*or* for the Department of *or as the Case may be*], for the Year ending the Fifth Day of April 184 , *A.B.*, now residing in the Parish of aforesaid, had been duly charged and assessed in the Sum of for the Duties in the said Certificate mentioned, and that the said *A.B.* had left unpaid the Sum of in respect of the said Duties so charged and assessed as aforesaid, which

which had become due and payable on the Day of [*or* that the said *A.B.* did not at the Time of his being so charged and assessed as aforesaid reside, nor did he then reside, in the said Parish of , and that the Sum of of the said Duties so charged and assessed as aforesaid, became due and payable on the Day of *or as the Case may be*], and that the said last-mentioned Sum was then in arrear; and the said Commissioners acting within and for the said District of [*or* the said Commissioners for Offices, *as the Case may be*,] did request the said Commissioners acting within and for the said District of to raise and levy the said Sum of so charged and assessed upon the said *A.B.*, and then in arrear as aforesaid:

And whereas in pursuance of the said Certificate and Request the Commissioners of the Property and Income Tax acting within and for the said District of did by a Warrant in that Behalf, under the Hands and Seals of Two of the said last-mentioned Commissioners, duly authorize and require the Collectors of the said Duties for the said Parish of to make due Demand of and from the said *A.B.* of the said Sum of mentioned in the said Certificate, and for Non-payment thereof to distrain for the same according to the Directions of the Statute in that Behalf;

And whereas it appears by the Oath of , Collector of the said Duties for the last-mentioned Parish, taken before us whose Hands and Seals are hereunto subscribed and set, being Two of the Commissioners of the Property and Income Tax acting within and for the District of in the County of , that the said Sum of mentioned in the said Certificate to be in arrear and unpaid hath been duly demanded of the said *A.B.*, and that he hath refused and neglected to pay the same, [*or, as the Case may be*, to pay the Sum of Part of the said Sum of], and that the same now remains due and unpaid:

And whereas it further appears by the Oath aforesaid that divers Goods and Chattels of the said *A.B.* are lying and being in a certain House situate, *&c.*, in the Parish of aforesaid, now in the Possession of :

These are therefore, *&c.* [*Proceed as in Form N° 76, from the Words "These are therefore" to the End thereof*].

N° 79.

Form of a Warrant of Commitment under the Act 43 *Geo.* 3. *c.* 99. *s.* 33. *for Want of sufficient Distress for Duties in arrear.*

To and Collectors of the Duties herein-after mentioned for the Parish of in the District of in the County of [*or* to Constable, Headborough, Tythingman, *or other Officer, as the Case may be*, of the Parish of in the County of], and to the Keeper of the Common Gaol of the said County.

WHEREAS in and by the First [*or* Additional First *or* Supplementary, *as the Case may be*,] Assessments of the Duties of Assessed Taxes [*or* of the Duties payable under the Schedule [*or* respective Schedules] of the Act 5 and 6 Vict. c. 35.] for the Parish of in the District of in the County of for the Year ending the Fifth Day of April 18 , *A.B.* of, *&c.*, hath been duly charged and assessed to the said Duties in the Sum of :

And whereas it appears by the Oath of , Collector of the said Duties appointed for the said Parish of , taken before us whose Hands and Seals are hereunto subscribed and set, being Two of the Commissioners of Assessed Taxes [*or* of the Property and Income Tax] acting in and for the District of aforesaid, that the said Sum of as and for the Duties so charged and assessed as aforesaid hath been duly demanded of the said *A.B.*, and that he hath refused and neglected to pay the same [*or, as the Case may be*, to pay the Sum of Part of the said Sum of], by the Space of Ten Days after such Demand as aforesaid; and it further appears by the Oath aforesaid that the said Sum of for the Duties charged and assessed as aforesaid now remains due and unpaid, and that no sufficient Distress can or may be found whereby the same may be levied:

Now therefore we the said Commissioners whose Hands and Seals are hereunto subscribed and set, do hereby command you the above-named Collectors of the said Duties, or either of you [*or* you the above-named Constable, Headborough, Tythingman, *or other Officer as the Case may be*], to apprehend the said *A.B.*, and to take him to the Common Gaol of the said County of at in the said County, and to deliver him to the Keeper thereof, together with this Warrant; and we do hereby command you the said Keeper to receive him the said *A.B.* into your Custody in the said Common Gaol, there to be kept, without Bail or Mainprize, until Payment shall be made of the said Sum of remaining due and unpaid as aforesaid, and also the further Sum of which we the said Commissioners do adjudge to be reasonable for the Costs and Expences of apprehending the said *A.B.*, and conveying him to Prison.

Given under our Hands and Seals at within the said District, the Day of in the Year of our Lord 18 .

{ Commissioners of Assessed Taxes [*or* of the Property and Income Tax].

N° 80.

No 80.

Form of a Warrant of Commitment under the Act 5 and 6 Will. 4. c. 20. s. 16. for Want of sufficient Distress for the Duties of Assessed Taxes in arrear.

To and Collectors of the Duties of Assessed Taxes for the Parish of in the District of in the County of [*or* to Constable, Headborough, Tythingman, *or other Officer, as the Case may be*, of the Parish of in the County of], and to the Keeper of the Common Gaol of the said County.

WHEREAS in and by a certain Certificate, bearing Date the Day of in the Year of our Lord 18 , under the Hands and Seals of Two of the Commissioners of Assessed Taxes acting within and for the Parish of in the District of in the County of they the said Commissioners did certify to the Commissioners of Assessed Taxes acting within and for the Parish of in the District of in the County of that in and by the First [*or* Additional First *or* Supplementary] Assessments of the Duties of Assessed Taxes for the Parish of aforesaid for the Year ending the Fifth Day of April 18 , *A.B.* residing in the Parish of aforesaid, had been duly charged and assessed in the Sum of for the Duties of Assessed Taxes in the said Certificate mentioned, and that the said *A.B.* had left unpaid the Sum of in respect of the said Duties so charged and assessed as aforesaid, which had become due and payable on the Day of and that the said last-mentioned Sum was then in arrear; and the said Commissioners acting within and for the said Parish of did request the said Commissioners acting within and for the said Parish of to raise and levy the said Sum of so charged and assessed upon and left unpaid by the said *A.B.* and then in arrear as aforesaid:

And whereas in pursuance of the said Certificate and Request the Commissioners of Assessed Taxes acting within and for the said Parish of did, by a Warrant in that Behalf under the Hands and Seals of Two of the said last-mentioned Commissioners, duly authorize and require the Collectors of the Duties of Assessed Taxes for the said Parish of to make due Demand of and from the said *A.B.* of the said Sum of mentioned in the said Certificate, and for Non-payment thereof to distrain for the same, according to the Directions of the Statute in that Behalf:

And whereas it appears by the Oath of , Collector of the said Duties for the said last-mentioned Parish, taken before us whose Hands and Seals are hereunto subscribed and set, being Two of the Commissioners of Assessed Taxes acting within and for the said Parish of , in the District of in the County of that the said Sum of mentioned in the said Certificate to be in arrear and unpaid hath been duly demanded of the said *A.B.*, and that he hath refused and neglected to pay the same [*or, as the Case may be*, to pay the Sum of Part of the said Sum of]; and it further appears by the Oath aforesaid that the said Sum of now remains due and unpaid, and that no sufficient Distress can or may be found within the District or Division of the said Commissioners acting within and for the said Parish of whereby the same may be levied.

Now therefore, &c. [*Proceed as in the Form* No 79, *from the Words "Now therefore" to the End thereof.*]

No 81.

Form of Warrant of Commitment under the Act 5 and 6 Will. 4. c. 20. s. 16. for Want of a sufficient Distress for the Duties on Profits arising from Property, Professions, Trades, and Offices.

To and Collectors of the Duties herein-after mentioned for the Parish of in the District of in the County of [*or* to Constable, Headborough, Tythingman, *or other Officer, as the Case may be*, of the Parish of in the County of], and to the Keeper of the Common Gaol of the said County.

WHEREAS in and by a certain Certificate, bearing Date the Day of in the Year of our Lord 18 , under the Hands and Seals of Two of the Commissioners of the Property and Income Tax acting within and for the District of in the County of they the said Commissioners did certify to the Commissioners of the Property and Income Tax acting within and for the District of in the County of that in and by the First [*or* Additional First *or* Supplementary] Assessments of the Duties payable under the Schedule [*or* respective Schedules] of the Act 5 and 6 Vict. c. 35. for the Parish of in the said District of for the Year ending the Fifth Day of April 18 , *A.B.*, residing in the Parish of aforesaid, had been duly charged and assessed in the Sum of for the said Duties, in the said Certificate mentioned, and that the said *A.B.* had left unpaid the Sum of in respect of the said Duties so charged and assessed as aforesaid, which had become due and payable on the Day of [*or* that the said *A.B.* did not at the Time of his being so charged and assessed as aforesaid, or at the Time of the granting of the said Certificate, reside in the said Parish of

of and that the Sum of in respect of the said Duties so charged and assessed as aforesaid became due and payable on the Day of], and that the said last-mentioned Sum was then in arrear; and the said Commissioners acting within and for the said District of did request the said Commissioners acting within and for the said District of to raise and levy the said Sum of so charged and assessed upon the said *A.B.*, and then in arrear as aforesaid:

And whereas in pursuance of the said Certificate and Request the Commissioners of the Property and Income Tax acting within and for the said District of did, by a Warrant in that Behalf under the Hands and Seals of Two of the said last-mentioned Commissioners, duly authorize and require the Collectors of the said Duties for the Parish of aforesaid to make due Demand of and from the said *A.B.* of the said Sum of mentioned in the said Certificate, and for Nonpayment thereof to distrain for the same, according to Directions of the Statute in that Behalf:

And whereas it appears by the Oath of Collector of the said Duties for the last-mentioned Parish, taken before us whose Hands and Seals are hereunto subscribed and set, being Two of the Commissioners of the Property and Income Tax acting within and for the said District of that the said Sum of mentioned in the said Certificate to be in arrear and unpaid hath been duly demanded of the said *A.B.*, and that he hath refused and neglected to pay the same [*or, as the Case may be*, to pay the Sum of Part of the said Sum of]; and it further appears by the Oath aforesaid that the said Sum of now remains due and unpaid, and that no sufficient Distress can or may be found within the said District of whereby the same may be levied:

Now therefore, *&c.* [*Proceed as in Form N° 79, from the Words "Now therefore" to the End.*]

Note.—*The several Forms herein-before provided to be used by or under the Direction of the Commissioners of the Property and Income Tax may, in all Cases in which the same are or may be applicable, and where no other Form is specially provided for the Occasion, be adapted and applied, mutatis mutandis, to the Execution of the Acts relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, by or under the Direction of the Commissioners for Offices, in relation to the Duties chargeable under Schedule E. of the Act 5 and 6 Vict. c. 35.*

C A P. LVII.

An Act for regulating the Gauge of Railways. [18th *August* 1846.]

WHEREAS it is expedient to define the Gauge on which Railways shall be constructed: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That after the passing of this Act it shall not be lawful (except as herein-after excepted) to construct any Railway for the Conveyance of Passengers on any Gauge other than Four Feet Eight Inches and Half an Inch in *Great Britain*, and Five Feet Three Inches in *Ireland*: Provided always, that nothing herein-before contained shall be deemed to forbid the Maintenance and Repair of any Railway constructed before the passing of this Act on any Gauge other than those herein-before specified, or to forbid the laying of new Rails on the same Gauge on which such Railway is constructed within the Limits of Deviation authorized by the several Acts under the Authority of which such Railways are severally constructed.

On what Gauge Railways shall be made.

II. And be it enacted, That nothing herein-before contained shall apply to any Railway constructed or to be constructed under the Provisions of any present or future Act containing any special Enactment defining the Gauge or Gauges of such Railway, or any Part thereof, or to any Railway which is in its whole Length Southward of the *Great Western* Railway, or to any Railway in any of the Counties of *Cornwall*, *Devon*, *Dorset*, or *Somerset*, for which any Act has been or shall be passed in this Session of Parliament, or to any Railway in any of the last-mentioned Counties now in course of Construction, or to the Two Railways severally to be constructed under the Authority of Two Acts passed in this Session of Parliament, severally intituled *An Act for making a Railway from the* Great Western *Railway at* West Drayton *to* Uxbridge *in* Middlesex, and *An Act for making a Railway from the* Great Western *Railway at* Maidenhead *in* Berkshire *to the Town of* High Wycombe *in the County of* Buckingham; or to so much of an Act passed in this Session, intituled *An Act to authorize certain Extensions of the Line of the* Oxford, Worcester, and Wolverhampton *Railway, and to amend the Act relating thereto*, as authorizes the Construction of a Branch Railway from the *Oxford, Worcester, and Wolverhampton* Railway to the Town of *Witney* in the County of *Oxford;* or to an Act passed or which may be passed in this Session of Parliament, "to authorize the Construction of a Railway from *Melin-y-Manach* to *Rhydydefydd* in the County of *Glamorgan*."

Exception of certain Railways.

9 & 10 Vict. c. clxvi.
9 & 10 Vict. c. ccxxxvi.
9 & 10 Vict. c. cclxxviii.

III. And be it enacted, That the several Railways authorized to be constructed by an Act passed in the last Session of Parliament, intituled *An Act for making a Railway, to be called "The* South Wales *Railway,"* and by an Act also passed in the last Session of Parliament, intituled *An Act for making a Railway from* Monmouth *to* Hereford, *with Branches therefrom to* Westbury *and to join the* Forest of Dean *Railway*, and by Two Acts passed in this Session of Parliament, severally intituled *An Act for completing*

Railways on Broad Gauge.

8 & 9 Vict. c. cxc.
8 & 9 Vict. c. cxci.

completing the Line of the South Wales *Railway, and to authorize the Construction of an Extension and certain Alterations of the said Railway, and certain Branch Railways in connexion therewith*, and *An Act for making a Railway Communication between the City of* Bristol *and the proposed* South Wales *Railway in the County of* Monmouth, *with a Branch Railway therefrom*, shall be constructed on the Gauge of Seven Feet. 9 & 10 Vict. 9 & 10 Vict. c.cv.

IV. And be it enacted, That it shall not be lawful after the passing of this Act to alter the Gauge of any Railway used for the Conveyance of Passengers. Gauge not to be altered.

V. And be it enacted, That nothing herein-before contained shall be deemed to affect the Provisions of Two Acts passed in the last Session of Parliament, respectively intituled *An Act for making a Railway from the City of* Oxford *to the Town of* Rugby, and *An Act for making a Railway from* Oxford *to* Worcester *and* Wolverhampton, with respect to the Gauge on which they are to be formed, or the additional Rails which according to the several Provisions of the last Two recited Acts are to be or may be laid down and maintained on the Railways thereby authorized, or with respect to the Powers thereby conferred on the Commissioners of Her Majesty's Privy Council for Trade and Foreign Plantations concerning the Construction and Use of the Railways thereby authorized. Provision as to certain Two Railways. 8 & 9 Vict. c. clxxxviii. 8 & 9 Vict. c. clxxxiv.

VI. And be it enacted, That if any Railway used for the Conveyance of Passengers shall be constructed or altered contrary to the Provisions of this Act, the Company authorized to construct the Railway, or, in the Case of any Demise or Lease of such Railway, the Company for the Time being having the Control of the Works of such Railway, shall forfeit Ten Pounds for every Mile of such Railway which shall be so unlawfully constructed or altered, during every Day that the same shall continue so unlawfully constructed or altered; and in estimating the Amount of any such Penalty any Distance less than One Mile shall be estimated as a Mile. Penalty on Company for constructing Railways contrary to this Act.

VII. And be it enacted, That, over and above the Penalty herein-before provided, if any Railway used for the Conveyance of Passengers shall be constructed or altered contrary to the Provisions of this Act, it shall be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or for the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations, to abate and remove the same or any Part thereof so constructed or altered contrary to the Provisions of this Act, and to restore the Site thereof to its former Condition. Railways constructed contrary to this Act may be abated.

VIII. And be it enacted, That all Penalties under this Act may be recovered from the Company liable to pay and make good the same, as, under the Provisions of an Act passed in the last Session of Parliament, intituled *An Act for consolidating in One Act certain Provisions usually inserted in Acts authorizing the making of Railways*, a Penalty for any Infringement of the last-recited Act is recoverable against a Company authorized to construct a Railway. Recovery of Penalties. 8 & 9 Vict. c. 20.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

CAP. LVIII.

An Act to amend an Act of the Seventh and Eighth Years of Her present Majesty, for reducing, under certain Circumstances, the Duties payable upon Books and Engravings.

[18th *August* 1846.]

'WHEREAS by an Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to reduce, under certain Circumstances, the Duties payable upon Books and Engravings*, it is enacted, that it shall be lawful for Her Majesty, by Order in Council, to declare that Books and Engravings published in certain Foreign Countries shall be liable only to the Duties set forth in the Schedule to the said Act annexed: And whereas a Treaty has been concluded between Her Majesty and the King of *Prussia* for the Purpose of securing to the Authors and Publishers of the United Kingdom and of the Dominions of *Prussia* respectively a reciprocal Protection in their Rights of Property in their Productions: And whereas by the said Treaty it is agreed that Books and Engravings published in the Dominions of *Prussia* shall upon their Importation into the United Kingdom be subject to such Duties only as are set forth in the said Treaty: And whereas such Duties do not in all respects correspond with the Duties set forth in the said Schedule to the said Act herein-before referred to; and it is expedient that Authority should be given to Her Majesty to carry the Provisions of the said Treaty into effect, and to conclude similar Treaties with other Foreign Powers:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act herein-before referred to shall be repealed. 7 & 8 Vict. c. 73. Recited Act repealed.

II. And be it enacted, That whenever Her Majesty has, by virtue of any Authority vested in Her for that Purpose, declared that the Authors, Inventors, Designers, Engravers, or Makers of any Books, Prints, or other Works of Art first published in any Foreign Country or Countries shall have the Privilege of Copyright therein, it shall be lawful for Her Majesty, if she think fit, from Time to Time, by any Order in Council, to declare that from and after a Day to be named in such Order, in lieu of the Duties of Customs from Time to Time payable on the Importation into the United Kingdom of any of the Classes of Articles enumerated in the Schedule to this Act annexed, there shall be payable only such Duties of Customs as are set forth in the said Schedule. Her Majesty may, by Order in Council, reduce Duties on Books and Prints published in Countries to which Copyright is allowed.

Her Majesty may, by Order in Council, reduce Duties on Books, &c. of Countries under Treaty of Reciprocity.

III. And be it enacted, That if at the Time of the Publication of any such Order in Council as aforesaid there be subsisting between Her Majesty and any other Foreign Country any Treaty or Convention concluded before the Date of the passing of this Act, and directly or indirectly binding Her Majesty, either conditionally or unconditionally, to admit Books, Prints, or Drawings published in and imported from such Country into the United Kingdom, upon the same Terms as those published in and imported from the most favoured Nation, and if in the Case of such Treaty being conditional such Country have fulfilled the Conditions required in return for such Privilege, it shall be lawful for Her Majesty, if She think fit, from Time to Time, by any Order in Council, after reciting the Date of such Treaty, and if the same be conditional, stating that such Country has duly fulfilled the Conditions required in return for the aforesaid Privilege, and is entitled thereto, to declare that from and after a Day to be named in such Order, in lieu of the Duties of Customs from Time to Time payable on the Importation into the United Kingdom of any of the Classes of Articles enumerated in the said Schedule to this Act annexed, there shall be payable only such Duties of Customs as are set forth in the said Schedule.

Her Majesty may reduce Duties in favour of other Countries;

IV. And be it enacted, That it shall be lawful for Her Majesty, if She shall think proper, from Time to Time, by any Order in Council, to declare that such Duties only shall be charged upon Books, Prints, or Drawings published in and imported from any Foreign Country or Countries to be named in such Order as are set forth in the said Schedule to this Act annexed.

and revoke previous Orders.

V. And be it enacted, That it shall be lawful for Her Majesty, by any further Order or Orders in Council, from Time to Time to revoke the whole or any Part of any Order or Orders issued by Her Majesty under the Authority of this Act.

Orders to be published in the Gazette;

VI. And be it enacted, That every Order in Council issued under the Authority of this Act shall within Fourteen Days after the issuing thereof be Twice published in the "*London Gazette.*"

and to be laid before Parliament.

VII. And be it enacted, That a Copy of every Order in Council issued under the Authority of this Act shall be laid before both Houses of Parliament within Six Weeks after issuing the same, if Parliament be then sitting, and if not then within Six Weeks after the Commencement of the then next Session of Parliament.

Act may be amended, &c.

VIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

SCHEDULE to which the foregoing Act refers.

BOOKS; videlicet,

	£	s.	d.
Works originally produced in the United Kingdom, and republished in the Country of Export, the Hundred Weight - - - -	2	10	0
Works not originally produced in the United Kingdom, the Hundred Weight	0	15	0

PRINTS and DRAWINGS (Plain or Coloured):

Single, each - - - - - -	0	0	0½
Bound or sewn, the Dozen - - - - - -	0	0	1½

CAP. LIX.

An Act to relieve Her Majesty's Subjects from certain Penalties and Disabilities in regard to Religious Opinions. [18th *August* 1846.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act the Statutes or Ordinances and the several Acts herein-after mentioned, or so much and such Parts of any of the said Acts as are herein-after specified, shall be repealed; (that is to say,)

Certain Acts and Parts of Acts repealed.

The Statute or Ordinance of the Fifty-fourth and Fifty-fifth Years of the Reign of King *Henry* the Third, and the Statute or Ordinance commonly called Statutum Judæismo:

Also so much of an Act passed in the Fifth and Sixth Years of the Reign of King *Edward* the Sixth, intituled *An Act for the Uniformity of Service and Administration of Sacraments throughout the Realm*, as enacts "that from and after the Feast of *All Saints* next coming all and every Person and Persons inhabiting within this Realm, or any other the King's Majesty's Dominions, shall diligently and faithfully, having no lawful or reasonable Excuse to be absent, endeavour themselves to resort to their Parish Church or Chapel accustomed, or, upon reasonable Let thereof, to some usual Place where Common Prayer and such Service of God shall be used in such Time of Let, upon every *Sunday*, and other Days ordained and used to be kept as holy Days, and then and there to abide orderly and soberly during the Time of Common Prayer, Preachings, or other Service of God there to be used and ministered, upon Pain of Punishment by the Censures of the Church," so far as the same affects Persons dissenting from the Worship or Doctrines of the United Church of *England* and *Ireland*, and usually attending some Place of Worship, other than the Established Church:

5 & 6 Edw. 6. c. 1., §§ 1, 2, 3, 4, 6.

Church: Provided always, that no pecuniary Penalty shall be imposed upon any Person by reason of his so absenting himself as aforesaid:

Also so much of the said Act as enacts, "that if any Manner of Person or Persons inhabiting and being within this Realm, or any other the King's Majesty's Dominions, shall, after the said Feast of *All Saints*, willingly and wittingly hear and be present at any other Manner or Form of Common Prayer, of Administration of the Sacraments, of making of Ministers in the Churches, or of any other Rites contained in the Book annexed to this Act than is mentioned and set forth in the said Book, or that is contrary to the Form of sundry Provisions and Exceptions contained in the aforesaid former Statute, and shall be thereof convicted according to the Laws of this Realm, before the Justices of Assize, Justices of Oyer and Determiner, Justices of Peace in their Sessions, or any of them, by the Verdict of Twelve Men, or by his or their own Confession, or otherwise, shall, for the First Offence suffer Imprisonment for Six Months, without Bail or Mainprize, and for the Second Offence, being likewise convicted as is above-said, Imprisonment for One whole Year, and for the Third Offence, in like Manner, Imprisonment during his or their Lives:"

Also so much of the said Act as enacts, "that for the more Knowledge to be given hereof, and better Observation of this Law, all and singular Curates shall, upon One *Sunday* every Quarter of the Year, during One whole Year next following the foresaid Feast of *All Saints* next coming, read this present Act in the Church at the Time of the most Assembly, and likewise once in every Year following, at the same Time declaring unto the People, by the Authority of the Scripture, how the Mercy and Goodness of God hath in all Ages been shown to his People in their Necessities and Extremities, by means of hearty and faithful Prayers made to Almighty God, especially where People be gathered together with One Faith and Mind to offer up their Hearts by Prayer as the best Sacrifices that Christian Men can yield:"

Also so much of any Act or Acts of the Parliament of *Ireland* as may have extended to *Ireland* the Provisions of the said Act of the Fifth and Sixth Years of the Reign of King *Edward* the Sixth, so far as the same is hereby repealed:

Also so much of an Act passed in the First Year of the Reign of Queen *Elizabeth*, intituled *An Act to restore to the Crown the ancient Jurisdiction over the Estate Ecclesiastical and Spiritual, and abolishing all Foreign Powers repugnant to the same*, and of an Act of the Parliament of *Ireland* passed in the Second Year of the same Queen's Reign, intituled *An Act restoring to the Crown the auncient Jurisdiction of the State Ecclesiasticall and Spirituall, and abolishing all Forreinne Power repugnant to the same*, as makes it punishable to affirm, hold, stand with, set forth, maintain, or defend, as therein is mentioned, the Authority, Pre-eminence, Power, or Jurisdiction, Spiritual or Ecclesiastical, of any Foreign Prince, Prelate, Person, State, or Potentate theretofore claimed, used, or usurped within this Realm, or any Dominion or Country being within or under the Power, Dominion, or Obeisance of Her Highness, or to put in ure or execute any thing for the extolling, Advancement, setting forth, Maintenance, or Defence of any such pretended or usurped Jurisdiction, Power, Pre-eminence, and Authority, or any Part thereof, or to abet, aid, procure, or counsel any Person so offending: Provided always, and be it declared, that nothing in this Enactment contained shall authorize or render it lawful for any Person or Persons to affirm, hold, stand with, set forth, maintain, or defend any such Foreign Power, Pre-eminence, Jurisdiction, or Authority, nor shall the same extend further than to the Repeal of the particular Penalties and Punishments therein referred to, but in all other respects the Law shall continue the same as if this Enactment had not been made: Provided further, that if any Person in Holy Orders according to the Rites and Ceremonies of the United Church of *England* and *Ireland* shall affirm, hold, stand with, set forth, maintain, or defend any such Foreign Power, Pre-eminence, Jurisdiction, or Authority, such Person shall be incapable of holding any Ecclesiastical Promotion, and, if in possession of any such Promotion, may be deprived thereof by due Course of Law, in the same Manner as for any other Cause of Deprivation: 1 Eliz. c. 1. 2 Eliz. c. 1. (I.)

Also so much of another Act passed in the First Year of the same Queen's Reign, intituled *An Act for the Uniformity of Common Prayer and Service in the Church, and Administration of the Sacraments*, and of another Act of the Parliament of *Ireland* passed in the Second Year of the same Queen's Reign, intituled *An Act for the Uniformity of Common Prayer and Service in the Church, and the Administration of the Sacraments*, as relates to a Person's resorting to his Parish Church or Chapel accustomed, or, upon reasonable Let thereof, to some usual Place where Common Prayer and such Service of God as in such Acts are mentioned are used in such Time of Let, upon *Sundays* and other Days ordained and used to be kept as holy Days, and to his then and there abiding orderly and soberly during the Time of the Common Prayer, Preaching, or other Service of God there used and ministered: 1 Eliz. c. 2. 2 Eliz. c. 2. (I.)

Also an Act passed in the Fifth Year of the same Queen's Reign, intituled *An Act for the Assurance of the Queen's Royal Power over all Estates and Subjects within Her Dominions:* 5 Eliz. c. 1.

Also an Act passed in the Thirteenth Year of the same Queen's Reign, intituled *An Act against the bringing in and putting in execution of Bulls, Writings, or Instruments, and other superstitious Things from the See of* Rome, so far only as the same imposes the Penalties or Punishments therein mentioned; but it is hereby declared that nothing in this Enactment contained shall authorize or render it lawful for any Person or Persons to import, bring in, or put in execution within this 13 Eliz. c. 2.

this Realm any such Bulls, Writings, or Instruments, and that in all respects, save as to the said Penalties or Punishments, the Law shall continue the same as if this Enactment had not been made:

29 Eliz. c. 6. Also an Act passed in the Twenty-ninth Year of the same Queen's Reign, intituled *An Act for the more speedy and due Execution of certain Branches of the Statute made in the Twenty-third Year of the Queen's Majesty's Reign, intituled 'An Act to retain the Queen's Majesty's Subjects in their 'due Obedience:'*

1 Jac. 1. c. 4. Also an Act passed in the First Year of the Reign of King *James* the First, intituled *An Act for the due Execution of the Statutes against Jesuits, Seminary Priests, Recusants, &c.:*

3 Jac. 1. c. 1. § 2. in part. Also so much of an Act passed in the Third Year of the Reign of the said King *James* the First, intituled *An Act for a public Thanksgiving to Almighty God every Year on the Fifth Day of* November, as enacts, "that all and every Person and Persons inhabiting within this Realm of *England* and the Dominions of the same shall always upon that Day diligently and faithfully resort to the Parish Church or Chapel accustomed, or to some usual Church or Chapel where the said Morning Prayer, Preaching, or other Service of God shall be used, and then and there to abide orderly and soberly during the Time of the said Prayers, Preaching, or other Service of God there to be used and ministered:"

3 Jac. 1. c. 4. Also an Act passed in the said Third Year of the said King *James*'s Reign, intituled *An Act for the better discovering and repressing of Popish Recusants:*

7 Jac. 1. c. 6. Also an Act passed in the Seventh Year of the same King's Reign, intituled *An Act for administering the Oath of Allegiance, and Reformation of married Women Recusants:*

13 & 14 Car. 2. c. 4. § 11. Also so much of an Act passed in the Thirteenth and Fourteenth Years of the Reign of King *Charles* the Second, intituled *An Act for the Uniformity of Public Prayers, and Administration of Sacraments, and other Rites and Ceremonies, and for establishing the Form of making, ordaining, and consecrating Bishops, Priests, and Deacons in the Church of* England, as makes any Schoolmaster or other Person instructing or teaching Youth in any private House or Family as a Tutor or Schoolmaster punishable for instructing or teaching any Youth as a Tutor or Schoolmaster before Licence obtained from his respective Archbishop, Bishop, or Ordinary of the Diocese, according to the Laws and Statutes of this Realm, and before such Subscription and Acknowledgment made as in the said Act is mentioned:

Also so much of the last-mentioned Act whereby any Act or Part of any Act herein-before repealed has been confirmed or kept in force:

And also so much of any Act or Acts of Parliament whereby the said Parts of the said Act of the Thirteenth and Fourteenth Years of the Reign of King *Charles* the Second herein-before repealed have been confirmed or incorporated in any other Act or Acts of Parliament:

17 & 18 Car. 2. c. 6. § 6. (I.) Also so much of an Act of the Parliament of *Ireland* passed in the Seventeenth and Eighteenth Years of the Reign of the said King *Charles* as requires that Schoolmasters or other Persons instructing or teaching Youth in private Houses or Families as Tutors or Schoolmasters should take the Oath of Allegiance and Supremacy, and as makes such Schoolmasters or other Persons punishable for so instructing or teaching Youth before Licence obtained from their respective Archbishop, Bishop, or Ordinary of the Diocese, and before such Subscription and Acknowledgment made as in the said Act is mentioned:

30 Car. 2. st. 2. § 5. in part. Also so much of an Act passed in the Thirtieth Year of the Reign of the said King *Charles*, intituled *An Act for the more effectual preserving the King's Person and Government by disabling Papists from sitting in either House of Parliament*, as enacts that "every Person now or hereafter convicted of Popish Recusancy who hereafter shall, at any Time after the said First Day of *December*, come advisedly into or remain in the Presence of the King's Majesty or Queen's Majesty, or shall come into the Court or House where they or any of them reside, as well during the Reign of His present Majesty (whose Life God long preserve) as during the Reigns of any of His Royal Successors, Kings or Queens of *England*, shall incur and suffer all the Pains, Penalties, Forfeitures, and Disabilities in this Act mentioned or contained:"

8 & 9 W. 3. c. 3. (S.) and all Laws revived, ratified, and confirmed thereby. Also an Act of the Parliament of *Scotland* passed in the Eighth and Ninth Session of the First Parliament of King *William* the Third, intituled *An Act for preventing the Growth of Popery*, and all Laws, Statutes, and Acts of Parliament revived, ratified, and perpetually confirmed by the said Act of King *William*'s First Parliament, except as to the Form of the Formula in such last-mentioned Act contained:

11 & 12 W. 3. c. 4. Also an Act passed in the Eleventh and Twelfth Years of the Reign of the said King *William* the Third, intituled *An Act for the further preventing the Growth of Popery:*

1 Anne, st. 1. c. 30. Also an Act passed in the First Year of the Reign of Queen *Anne*, intituled *An Act to oblige Jews to maintain and provide for their Protestant Children:*

2 Anne, c. 6. § 1. (I.) Also so much of an Act of the Parliament of *Ireland* passed in the Second Year of the Reign of the said Queen *Anne*, intituled *An Act to prevent the further Growth of Popery*, as enacts "that if any Person or Persons shall seduce, persuade, or pervert any Person or Persons professing or that shall profess the Protestant Religion to renounce, forsake, or abjure the same, and to profess the Popish Religion, or reconcile him or them to the Church of *Rome*, then and in such Case every such Person and Persons so seducing, as also every such Protestant and Protestants who shall be so seduced, perverted, and reconciled to Popery, shall for the said Offences, being thereof lawfully convicted, incur the

the Danger and Penalty of Præmunire mentioned in the Statute of Præmunire made in *England* in the Sixteenth Year of the Reign of King *Richard* the Second :"

Also so much of the said last-mentioned Act of Queen *Anne* as empowers the Court of Chancery to make such Order for the Maintenance of Protestant Children not maintained by their Popish Parents, suitable to the Degree and Ability of such Parents and to the Age of such Child, and also for the Portions of Protestant Children to be paid at the Decease of their Popish Parents, as that Court shall adjudge fit, suitable to the Degree and Ability of such Parents, and as empowers the said Court to make such Order for the educating in the Protestant Religion the Children of Papists, where either the Father or Mother of such Children shall be Protestants, till the Age of Eighteen Years of such Children, as to that Court shall seem meet, and in order thereto to limit and appoint where, and in what Manner, and by whom, such Children shall be educated; and as enacts that the Father of such Children shall pay the Charges of such Education as shall be directed by the said Court: § 3. § 4.

And an Act passed in the Eleventh Year of the Reign of King *George* the Second, intituled *An Act for securing the Estates of Papists conforming to the Protestant Religion against Disabilities created by several Acts of Parliament relating to Papists; and for rendering more effectual the several Acts of Parliament made for vesting in the Two Universities in that Part of* Great Britain *called* England *the Presentation of Benefices belonging to Papists*, except so much of the said Act as relates to any Advowson, or Right of Presentation, Collation, Nomination, or Donation of or to any Benefice, Prebend, or Ecclesiastical Living, School, Hospital, or Donative, or any Grant or Avoidance thereof, or any Admission, Institution, or Induction to be made thereupon, but so as that the Repeal of the said Act shall not in anywise affect or prejudice the Right, Title, or Interest of any Person in or to any Lands, Tenements, or Hereditaments under and by virtue of the Provisions of the said Act at the Time of such Repeal: 11 G. 2. c. 17.

Also so much of an Act of the Parliament of *Ireland* passed in the Seventeenth and Eighteenth Years of the Reign of King *George* the Third, intituled *An Act for the Relief of His Majesty's Subjects of this Kingdom professing the Popish Religion*, as enacts "that no Maintenance or Portion shall be granted to any Child of a Popish Parent, upon a Bill filed against such Parent pursuant to the aforesaid Act of the Second of Queen *Anne*, out of the Personal Property of such Papist, except out of such Leases which they may hereafter take under the Powers granted in this Act:" 17 & 18 G. 3. c. 49. § 5. (I.)

Also so much of an Act passed in the Eighteenth Year of the Reign of the said King *George* the Third, intituled *An Act for relieving His Majesty's Subjects professing the Popish Religion from certain Penalties and Disabilities imposed on them by an Act made in the Eleventh and Twelfth Years of the Reign of King* William *the Third, intituled 'An Act for the further preventing the Growth of 'Popery,'* as enacts "that nothing in this Act contained shall extend or be construed to extend to any Popish Bishop, Priest, Jesuit, or Schoolmaster who shall not have taken and subscribed the above Oath in the above Words before he shall have been apprehended, or any Prosecution commenced against him:" 18 G. 3. c. 60. § 5.

Also so much of an Act of the Parliament of *Ireland* passed in the Twenty-third and Twenty-fourth Years of the Reign of the said King *George* the Third, intituled *An Act for extending the Provisions of an Act passed in this Kingdom in the Nineteenth and Twentieth Years of His Majesty's Reign, intituled 'An Act for naturalizing such Foreign Merchants, Traders, Artificers, Artizans, Manufacturers, Workmen, Seamen, Farmers, and others, as shall settle in this Kingdom,'* as excepts out of the Benefit of that Act Persons professing the Jewish Religion: 23 & 24 G. 3. c. 38. (I.)

Also so much of an Act passed in the Thirty-first Year of the Reign of the said King *George* the Third, intituled *An Act to relieve, upon Conditions and under Restrictions, the Persons therein described from certain Penalties and Disabilities to which Papists or Persons professing the Popish Religion are by Law subject*, as enacts "that nothing herein contained shall be construed to give any Ease, Benefit, or Advantage to any Person who shall, by Preaching, Teaching, or Writing, deny or gainsay the Oath of Allegiance, Abjuration, and Declaration herein-before mentioned and appointed to be taken as aforesaid, or the Declarations or Doctrines therein contained, or any of them :" 31 G. 3. c. 32. § 12.

Also so much of the said last-mentioned Act as provides and enacts, "that no Schoolmaster professing the Roman Catholic Religion shall receive into his School for Education the Child of any Protestant Father :" § 15.

Also so much of the said last-mentioned Act as provides and enacts, "that no Person professing the Roman Catholic Religion shall be permitted to keep a School for the Education of Youth until his or her Name and Description as a Roman Catholic Schoolmaster or Schoolmistress shall have been recorded at the Quarter or General Session of the Peace for the County or other Division or Place where such School shall be situated, by the Clerk of the Peace of the said Court, who is hereby required to record such Name and Description accordingly upon Demand by such Person, and to give a Certificate thereof to such Person as shall at any Time demand the same, and no Person offending in the Premises shall receive any Benefit of this Act:" § 16.

Also so much of an Act of the Parliament of *Ireland* passed in the Thirty-third Year of the Reign of the said King *George* the Third, intituled *An Act for the Relief of His Majesty's Popish or Roman Catholic Subjects of* Ireland, as provides "that no Papist or Roman Catholic, or Person professing the Roman Catholic or Popish Religion, shall take any Benefit by or under this Act, unless he shall have first taken and subscribed the Oath and Declaration in this Act contained and set forth, and also 33 G. 3. c. 21. § 14. (I.)

also the said Oath appointed by the said Act passed in the Thirteenth and Fourteenth Years of His Majesty's Reign, intituled *An Act to enable His Majesty's Subjects, of whatever Persuasion, to testify their Allegiance to Him in some One of His Majesty's Four Courts in* Dublin, *or at the General Sessions of the Peace, or at any Adjournment thereof, to be holden for the County, City, or Borough, wherein such Papist or Roman Catholic, or Person professing the Roman Catholic or Popish Religion, doth inhabit or dwell, or before the going Judge or Judges of Assize in the County wherein such Papist or Roman Catholic, or Person professing the Roman Catholic or Popish Religion, doth inhabit and dwell, in open Court:*

33 G. 3. c. 44. Also an Act passed in the said Thirty-third Year of the Reign of the said King *George* the Third, intituled *An Act for requiring a certain Form of Oath of Abjuration and Declaration from His Majesty's Subjects professing the Roman Catholic Religion in that Part of* Great Britain *called* Scotland.

Jews to be subject to the same Laws as Protestant Dissenters in respect to Schools, &c.

II. And be it enacted, That from and after the Commencement of this Act Her Majesty's Subjects professing the Jewish Religion, in respect to their Schools, Places for Religious Worship, Education, and charitable Purposes, and the Property held therewith, shall be subject to the same Laws as Her Majesty's Protestant Subjects dissenting from the Church of *England* are subject to, and not further or otherwise.

Not to affect pending Suits.

III. Provided, That nothing in this Act contained shall affect any Action or Suit actually pending or commenced, or any Property now in Litigation, Discussion, or Dispute, in any of Her Majesty's Courts of Law or Equity.

Disturbing Religious Assemblies.

IV. That from and after the Commencement of this Act all Laws now in force against the wilfully and maliciously or contemptuously disquieting or disturbing any Meeting, Assembly, or Congregation of Persons assembled for Religious Worship, permitted or authorized by any former Act or Acts of Parliament, or the disturbing, molesting, or misusing any Preacher, Teacher, or Person officiating at such Meeting, Assembly, or Congregation, or any Person or Persons there assembled, shall apply respectively to all Meetings, Assemblies, or Congregations whatsoever of Persons lawfully assembled for Religious Worship, and the Preachers, Teachers, or Persons officiating at such last-mentioned Meetings, Assemblies, or Congregations, and the Persons there assembled.

Act may be amended, &c.

V. That this Act may be repealed, altered, or varied at any Time within this Session of Parliament.

CAP. LX.

An Act to exempt from Stamp Duty Bonds and Warrants to confess Judgment executed by High Constables or Collectors of Grand Jury Cess, or their Sureties, in *Ireland*.

[18th *August* 1846.]

6 & 7 W. 4. c. 116.

'WHEREAS by an Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in* Ireland, it is amongst other things enacted, that no Person shall act as High Constable or Collector unless he shall have given Security at the Assizes before the Grand Jury by whom he shall have been appointed, or before the Justices of the Peace at the Sessions, if such High Constable or Collector shall have been appointed at Sessions, by Two sufficient Sureties joining with him in executing a Bond and Warrant of Attorney, without Stamp, to confess Judgment, to the Treasurer of the County, conditioned for his duly collecting and paying to such Treasurer, on or before the First Day of the next Assizes, all such Public Money as he is or shall be required by him to collect: And whereas under and by virtue of the Pro-

5 & 6 Vict. c. 82.

visions of an Act of the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to assimilate the Stamp Duties in* Great Britain *and* Ireland, *and to make Regulations for collecting and managing the same, until the Tenth Day of* October *One thousand eight hundred and forty-five,*

8 & 9 Vict. c. 2.

and of another Act of the last Session of Parliament for continuing for Three Years the Stamp Duties granted by the said last-mentioned Act of the Fifth and Sixth Years of the Reign of Her Majesty, such Bonds and Warrants of Attorney as aforesaid have become liable to be charged with the Stamp Duties payable to Her Majesty in that Behalf under the said last-mentioned Acts: And whereas it is expedient that such Bonds and Warrants of Attorney should be exempted from Stamp Duty, in like Manner as they were before the passing of the said last-mentioned Acts:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *July* in this present Year all Bonds or Warrants of Attorney to confess Judgment, executed or to be executed by any High Constable or Collector, or his or their Sureties, conditioned for duly collecting or paying any such Public Money as aforesaid, or any Grand Jury Cess, under the Provisions of the said recited Act of the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, or any Act amending the same, or under the Provisions of a certain other Act of the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to consolidate and amend the Laws for the Regulation of Grand Jury Presentments in the County of* Dublin, shall be and they are hereby declared to be exempted from all Stamp Duties; and any such Bond or Warrant of Attorney

Bonds, &c. given by Collectors, &c. of Grand Jury Cess, conditioned for the due Collection of such Cess, to be exempt from Stamp Duty. 7 & 8 Vict. c. 106.

Attorney executed before the said First Day of *July*, without being duly stamped, pursuant to the Provisions of the said Acts of the Fifth and Sixth Years and of the Eighth and Ninth Years of Her present Majesty's Reign, or of any other Act or Acts, shall and may, notwithstanding the Want of such Stamp, be admissible and received in Evidence in any Court as if the same had been duly stamped: Provided always, that nothing herein contained shall prejudice or affect any Judgment, Decree, Rule, or Order heretofore made by any Court or Judge.

Such Bonds, &c., executed before July 1, 1846, to be admissible in Evidence as if duly stamped.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be amended, &c.

CAP. LXI.

An Act to amend an Act of the Seventh Year of King *George* the Fourth for consolidating and amending the Laws relating to Prisons in *Ireland*. [18th *August* 1846.]

'WHEREAS by an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relating to Prisons in* Ireland, after providing, amongst other things, that it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, from Time to Time, by Warrant to be published in the *Dublin Gazette*, to order that any Bridewells shall be discontinued, and shall no longer be used as a Bridewell or Prison, it is enacted as follows; (that is to say,) "that it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being to direct that such Bridewells as shall be continued shall be divided into Two Classes; and that one Class of the said Bridewells to be selected and appointed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall be denominated District Bridewells, to each of which Bridewells a certain District within the County shall be allotted, and that all Prisoners committed within such District, either for Trial at or under Sentence passed by the Court of Quarter Sessions, shall be kept and remain in such District Bridewell, and shall not be transmitted to the County Gaol, unless some Order to that Effect shall be made by competent Authority; and it shall and may be lawful, in the event of a crowded State of the County Gaol, on the Report of the Local Inspector thereof, for the Keeper of any such District Bridewell to detain therein any Prisoner committed for Trial at the Assizes for the County until within a reasonable Time prior to the Assizes; provided always, that in case of Imprisonment for a Period exceeding Four Months, or in any Case in which it shall appear to the Court to be necessary, it shall and may be lawful, by the Order and at the Discretion of the Court by whom Judgment shall be passed, to send any Prisoner to the County Gaol or House of Correction, and provided that no Persons committed for Debt shall be confined in any such Bridewell; and it shall and may be lawful for the Grand Jury of any County in which any District Bridewell is or shall be appointed to present any reasonable Sum for the Medical and other necessary Expences attending the Support and Maintenance of the same:" And whereas it has been considered that the said recited Enactment does not extend or apply to any Bridewell built, erected, or established after the passing of the said recited Act, or hereafter to be built, erected, or established, and it is expedient that the same should be extended and applied to such last-mentioned Cases:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Enactment shall be and the same is hereby extended and applied, and shall be deemed and construed as hereafter extending and applying, to any Bridewell or Bridewells in *Ireland* heretofore built, erected, or established after the passing of the said recited Act, or hereafter to be built, erected, or established, as fully and effectually to all Intents and Purposes as if such Bridewell or Bridewells had been built, erected, or established before or at the Time of the passing of the said recited Act, and continued as therein mentioned.

7 G. 4. c. 74.

The recited Enactment of 7 G. 4. c. 74, as to District Bridewells shall extend to Bridewells built after the passing of the said Act.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be amended, &c.

CAP. LXII.

An Act to abolish Deodands. [18th *August* 1846.]

'WHEREAS the Law respecting the Forfeiture of Chattels which have moved to or caused the Death of Man, and respecting Deodands, is unreasonable and inconvenient:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *September* One thousand eight hundred and forty-six there shall be no Forfeiture of any Chattel for or in respect of the same having moved to or caused the Death of Man; and no Coroner's Jury sworn to inquire, upon the Sight of any dead Body, how the Deceased came by his Death, shall find any Forfeiture of any Chattel which may have moved to or caused the Death of the Deceased, or any Deodand whatsoever; and it shall not be necessary in any Indictment or Inquisition for Homicide to allege the Value of the Instrument which caused the Death of the Deceased, or to allege that the same was of no Value.

Deodands and Forfeiture of Chattels moving to or causing Death abolished from and after 1 Sept. 1846.

CAP. LXIII.

An Act for granting certain Duties on Sugar and Molasses. [18th *August* 1846.]

Most Gracious Sovereign,

'WHEREAS by an Act passed in the Session of Parliament holden the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for granting to Her Majesty, until the Fifth Day of* July *One thousand eight hundred and forty-six, certain Duties on Sugar imported into the United Kingdom*, certain Duties of Customs were imposed upon the Importation of Sugar and Molasses: And whereas the said Act was further continued by another Act passed in the present Session of Parliament, intituled *An Act for granting to Her Majesty, until the Fifth Day of* August *One thousand eight hundred and forty six, certain Duties on Sugar imported into the United Kingdom*, and also by another Act passed in the present Session of Parliament, intituled *An Act for granting to Her Majesty, until the Fifth Day of* September *One thousand eight hundred and forty-six, certain Duties on Sugar imported into the United Kingdom:* And whereas it is expedient that the said Duties should be repealed, and that other Duties should be raised and levied in lieu thereof:' We, your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, do therefore most humbly beseech Your Majesty that it may be enacted; and be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several Duties on Sugar and Molasses imposed by the said recited Acts shall be and they are hereby repealed; and that from and after the passing of this Act, in lieu thereof, there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, upon Sugar or Molasses imported into the United Kingdom, the several Duties of Customs as the same are respectively inserted, described, and set forth in Figures, and according to the respective Dates and Periods, following; (that is to say,)

8 & 9 Vict. c. 5.

9 & 10 Vict. c. 29.

9 & 10 Vict. c. 41.

Duties on Sugar and Molasses imposed by recited Acts repealed, and in lieu thereof the Duties herein mentioned to be levied.

From and after the passing of this Act,—

On Sugar or Molasses the Growth and Produce of any *British* Possession in *America*, or of any *British* Possession within the Limits of the *East India* Company's Charter, into which the Importation of Foreign Sugar is prohibited, and imported from thence, the Duties following; (that is to say,)

	£	s.	d.
Candy, Brown or White, Double Refined Sugar, or Sugar equal in Quality to Double Refined, for every Hundred Weight - - - - - -	1	1	0
Other Refined Sugar, or Sugar rendered by any Process equal in Quality thereto, for every Hundred Weight - - - - - - -	0	18	8
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined, for every Hundred Weight - - - -	0	16	4
Brown Sugar, being Muscovado or Clayed, or any other Sugar not being equal in Quality to White Clayed, for every Hundred Weight - - - -	0	14	0
Molasses, for every Hundred Weight - - - - -	0	5	3

And so in proportion for any greater or less Quantity than a Hundred Weight.

And from and after the respective Days next herein-after mentioned,—

On Sugar or Molasses the Growth and Produce of any other *British* Possession within the Limits of the *East India* Company's Charter:

	From and after the passing of this Act to 5 July 1847 inclusive.	From and after 5 July 1847 to 5 July 1848 inclusive.	From and after 5 July 1848 to 5 July 1849 inclusive.	From and after 5 July 1849 to 5 July 1850 inclusive.	From and after 5 July 1850 to 5 July 1851 inclusive.	From and after 5 July 1851.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
Candy, Brown or White, Double Refined Sugar, or Sugar equal in Quality to Double Refined, for every Cwt. -	1 6 3	1 5 6	1 4 4	1 3 3	1 2 0	The same Duties as on Candy Sugar, and Molasses the Produce of other British Colonies.
Other Refined Sugar, or Sugar rendered by any Process equal in Quality thereto, for every Cwt. - - - -	1 3 4	1 2 8	1 1 8	1 0 8	0 19 8	
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined, for every Cwt. - - -	1 0 5	0 19 10	0 18 11	0 18 1	0 17 2	
Brown Sugar, being Muscovado or Clayed, or any other Sugar, not being equal in Quality to White Clayed, for every Cwt.	0 17 6	0 17 0	0 16 3	0 15 6	0 14 9	
Molasses, for every Cwt. -	0 6 6	0 6 4	0 6 1	0 5 9	0 5 6	

And so in proportion for any greater or less Quantity than a Hundred Weight.

And

And from and after the respective Days next herein-after mentioned,—

On Sugar or Molasses the Growth and Produce of any Foreign Country;

	From and after the passing of this Act to 5 July 1847 inclusive.	From and after 5 July 1847 to 5 July 1848 inclusive.	From and after 5 July 1848 to 5 July 1849 inclusive.	From and after 5 July 1849 to 5 July 1850 inclusive.	From and after 5 July 1850 to 5 July 1851 inclusive.	From and after 5 July 1851.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
Candy, Brown or White, Double Refined Sugar, or Sugar equal in Quality to Double Refined, for every Cwt.	1 11 6	1 10 6	1 7 9	1 5 6	1 3 3	The same Duties as on Candy Sugar, and Molasses the Produce of British Colonies.
Other Refined Sugar, or Sugar rendered by any Process equal in Quality thereto, for every Cwt.	1 8 0	1 6 8	1 4 8	1 2 8	1 0 8	
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined, for every Cwt.	1 4 6	1 3 4	1 1 7	0 19 10	0 18 1	
Brown Sugar, being Muscovado or Clayed, or any other Sugar, not being equal in Quality to White Clayed, for every Cwt.	1 1 0	1 0 0	0 18 6	0 17 0	0 15 6	
Molasses, for every Cwt.	0 7 10	0 7 6	0 6 11	0 6 4	0 5 9	

And so in proportion for any greater or less Quantity than a Hundred Weight.

And also from and after the passing of this Act,—

On all Foreign Sugar or Molasses not otherwise charged with Duty, the Duties following:	£	s.	d.
Refined Sugar, or Sugar Candy, the Cwt.	3	3	0
Brown Muscovado or Clayed Sugar, not being Refined, the Cwt.	2	2	0
Molasses, the Cwt.	0	15	8

And so in proportion for any greater or less Quantity than a Hundred Weight.

Bounties allowed upon the Exportation of Refined Sugar.

II. And be it enacted, That there shall be allowed upon the Exportation of Refined Sugar made in the United Kingdom the several Bounties set forth in the Table herein-after contained; that is to say,

	£	s.	d.
Upon Double Refined Sugar, or Sugar equal in Quality to Double Refined, for every Cwt.	1	0	0
Upon other Refined Sugar in Loaf, complete and whole, or Lumps duly refined, having been perfectly clarified and thoroughly dried in the Stove, and being of an uniform Whiteness throughout, or such Sugar pounded, crushed, or broken, or Sugar Candy, for every Cwt.	0	17	0
Upon Bastard or Refined Sugar, broken in Pieces, or being ground or powdered Sugar, or such Sugar pounded or crushed or broken, for every Cwt.	0	14	0

Her Majesty may allow Sugar to be imported from British Possessions in the East Indies at the lower Duty, when Importation of Foreign Sugar is prohibited.

III. Provided always, and be it enacted, That if at any Time satisfactory Proof shall have been laid before Her Majesty in Council, that, as respects any *British* Possession within the Limits of the *East India* Company's Charter, the Importation of Foreign Sugar has been prohibited, it shall and may be lawful for Her Majesty, and She is hereby empowered, from Time to Time, by any Order or Orders in Council, to declare that Sugar and Molasses the Growth or Produce of any such *British* Possession may be imported from thence into the United Kingdom, and entered at the lower Rates of Duty herein-before imposed on Sugar and Molasses the Growth or Produce of *British* Possessions within the Limits of the *East India* Company's Charter in which the Importation of Foreign Sugar is prohibited; and from and after the Publication of such Order, whilst the same shall continue in force, the Sugars and Molasses therein mentioned may be so imported and entered accordingly.

Such Sugar and Molasses to be entered at the lower Rates of Duty, upon the Conditions on which Bengal Sugar was admissible under 6 & 7 W. 4. c. 26.

IV. Provided always, and be it enacted, That any Sugars or Molasses the Produce of any *British* Possession within the Limits of the *East India* Company's Charter in which the Importation of Foreign Sugar is or shall be prohibited, which shall be entered for Home Use at the lower Rates of Duty herein-before imposed on Sugar and Molasses the Produce of such Possessions, shall be entered in the same and the like Manner, and under the same or the like Conditions, in and under which Sugar the Growth of the Presidency of *Bengal* might be entered for Home Use under the Provisions of an Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the granting to His Majesty, until the Fifth Day of* July *One thousand eight hundred and thirty-seven, certain Duties on Sugar imported into the United Kingdom for the Service of the Year One thousand eight hundred and thirty-six*, at the lower Rate of Duty therein mentioned.

Collection of Duties to be under the Management of the Customs. 8 & 9 Vict. c. 90. 8 & 9 Vict. c. 92.

V. And be it enacted, That the several Duties, Bounties, and Allowances by this Act imposed and allowed shall be under the Management of the Commissioners of Her Majesty's Customs, and shall be ascertained, raised, levied, collected, paid, recovered, allowed, and applied or appropriated under the Provisions of an Act passed in the last Session of Parliament, intituled *An Act for granting Duties of Customs*, and of another Act passed in the same Year, intituled *An Act to grant certain Bounties and Allowances of Customs*, and of any other Act or Acts in force relating to the Customs.

No Sugar admissible unless the Growth, &c. of Country from which it is imported.

VI. And be it enacted, That no Sugar shall be admissible to Entry for Home Consumption at the said lower Rates of Duty as being the Growth and Produce of any Foreign Country, unless the Master of the Ship importing the same, or the Consignee of the same, shall prove to the Satisfaction of the Officers of Her Majesty's Customs at the Port of Importation, if required to do so, that such Sugar is *bonâ fide* the Growth and Produce of the Foreign Country from which it is imported.

Commissioners of Customs to provide Standard Samples of White Clayed Sugar.

No Sugar to be deemed White Clayed unless it equals Standard Samples.

VII. And be it enacted, That the Commissioners of Customs shall provide Samples of White Clayed Sugar, and of Sugar rendered by any Process equal in Quality to White Clayed Sugar with reference to Colour, Grain, and Saccharine Matter, which Samples shall be deemed to be Standard Samples, for the Purpose of comparing therewith such White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed Sugar, as from and after the passing of this Act may be entered for Home Consumption; and such Standard Samples shall from Time to Time be renewed whenever the said Commissioners may deem it expedient; and no Sugar shall, as regards the Payment of Duty, be deemed or taken to be White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, unless it shall, with reference to Colour, Grain, and Saccharine Matter, equal the Standard Samples so respectively provided by the said Commissioners.

Orders in Council to be published;

and may be revoked;

and Copies to be laid before Parliament.

VIII. And be it enacted, That every Order in Council to be made under the Authority of this Act shall, as soon as may be after the making thereof by Her Majesty in Council, be published in the *London Gazette*.

IX. And be it enacted, That it shall be lawful for Her Majesty, by an Order in Council, from Time to Time to revoke or alter any Order in Council previously made under the Authority of this Act.

X. And be it enacted, That a Copy of every Order of Her Majesty in Council made under the Authority of this Act shall be laid before both Houses of Parliament within Six Weeks after issuing the same, if Parliament be then sitting, and if not, then within Six Weeks after the Commencement of the then next Session of Parliament.

Act may be amended, &c.

XI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. LXIV.

An Act to enable Courts of Law in *Ireland* to give Relief against adverse Claims made upon Persons having no Interest in the Subject Matter of such Claims. [18th *August* 1846.]

'WHEREAS it often happens that a Person sued at Law for the Recovery of Money or Goods 'wherein he has no Interest, and which are also claimed of him by some Third Party, has no 'Means of relieving himself from such adverse Claims but by a Suit in Equity against the Plaintiff and 'such Third Party, usually called a Bill of Interpleader, which is attended with Expence and Delay;' for Remedy thereof be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That upon Application made by or on the Behalf of any Defendant sued in any of Her Majesty's Courts of Law at *Dublin* in any Action of Assumpsit, Detinue, or Trover, such Application being made after Declaration and before Plea by Affidavit or otherwise, showing that such Defendant does not claim any Interest in the Subject Matter of the Suit, but that the Right thereto is claimed or supposed to belong to some Third Party who has sued or is expected to sue for the same, and that such Defendant does not in any Manner collude with such Third Party, but is ready to bring into Court or to pay or dispose of the Subject Matter of the Action in such Manner as the Court or any Judge thereof may order or direct, it shall be lawful for the Court or any Judge thereof to make Rules and Orders calling upon such Third Party to appear and to state the Nature and Particulars of his Claim, and maintain or relinquish his Claim, and upon such Rule or Order to hear the Allegations as well of such Third Party as of the Plaintiff, and in the meantime to stay the Proceedings in such Action, and finally to order such Third Party to make himself Defendant in the same or some other Action, or to proceed to Trial on One or more feigned Issue or Issues, and also to direct which of the Parties shall be Plaintiff or Defendant on such Trial, or, with the Consent of the Plaintiff and such Third Party, their Counsel or Attornies, to dispose of the Merits of their Claims, and determine the same in a summary Manner, and to make such other Rules and Orders therein as to Costs and all other Matters as may appear to be just and reasonable.

Upon Application by a Defendant in an Action of Assumpsit, &c. stating that the Right in the Subject Matter is in some Third Party, the Court may order such Third Party to appear, &c. and in the meantime Proceedings in such Action to be stayed.

Judgment and Decision of the Court final.

II. And be it enacted, That the Judgment in any such Action or Issue as may be directed by the Court or Judge, and the Decision of the Court or Judge in a summary Manner, shall be final and conclusive against the Parties, and all Persons claiming by, from, or under them.

If Third Party neglect, &c. Court may bar his Claim, &c.

III. And be it enacted, That if such Third Party shall not appear upon such Rule or Order to maintain or relinquish his Claim, being duly served therewith, or shall neglect or refuse to comply with any Rule or Order to be made after Appearance, it shall be lawful for the Court or Judge to declare such Third

Third Party, and all Persons claiming by, from, or under him, to be for ever barred from prosecuting his Claim against the original Defendant, his Executors or Administrators, saving nevertheless the Right or Claim of such Third Party against the Plaintiff, and thereupon to make such Order between such Defendant and the Plaintiff as to Costs and other Matters as may appear just and reasonable.

Saving his Rights against Plaintiff.

IV. Provided always, and be it enacted, That every Order to be made in pursuance of this Act by a single Judge not sitting in open Court shall be liable to be rescinded or altered by the Court in like Manner as other Orders made by a single Judge.

Certain Orders liable to be rescinded.

V. Provided also, and be it enacted, That if upon Application to a Judge in the first instance, or in any later Stage of the Proceedings, he shall think the Matter more fit for the Decision of the Court, it shall be lawful for him to refer the Matter to the Court, and thereupon the Court shall and may hear and dispose of the same in the same Manner as if the Proceeding had originally commenced by Rule of Court instead of the Order of a Judge.

If a Judge think fit, he may refer the Matter for the Decision of the Court.

VI. 'And whereas Difficulties sometimes arise in the Execution of Process against Goods and Chattels 'issued by or under the Authority of the said Courts, by reason of Claims made to such Goods and 'Chattels by Assignees of Bankrupts and other Persons not being the Parties against whom such Pro-'cess has issued, whereby Sheriffs and other Officers are exposed to the Hazard and Expence of Actions, 'and it is reasonable to afford Relief and Protection in such Cases to such Sheriffs and other Officers;' be it therefore enacted, That when any such Claim shall be made to any Goods or Chattels taken or intended to be taken in Execution under any such Process, or to the Proceeds or Value thereof, it shall and may be lawful to and for the Court from which such Process issued, or any Judge of such Court, upon Application of such Sheriff or other Officer made before or after the Return of such Process, and as well before as after any Action brought against such Sheriff or other Officer, to call before them or him, by Rule of the Court or Judge, as well the Party issuing such Process as the Party making such Claim, and thereupon to exercise, for the Adjustment of such Claims, and the Relief and Protection of the Sheriff or other Officer, all or any of the Powers and Authorities herein-before contained, and make such Rules and Decisions as shall appear to be just, according to the Circumstances of the Case; and the Costs of all such Proceedings shall be in the Discretion of the Court or any Judge thereof.

For Relief and Protection of Sheriffs and other Officers employed in Execution of Process against Goods and Chattels.

VII. And be it enacted, That all Rules, Orders, Matters, and Decisions to be made and done in pursuance of this Act, except only the Affidavits to be filed, may, together with the Declaration in the Cause (if any), be entered of Record, with a Note in the Margin expressing the true Date of such Entry, to the end that the same may be Evidence in future Times, if required, and to secure and enforce the Payment of Costs directed by any such Rule or Order; and every such Rule or Order so entered shall have the Force and Effect of a Judgment, except only as to becoming a Charge on any Lands, Tenements, or Hereditaments; and in case any Costs shall not be paid within Fifteen Days after Notice of the Taxation and Amount thereof given to the Party ordered to pay the same, his Agent or Attorney, Execution may issue for the same by Fieri facias or Capias ad satisfaciendum, adapted to the Case, together with the Costs of such Entry, and of the Execution if by Fieri facias; and such Writ and Writs may bear Teste on the Day of issuing the same, whether in Term or Vacation; and the Sheriff or other Officer executing any such Writ shall be entitled to the same Fees and no more as upon any similar Writ grounded upon a Judgment of the Court.

Rules, Orders, &c. made in pursuance of this Act may be entered of Record, and made Evidence.

Payment of Costs.

As to the testing of Writs, and Sheriff's Fees.

VIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be amended, &c.

CAP. LXV.

An Act to provide for the more effectual Execution of the Office of a Justice of the Peace, and the better Administration of the Police, within the Borough of *Wolverhampton* and certain Parishes and Places in the Neighbourhood thereof, all in the County of *Stafford*.

[18th *August* 1846.]

'WHEREAS the Execution of the Office of a Justice of the Peace within the Borough of *Wolver-hampton* in the County of *Stafford*, and the several Parishes, Towns, Townships, Liberties, 'Hamlets, Vills, and Places therein and in the Neighbourhood thereof, (that is to say,) the Parishes of '*Darlaston*, *Kingswinford*, *Sedgley*, *Tipton*, *Wednesbury*, and *Westbromwich*, and the Towns, Town-'ships, Liberties, Hamlets, Vills, and Places of *Bilston*, *Wednesfield*, *Willenhall*, *Wolverhampton*, '*Wordsley*, *Brierley Hill*, *Coseley*, *Upper Gornall*, *Lower Gornall*, *Gornall Wood*, *Gospel-End*, *Strait* '*Green*, *Woodsitton*, *Ettingshall*, *Dudley Port*, *Toll End*, *Hill Top*, *Spon Lane*, and *Quarry Bank*, or 'some of them, in the several Parishes of *Darlaston*, *Kingswinford*, *Sedgley*, *Tipton*, *Wednesbury*, '*Westbromwich*, and *Wolverhampton*, all within the Mineral District of the Southern Division of the 'said County of *Stafford*, has become and is likely to continue difficult and burdensome, owing to the 'very great and increasing Extent of the Population and Manufactories within the Borough and Places 'aforesaid, and the Attendance of a sufficient Number of Justices of the Peace for the said County cannot 'always be procured for the prompt Administration of the said Office therein, and it would tend to afford 'better Protection to the Persons and Properties of the Inhabitants, and be of advantage to the Public, 'if Provision were made by Authority of Parliament for the Appointment of a Justice of the Peace, 'with a Stipend or Salary, for the more effectual Execution of the Office of a Justice of the Peace within 'the said Borough, and Parishes and Places in the Neighbourhood thereof, and for other Purposes con-'nected therewith:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the

the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Her Majesty to appoint a Stipendiary Justice for the Borough of Wolverhampton.

That it shall be lawful for Her Majesty, Her Heirs and Successors, from Time to Time, as Occasion may require, to appoint, and from Time to Time to remove, One fit and able Person, being a Barrister at Law of Six Years standing at the least, and being a Justice of the Peace for the County of *Stafford*, to execute the Office of a Justice of the Peace within the said Borough of *Wolverhampton*, and the Places in the Neighbourhood thereof, herein-before mentioned; and it shall be lawful for any such Person so appointed to act as a Justice of the Peace within the said Borough, and Places in the Neighbourhood thereof, without having such Qualification and without taking such Oath of Qualification as are required by Law for qualifying any Person to act as a Justice of the Peace, any Law or Statute to the contrary notwithstanding; and it shall also be lawful for any such Person so appointed a Justice of the Peace to receive and take the Stipend or Salary herein-after mentioned as a Remuneration for his Services under the Provisions of this Act.

Justice may act as a Justice of the Peace, with or without other Justices, but must not act out of the Limits, except in certain Cases.

II. And be it enacted, That it shall be lawful for any such Stipendiary Justice to sit and act as a Justice of the Peace of the said County within the said Borough and Parishes and Places aforesaid, or in the Neighbourhood thereof, either alone or together with any other Justice or Justices of the Peace of the said County who may think proper to attend; but such Stipendiary Justice shall not during his Continuance in his said Office act as a Justice of the Peace out of the Limits of this Act, except only in the event of any Riot, Prize Fight, unlawful Assembly, or Breach of the Peace, or except only in the event of his having such Qualification and taking such Oath of Qualification as are required by Law for qualifying any Person to act as a Justice of the Peace, in any of which Cases he shall have full Power to act as a Justice within any County for which he is or shall be appointed a Justice of the Peace.

Justice may act alone in certain Cases, where more than One Justice is required by Law.

III. Provided always, and be it enacted, That it shall be lawful for any such Stipendiary Justice to do alone any Act within the Limits of this Act which by any Law now in force, or by any Law not containing an express Enactment to the contrary, hereafter to be made, is or shall be directed to be done by more than One Justice, in all Cases relating to Assaults, taking Recognizances of Bail in Cases of Felony, enforcing and compelling Payment of Poor Rates, Church Rates, Highway Rates, County Rates, and Police Rates, and in the Removal of poor Persons born in *Scotland*, *Ireland*, the Islands of *Man*, *Scilly*, *Jersey*, or *Guernsey*, and chargeable in *England*.

Justice not to be a Member of the House of Commons.

IV. Provided also, and be it enacted, That no Stipendiary Justice of the Peace to be appointed by virtue of this Act shall during his Continuance in Office as such Stipendiary Justice be capable of being elected or of sitting as a Member of the House of Commons.

The Limits within which the Justice must reside, his Attendances, and Places of Meeting.

V. And be it enacted, That such Stipendiary Justice shall reside within the Borough of *Wolverhampton*, or within Two Miles of the Collegiate Church in the Town of *Wolverhampton*, and shall attend at some suitable public Rooms or Offices at the Times and in the several Towns herein-after mentioned, for the hearing and despatch of Business; (that is to say,) in every Week Two Days at *Wolverhampton*, One Day at *Bilston* or *Sedgley* alternately, One Day at *Wednesbury* or *Westbromwich* alternately, and One Day at *Brierley Hill*, and on each Day from the Hour of Ten of the Clock in the Forenoon to the Hour of Four of the Clock in the Afternoon, unless the Business of the Day be sooner disposed of, and at all such other Times when any special Occasion may require his immediate Services: Provided always, that the Attendance of such Justice may, when requisite, be supplied by any other Justice of the Peace for the said County; provided also, that no such Attendance shall be given on *Sunday*, *Christmas Day*, *Good Friday*, or any Day appointed for a public Fast or Thanksgiving, unless in Cases of urgent Necessity, or when it shall be directed by One of Her Majesty's Principal Secretaries of State.

Salary of Stipendiary Justice, and Mode of Payment.

VI. And be it enacted, That a Salary at the Rate of One thousand Pounds in each Year shall be paid by the Treasurer to be appointed as herein-after directed to such Stipendiary Justice and his Successors respectively, such Salary to commence from the Time when any such Justice shall enter on the Duties of his Office, and to be paid so long as any such Justice shall continue to discharge the Duties of his Office, such Salary to be payable and paid by Four equal quarterly Payments on the Twenty-fourth Day of *June*, the Twenty-ninth Day of *September*, the Twenty-fifth Day of *December*, and the Twenty-fifth Day of *March*, or on any following Day, on demand made by or by Authority of such Justice; and a due Proportion of the first quarterly Sum shall be paid at the Time and in Manner aforesaid, in case the Justice shall enter on the Duties of his Office on any Day between such quarterly Days; and in case of the Resignation or Removal of any such Justice between any such quarterly Days of Payment, then he shall be entitled to and be paid a due Proportion of the said Salary up to the Period of his Resignation or Removal; and in case of his Death between any such quarterly Days of Payment his Representatives shall be entitled to and be paid a due Proportion of the said Salary up to the Period of his Death.

Power to Justice to appoint a Clerk, being an Attorney at Law.

VII. And be it enacted, That it shall be lawful for any such Stipendiary Justice from Time to Time to appoint One fit and able Person, being an Attorney at Law of some One of the Superior Courts at *Westminster*, of Seven Years standing at the least, as a Clerk, and from Time to Time, at his Pleasure, to remove any Clerk so appointed; and such Clerk shall attend in his own Person, and not by any Deputy, Substitute, or Proxy, (except when prevented by Illness, or some other sufficient Cause to be allowed under the Hand of such Justice,) at all official Sittings of any Justice acting for the Purposes of this Act, and assist him in the Execution of his Duties; and the said Clerk shall be allowed and paid a Salary or Sum not exceeding Four hundred Pounds *per Annum*, at the Discretion of the said Stipendiary Justice, in full Recompence for his Trouble and Attendance and Expences in the Execution of this Act, such

Salary of Clerk, and Mode of Payment.

Salary

Salary or Sum to be paid by the Treasurer to be appointed as herein-after mentioned in Four equal quarterly Payments in every Year, and the first quarterly Payment thereof to be made at the End of Three Calendar Months from the Time of such Appointment.

Justices of the Hundred of Seisdon may direct a Sitting to be periodically holden within any of the Parishes, &c. within the said Hundred.

VIII. Provided also, and be it enacted, That it shall be lawful for the Justices of the Peace for the said County of *Stafford* acting for the Northern Division of the Hundred of *Seisdon*, at any Meeting of such Justices holden for the Purpose, and of which Meeting and of the Object thereof Ten Days Notice at least, by Post or otherwise, shall have been given to every such Justice, if they shall think it expedient so to do, from Time to Time to fix and direct a Sitting or Sittings to be periodically holden by such Stipendiary Justice so to be appointed as aforesaid at or within any other or others of the said Parishes, Townships, or Places herein-before mentioned as are within the said Northern Division of the Hundred of *Seisdon*, and the said Justice shall from Time to Time attend and hold his Sitting at or within the Parish, Township, or Place to be so fixed for that Purpose accordingly.

Justices of the Hundred of Seisdon to settle a Table of Fees to be taken by the Clerk, subject to the Approval of One of the Secretaries of State.

IX. And be it enacted, That as soon as conveniently may be after the passing of this Act Her Majesty's Justices of the Peace acting for the Northern Division of the Hundred of *Seisdon* in the County of *Stafford*, in Special Sessions assembled, or any Two of them, shall make and settle a Table of the Fees which shall be taken by the Clerk to be appointed under this Act; and such Table of Fees shall be submitted to One of Her Majesty's Principal Secretaries of State, and such Table of Fees shall be confirmed and allowed by such Secretary of State, either with or without any Additions, Abatements, or Alterations therein to be made, or not, at the Discretion of such Secretary of State, and thenceforth such Clerk shall and lawfully may demand and take the Fees therein mentioned: Provided always, that it shall be lawful for any such Justices in Special Sessions assembled, or any Two of them, from Time to Time as Occasion may require, to make and settle any other Table of Fees to be taken instead of the Fees contained in any former Table, which shall be also submitted to and be confirmed and allowed by One of Her Majesty's Principal Secretaries of State, in the Manner herein-before mentioned with respect to the first-mentioned Table of Fees; provided also, that until such Tables of the Fees so to be taken shall have been made and confirmed as aforesaid it shall be lawful for such Clerk to take such Fees as are authorized by the Table for the Time being to be taken by the Clerks to the Justices acting for the said County of *Stafford*; provided also, that a Copy of the Table of Fees payable to such Clerk shall be affixed for public Inspection in the public Office or Place of public Business of the Justice or Justices acting in pursuance of this Act.

Until Table of Fees approved, present Fees to be taken.

Clerk to receive and keep an Account of Fees.

X. And be it enacted, That such Clerk so to be appointed shall receive all Fees and Monies chargeable and to be received in respect of any Act or Business to be done or transacted by any Justice or Clerk in the Execution or by virtue of his or their Office or Employment as Justice of Peace or Clerk as aforesaid, and shall pay the same over to the Treasurer of the Fee Fund herein-after mentioned, and keep a full, true, and particular Account in Writing of all such Fees and Monies, and shall once in every Quarter of a Year, or oftener if required, render to the said Justices acting for the said Northern Division of the Hundred of *Seisdon* a true Account, verified by the Declaration of such Clerk before some Justice acting for the said Division (which Declaration every or any such Justice is hereby empowered and authorized to receive), of all Fees and Monies received by him under the Authority of this Act during the Period of such Account, in such Form and with such Particulars as the said Justices acting for the Division aforesaid shall from Time to Time require.

Fees and Monies received under the Act to form One general Fund.

XI. And be it enacted, That all Fees and Monies which such Clerk to the Stipendiary Justice shall so receive as aforesaid shall be carried to the Account of, and together with all Monies arising from the Rates under this Act, shall constitute One aggregate general Fund, to be called "The Fee Fund of the Justices for the Northern Division of the Hundred of *Seisdon*," and which Fund shall be placed and remain in such Bank within the Town of *Wolverhampton* as the Justices assembled at the General or Quarter Sessions of the Peace for the County of *Stafford*, or at any Adjournment of the same, shall from Time to Time direct; and it shall be lawful for the said Justices in Quarter Sessions assembled, upon Notice to be given thereof with the Notice for holding the Sessions, if they shall think it necessary or expedient so to do, from Time to Time to appoint any fit Person to be Treasurer of the said Fee Fund, with such yearly or other Salary or Allowance, to be paid out of the same Fund, as the said Justices shall think fit: Provided always, that sufficient Security shall be taken from every such Treasurer, and every other Officer intrusted with the Custody of such Fee Fund, or with the Custody of the Monies arising from the Rates under this Act, for the faithful Execution and due Performance of his Office, such Treasurer to be removable from his said Office at the Pleasure of the said Justices.

Quarter Sessions to appoint a Treasurer, who shall give Security.

Application of the Fee Fund.

XII. And be it enacted, That the aforesaid Fee Fund shall be applicable and shall be from Time to Time applied in the Payment of the Salary of the Stipendiary Justice to be appointed under this Act, and of the Clerk and Treasurer to be appointed as aforesaid, and in Payment of the Expences of applying for, obtaining, and passing this Act (together with lawful Interest for any Money which shall have been advanced and paid for such Expences from the Time of advancing the same), and in purchasing or providing Lands, Buildings, Rooms, Offices, Lock-up Houses, and Conveniences necessary for the Purposes of this Act, and in their Repair and Maintenance, and in paying the Expences of Printing, Stationery, and all Charges and Expences by this Act authorized, and in the Payment of the Charges and Expences of carrying this Act and the Purposes thereof into execution.

Accounts to be kept, balanced, and audited.

XIII. And be it enacted, That full and accurate Accounts of all Monies received and expended under the Provisions of this Act shall be kept by such Persons as shall be appointed by the Justices of the Court

Court of General or Quarter Sessions for the Purpose, and in such Manner as such Justices shall from Time to Time order or direct; and such Accounts shall be balanced once in every Year at the least, and such Accounts shall be audited once in every Year at the least by such Justices, or by such Person or Persons as such Justices may appoint as Auditor or Auditors of such Accounts, which they are hereby authorized to appoint; and all Accounts, Books, and Vouchers relating to such Accounts shall be produced to such Justices, or to such Auditors; and the Remuneration of such Auditors may be defrayed by the Order of such Justices out of the said Fee Fund; and such Justices may make such Orders and Regulations for effecting such several Purposes as to such Justices shall seem expedient.

Abstract of Accounts, audited and certified, to be transmitted to the Clerk of the Peace, and be open to Inspection.

XIV. And be it enacted, That an annual Account in abstract shall be prepared of the total Receipts and Expenditure of all Funds to be levied under this Act for the past Year, under the several distinct Heads of Receipts and Expenditure, with a Statement of the Balance of the said Account duly audited and certified by Three or more of the Justices of the Peace of the Northern Division of the Hundred of *Seisdon*, or by such Auditors as aforesaid; and a Copy of such annual Account shall be transmitted free of Charge to the Clerk of the Peace for the said County of *Stafford* on or before the Twenty-first Day of *March* in each Year, to be by such Clerk of the Peace laid before the next General Quarter Sessions of the Peace; and such Clerk of the Peace shall be entitled to a Fee of Five Shillings for receiving such Copy, and the same shall at all reasonable Times be open to the Inspection of the Public, on Payment of One Shilling, and the further Sum of One Shilling *per* every Hour of such Inspection; and if the Person having the Custody of such Accounts under the Authority of such Justices shall omit to prepare and transmit such Account as aforesaid, he shall forfeit for every such Omission the Sum of Twenty Pounds.

Penalty.

Clerks disqualified from acting as Attornies in certain Cases.

XV. And be it enacted, That no Clerk appointed under this Act, except as herein-after provided, shall, during the Continuance of his Office, or within Six Calendar Months after he shall have resigned, or shall have been removed from such Office, be concerned either by himself or any Partner, or in any Manner directly or indirectly, as an Attorney or Agent in any Matter brought or to be brought before the Justice, or in any Prosecution at any Court of Sessions or of the Peace, or of Oyer and Terminer and Gaol Delivery, arising out of or consequent upon any Proceeding before the Justice; and any Clerk who shall offend against this Enactment shall forfeit the Sum of Fifty Pounds, to be recovered by any Person who will sue for the same, by Action of Debt or Information, to be commenced within Six Calendar Months next after the Commission of the Offence; but nothing herein contained shall subject any such Clerk to any Penalty for any Act done by him in the Discharge of his official Duty.

Penalty.

As to providing Offices for the Justice, and Lock-up Houses for the Purposes of this Act.

XVI. And be it enacted, That in order to provide suitable and convenient Rooms and Offices for the Attendance and Business of the said Stipendiary Justice, and proper Lock-up Houses or temporary Places of Confinement for Persons charged with Felonies, Misdemeanors, and other Offences within the Limits of this Act, and for any Uses or Purposes incidental to the Execution of this Act, it shall be lawful for Her Majesty's Justices of the Peace acting for the said County of *Stafford*, in General or Quarter Sessions assembled, and they are hereby authorized and empowered (on Application or Requisition made to them for the Purpose in Writing, transmitted to the Office of the Clerk of the Peace of the said County, signed by any Five or more Householders in the Township of *Wolverhampton* as one Division, of the Township of *Bilston* as one other Division, of the Parish of *Wednesbury* as one other Division, of the Parish of *Westbromwich* as one other Division, and of the Parish of *Kingswinford* as one other Division respectively, liable to be rated or assessed in such Townships or Parishes or Places respectively for the Purposes of this Act to the Amount of Twenty Pounds each or upwards, and of which Application or Requisition Notice shall be given by the Clerk of the Peace (with the Notice for holding the Sessions), to treat, contract, and agree with any Person or Persons for the Purchase of, or for the hiring for any Term or for any Number of Years of any fit and suitable Buildings and Premises, or of any Land or Ground for the Erection thereon of any Buildings for any of the Purposes aforesaid, and also to contract and agree with any Person or Persons for the erecting of any such Rooms, Offices, or Lock-up Places as aforesaid, or any of them, or for any Uses or Purposes incidental to the Execution of this Act, and from Time to Time to fit up, repair, alter, improve, and maintain the same respectively, as the said Justices shall from Time to Time order and direct; and the Treasurer to be appointed for the Purposes of this Act shall and he is hereby authorized and required from Time to Time to pay the Purchase Money for such Houses, Buildings, Lands, Grounds, and Premises, and also the Costs and Expences of all Erections, Alterations, Fittings-up, Repairs, and Works made or done from Time to Time by the Order or Directions of the said Justices, for the Purposes of this Act, and also such yearly or periodical Rents or Payments as shall be agreed upon as aforesaid between such Justices and the respective Owners, Lessees, or Persons interested in such Houses, Buildings, and Premises, on demand and Production of any Lease, Assignment, Contract, or Agreement made in pursuance of this Act, on an Order signed by any Three or more of the said Justices for such Payments; and all such Buildings, Land, Ground, and Premises shall be conveyed to the Clerk of the Peace of the County of *Stafford* for the Time being, and be vested in and held by him in trust for the Purposes of this Act.

Constables authorized to take Recognizances in certain Cases, without Fee or Reward.

XVII. And be it enacted, That for the better Administration of the Police within the Limits of this Act it shall be lawful for such Stipendiary Justice, by Writing under his Hand, to appoint One or more of the Constables in every Township within the Limits aforesaid, and at his Pleasure in like Manner to vacate any such Appointment, for the Purpose of taking, and every such Constable so appointed is hereby authorized to take, Recognizances, without any Fee or Reward, from any Person who shall be

brought

brought before him in the Night-time (or at any other Time when such Justice is not sitting for the Despatch of Business as aforesaid) on any Charge not amounting to Felony, for the Appearance of such Person before such Justice, or before any other Justice or Justices of the Peace of the said County of *Stafford* acting for the said Division, at his or their next public Sitting, for further Examination; and such Recognizances so to be taken as aforesaid shall be of equal Obligation to the Parties entering into the same, and liable to the same Proceedings for the estreating thereof, as if the same had been taken before any of Her Majesty's Justices of the Peace; and every such Constable shall enter in a Book to be kept for that Purpose the Names, Residences, and Occupations of the Parties and of their Sureties (if any) entering into any such Recognizance, together with the Conditions thereof, and the Sums respectively acknowledged, and shall lay the same before the Justice or Justices who shall be present at the Time and Place when and where the Parties are required to appear; and if the Parties do not appear at the Time and Place required, or within One Hour afterwards, such Justice or Justices shall cause a Record of the Recognizance to be drawn up, and to be signed by such Constable, and shall return the same to the next General or Quarter Sessions of the Peace, or the Adjournment thereof, for the said County of *Stafford*, with a Certificate at the Back thereof, signed by such Justice or Justices, that the Parties have not complied with the Obligation therein contained, and the Clerk of the Peace shall make the like Extracts and Schedules of every such Recognizance as of Recognizances taken in the Sessions of the Peace; but in case the Parties not appearing shall apply by any Person on their Behalf to postpone the hearing of the Charge against them, it shall be lawful for such Justice or Justices to enlarge the Recognizances to such further Time as he or they shall think proper; and in case of Appearance of the Parties before any Justice in pursuance of a Recognizance, then such Recognizance shall be discharged by such Justice, without a Fee.

Justices at General or Quarter Sessions may make Rate for Payment of Expences of Act.

XVIII. And be it enacted, That for raising the Monies necessary from Time to Time for Payment of the Salary of the Stipendiary Justice to be appointed under this Act, and of the Clerk and Treasurer to be appointed as aforesaid, and for Payment of the Expences of applying for, obtaining, and passing this Act (together with lawful Interest for any Money which shall have been advanced and paid for such Expences from the Time of advancing the same), and also for the Payment of the Charges and Expences of carrying this Act and the Purposes thereof into execution, it shall be lawful for the Justices of the Peace acting for the said County of *Stafford*, at any General or Quarter Sessions of the Peace holden in and for the said County, or at any Adjournment thereof, and they are hereby required, from Time to Time to make a Rate or Rates, Assessment or Assessments (not exceeding the Amount herein-after limited, and of which Rate or Assessment Notice shall be given with the Notice for holding the Sessions,) upon all Property rateable to the County Rate within the Limits of the said several Parishes, Townships, or Places, for the Purpose of raising so much Money as, together with the Fee Fund herein-before mentioned (the Amount or probable Amount of which shall from Time to Time be by the said Justices ascertained or estimated as correctly as may be), shall be sufficient for the Payment of the said several Salaries, Charges, and Expences herein mentioned, such Rate or Rates, Assessment or Assessments to be made in the same Manner as is now by Law directed, authorized, or practised for making County Rates.

Mode of ascertaining Value of rateable Property.

XIX. Provided always, and be it enacted, That the annual Value of the rateable Property within the Limits of the said several Parishes, Townships, or Places rateable under this Act as aforesaid, as such Value shall have been, or from Time to Time may be, ascertained and determined for the Purpose of assessing the County Rate upon or within the same Parishes, Townships, or Places respectively, shall be from Time to Time adopted and taken by the said Justices as the Basis of any Assessment and Rating to be made by them for the Purposes of this Act as aforesaid, without any separate or other Valuation of such Property or any Part thereof being made or required.

Powers of Acts relating to County Rates applied to this Act.

XX. And be it enacted, That all and every the Powers, Authorities, Provisions, Clauses, and Regulations given or contained by or in any Act or Acts of Parliament now subsisting and in force, for or relating to the making, assessing, collecting, levying, paying, or enforcing of County Rates in *England*, shall, so far as the Nature of the Case will admit, and except as is herein otherwise specially provided, be deemed and taken to apply to the said Rate or Rates so by this Act directed or authorized to be made as aforesaid, as if the same Powers, Authorities, Provisions, Clauses, and Regulations were here severally repeated and re-enacted with reference to such Rate or Rates, and in the same Manner, and as fully and effectually, in all respects, as if such Rate or Rates respectively were a County Rate assessed or to be assessed upon the said several Parishes, Townships, or Places intended to be hereby made liable to the Payment thereof as aforesaid: Provided always, that the Sum to be raised by a Rate or Rates under the Authority of this Act as aforesaid (except as herein-after mentioned) shall not in any One Year exceed the Sum of Two-pence in the Pound upon the annual Value of the rateable Property in the several Parishes, Townships, or Places aforesaid.

Rates in certain Parishes, &c. may be increased for erecting Offices, &c.

XXI. 'And whereas it may be necessary to increase the Amount aforesaid for defraying the Costs and 'Expences of purchasing, erecting, or providing Rooms, Lock-up Houses, and other Buildings, Offices, 'and Land, for the Purposes of this Act, as aforesaid;' be it therefore enacted, That it shall be lawful for the Justices of the Peace acting for the said County of *Stafford*, at any General or Quarter Sessions of the Peace holden in and for the said County, or at any Adjournment thereof, to increase to any Extent, not exceeding the further Sum of Four-pence in the Pound altogether, nor Two-pence in the Pound in any One Year, the Rate or Charge on the Occupiers of rateable Property within the respective Parishes or Townships wherein any such Rooms, Lock-up Houses, Buildings, Offices, or Land shall be deemed

requisite by the said Justices to be provided for the Purposes aforesaid, and wherein any Five or more of the Inhabitants liable to be rated or assessed as aforesaid shall make any such Application or Requisition as herein-before mentioned, and of which Application and Requisition Notice shall be given by the Clerk of the Peace with the Notice for holding the Sessions: Provided always, that no such increased Rate shall be made or assessed after the Expiration of Three Years from the passing of this Act.

Overseers of the several Parishes, &c. to levy and collect the Rates.

XXII. Provided also, and be it enacted, That the Overseer or Overseers of the Poor of the said several Parishes, Townships, or Places liable to the Payment of any Rate to be made under the Authority of this Act as aforesaid, or other the Person or Persons whose Duty it shall be to collect and levy the County Rates, shall, within the Time to be limited or expressed for that Purpose in or by the Order of the said Justices making such Rate as aforesaid (which Order shall of itself, and without any other Precept or Warrant whatsoever, be a sufficient Authority for the levying of the said Rate by such Overseer or Overseers, or other Person or Persons whose Duty it shall be to levy the same as aforesaid,) levy and collect such Rate, and pay the Amount thereof into the Hands of the Treasurer of the said Fee Fund, or, if there be no such Treasurer, into the Hands of the Clerk to the said Stipendiary Justice, who shall carry the same to the Account of the said Fee Fund herein-before directed to be formed; and in case any such Overseer or Overseers of the Poor, or other Person or Persons whose Duty it shall be to collect or levy such Rate as aforesaid, shall neglect, make default, or refuse to pay the same within the Time to be limited or specified for that Purpose as aforesaid, to the said Treasurer or Clerk hereby appointed and authorized to receive the same as aforesaid, it shall be lawful for any Justice of the Peace of the said County of *Stafford*, upon Complaint thereof made by such Treasurer or Clerk as aforesaid, to levy the same by Distress and Sale of the Offenders Goods.

Penalties applicable to Rate to be carried to the Account of the general Fee Fund.

XXIII. Provided also, and be it enacted, That all or any Forfeitures or Penalties to be inflicted or recoverable under or by virtue of any of the statutable Powers or Provisions hereby extended or made applicable to the said Rate hereby directed to be made and levied as aforesaid, in respect of such Rate, or any Proceeding relating thereunto, shall, when recovered, be paid to the said Treasurer of the said Fee Fund, or to the said Clerk as aforesaid, and shall be by him carried to the Account of the said general Fee Fund, and be applied as Part thereof.

Penalties payable to Her Majesty, &c. shall be paid to County Treasurer, in aid of County Rate. Proviso.

XXIV. And be it enacted, That all other Fines, Penalties, and Forfeitures, except such as are herein-before referred to, and which shall be imposed by such Stipendiary Justice, either alone or together with any other Justice or Justices of the Peace for the said County, which are or shall be by any Act limited and made payable to Her Majesty, or to any Person whomsoever, save and except the Informer who shall sue for the same, or any Party aggrieved, shall be recovered for and adjudged to be paid to the Treasurer of the Public Stock of the County of *Stafford*, and shall be applied in aid or reduction of the general County Rate: Provided always, that nothing herein contained shall extend to any Penalties or Forfeitures to be recovered under any Act relating to the Customs, Excise, or Post Office, or to Trade or Navigation, or any Branch of Her Majesty's Revenue.

Interpretation of Act.

XXV. And be it enacted, That the several Words herein-after particularized, used in this Act, shall bear the Interpretation following, unless there shall be something in the Subject Matter or Context repugnant thereto; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular:

Words importing the Masculine Gender only shall include Females.

Public Act.

XXVI. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

CAP. LXVI.

An Act to amend the Laws relating to the Removal of the Poor. [26th *August* 1846.]

No Person to be removed from any Parish in which he or she shall have resided for Five Years. Time during which Persons are serving in the Army or Navy, &c. not to be computed as Time of Residence.

'WHEREAS it is expedient that the Laws relating to the Removal of the Poor should be amended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act no Person shall be removed, nor shall any Warrant be granted for the Removal of any Person, from any Parish in which such Person shall have resided for Five Years next before the Application for the Warrant: Provided always, that the Time during which such Person shall be a Prisoner in a Prison, or shall be serving Her Majesty as a Soldier, Marine, or Sailor, or reside as an In-Pensioner in *Greenwich* or *Chelsea* Hospitals, or shall be confined in a Lunatic Asylum, or House duly licensed or Hospital registered for the Reception of Lunatics, or as a Patient in a Hospital, or during which any such Person shall receive Relief from any Parish, or shall be wholly or in part maintained by any Rate or Subscription raised in a Parish in which such Person does not reside, not being a *bonâ fide* charitable Gift, shall for all Purposes be excluded in the Computation of Time herein-before mentioned, and that the Removal of a Pauper Lunatic to a Lunatic Asylum, under the Provisions of any Act relating to the Maintenance and Care of Pauper Lunatics, shall not be deemed a Removal within the Meaning of this Act: Provided always, that whenever any Person shall have a Wife or Children having no other Settlement than his or her own, such Wife and Children shall be removable whenever he or she is removable, and shall not be removable when he or she is not removable.

II. And

II. And be it enacted, That no Woman residing in any Parish with her Husband at the Time of his Death shall be removed, nor shall any Warrant be granted for her Removal, from such Parish, for Twelve Calendar Months next after his Death, if she so long continue a Widow. Removal of Widows.

III. And be it enacted, That no Child under the Age of Sixteen Years, whether legitimate or illegitimate, residing in any Parish with his or her Father or Mother, Stepfather or Stepmother, or reputed Father, shall be removed, nor shall any Warrant be granted for the Removal of such Child, from such Parish, in any Case where such Father, Mother, Stepfather, Stepmother, or reputed Father may not lawfully be removed from such Parish. No Child under Sixteen Years of Age liable to be removed.

IV. And be it enacted, That no Warrant shall be granted for the Removal of any Person becoming chargeable in respect of Relief made necessary by Sickness or Accident, unless the Justices granting the Warrant shall state in such Warrant that they are satisfied that the Sickness or Accident will produce permanent Disability. Sick Persons not to be removed except in certain Cases.

V. Provided always, and be it enacted, That no Person hereby exempted from Liability to be removed shall by reason of such Exemption acquire any Settlement in any Parish. Settlement not to be gained by Nonremoval.

VI. And be it enacted, That if any Officer of any Parish or Union do, contrary to Law, with Intent to cause any poor Person to become chargeable to any Parish to which such Person was not then chargeable, convey any poor Person out of the Parish for which such Officer acts, or cause or procure any poor Person to be so conveyed, or give directly or indirectly any Money, Relief, or Assistance, or afford or procure to be afforded any Facility for such Conveyance, or make any Offer or Promise or use any Threat to induce any poor Person to depart from such Parish, and if, in consequence of such Conveyance or Departure, any poor Person become chargeable to any Parish to which he was not then chargeable, such Officer, on Conviction thereof before any Two Justices, shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds nor less than Forty Shillings. Penalty on Persons unlawfully procuring Removals of poor Persons.

VII. And be it enacted, That the Delivery of any Pauper under any Warrant of Removal directed to the Overseers of any Parish at the Workhouse of such Parish, or of any Union to which such Parish belongs to any Officer of such Workhouse, shall be deemed the Delivery of such Pauper to the Overseers of such Parish. Delivery of Paupers under Orders of Removal.

VIII. And be it enacted, That an Act passed in the Fifth Year of the Reign of King *William* the Fourth, for the Amendment and better Administration of the Laws relating to the Poor in *England* and *Wales*, and all Acts to amend and extend the same, and the present Act, except so far as the Provisions of any former Act are altered, amended, or repealed by any subsequent Act, shall be construed as One Act; and all Penalties and Forfeitures imposed under this Act shall be recoverable as Penalties and Forfeitures under the said Act for the Amendment of the Laws relating to the Poor. 4 & 5 W. 4. c. 76. and this Act to be construed as one.

IX. And be it enacted, That this Act shall extend only to *England*. Extent of Act.

X. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

CAP. LXVII.

An Act to remove Doubts concerning Citations, and Services and Execution of Diligence, in *Scotland*. [26th *August* 1846.]

'WHEREAS an Act was passed in the Second Year of the Reign of Her Majesty, intituled *An Act to amend the Law of* Scotland *in Matters relating to personal Diligence, Arrestments, and Poindings*, whereby it was enacted, that Extracts, Citations, Deliverances, Schedules, and Executions may be either printed or in Writing, or partly both, and that, excepting in the Case of Poindings, more than One Witness shall not be required for Service or Execution thereof: And whereas Doubts have been entertained regarding the Interpretation of the Provisions above recited; and it is expedient to remove such Doubts:' Be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Enactment herein-before recited does and shall apply to all Citations on all Summonses, and to all Cases whatsoever of Services and Execution, and that more than One Witness is not and shall not be required for Service or Execution in any Case, excepting only in Cases of Poinding as aforesaid. 1 & 2 Vict. c. 114. Recited Enactment to apply to all Citations, Services, &c.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament. Act may be amended, &c.

CAP. LXVIII.

An Act for better enabling the Burial Service to be performed in One Chapel where contiguous Burial Grounds shall have been provided for Two or more Parishes or Places. [26th *August* 1846.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for the further Amendment of the Church Building Acts*, whereby it was amongst other things enacted, that where any Land should have been purchased or obtained for any new or additional Burial Ground not within the Bounds of the Parish or Parishes for the Use of which the same should have been so purchased or obtained, it should be lawful for Her Majesty's Commissioners for building new Churches, if they should think fit, in accepting a 8 & 9 Vict. c. 70.

'Conveyance of such Land for the Purposes aforesaid, under the Provisions of the therein-before recited 'Acts or any of them, to declare in such Conveyance, or by any other Instrument under their Common 'Seal, that such Land should, after the Consecration thereof for the Purposes aforesaid, be and be deemed 'to be Part of the Parish or Parishes for the Use of which such Land should have been so purchased or 'obtained, and after Consecration such Land should be Part of such Parish or Parishes accordingly for 'the Purposes aforesaid: And whereas it is expedient that the said Provision of the herein-before recited 'Act should be amended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That such Provision shall extend to any distinct and separate Parish, District Parish, District Chapelry, or Consolidated District already or to be hereafter formed under the Church Building Acts, and to any new Parish already or to be hereafter constituted by or under the Proceedings of the Ecclesiastical Commissioners for *England*, and that where any Land, wherever situated, shall have been purchased or obtained for the Purpose herein-before recited, for the Use of Two or more Parishes or Places, it shall be lawful for the said Commissioners, in accepting a Conveyance of such Land for the Purposes aforesaid, to order and direct in such Conveyance, or by any other Instrument under their Common Seal, that any Chapel which at the Time of such Order and Direction shall have been or shall be thereafter erected on any Portion of such Land as aforesaid for the Performance of the Burial Service therein, and any Lodge or other Building which shall at the Time of such Order and Direction have been erected or shall thereafter be erected on any Part of such Land, and also any and every Access or Approach to and from such Chapel, Lodge, or other Building shall be for the Use of all and every of the Parishes or Places for which such Land shall have been purchased or obtained and conveyed as aforesaid, and such Order and Direction shall be valid and binding; and it shall be lawful for the Officiating Minister of each Parish respectively to use (subject to the Regulations herein-after mentioned) the said Chapel for the Purpose of the Burial Service therein; and the like Fees for the Performance of such Burials, and for the making, opening, or using any Catacombs, Vaults, or Ground for Burials within each such Burial Ground, shall be due and payable as are accustomed to be taken in the Parish for which such Burial Ground shall have been purchased, obtained, and conveyed as aforesaid; and the Use of such Chapel, Lodge, or other Building by such Officiating Minister for the Purpose aforesaid shall be subject to such Regulations as the Bishop of the Diocese shall at any Time under his Hand and Seal make or ordain.

Church Building Commissioners may direct that One Chapel shall be used by the different Parishes or Places for which Burial Grounds contiguous to each other shall have been provided.

Ministers of each Parish may use Chapel.

Same Fees payable as are due in Parishes for which Ground has been purchased.

II. And be it enacted, That it shall be lawful for the said Bishop, in consecrating such Chapel as aforesaid for the Purposes aforesaid, to declare in the Sentence of Consecration that such Chapel is intended for the Use of the respective Parishes or Places, for the Performance of the Burial Service therein, for which such Land shall have been purchased or obtained and conveyed as aforesaid; and if any additional Land shall after the Consecration of such Chapel be purchased or obtained, and conveyed as aforesaid to the said Commissioners, as a Burial Ground, for the Use of such Parish or Parishes, Place or Places, or for the Use of any other Parish or Parishes, Place or Places, (such Land adjoining or being near to such former Land so purchased or obtained and conveyed,) such Chapel, subject to the Regulations as aforesaid by the Bishop of the Diocese, may be used for the Performance of the Burial Service in such additional Ground, and such Lodge or other Building, and every Access and Approach to and from such Chapel, Lodge, or Building, may be in like Manner used for the Purposes aforesaid.

Bishop of the Diocese may declare in the Sentence of Consecration that such Chapel is intended for the Use of such respective Parishes or Places.

III. And be it enacted, That for the Enclosure of such Land One Boundary Fence around the whole may be declared by such Bishop (if he think fit) sufficient, without any Sub-division Fences enclosing the Portions conveyed to the said Commissioners for the Use of the several Parishes or Places respectively; but if the said Bishop shall think fit he may require such Bound Stones to be put down as may appear to him necessary for marking the Boundaries of the Land so conveyed as aforesaid to the said Commissioners for the Use of the respective Parishes.

One Boundary Fence sufficient, unless Bishop direct Stones for marking Boundaries of each Parish.

IV. Provided always, and be it enacted, That nothing in this Act contained shall be construed to authorize any Church Rate to be made on the said Parishes or any of them for the Repair or Sustentation of such Chapel, Lodge, or other Building, or Fence as aforesaid, but such Repair or Sustentation shall be provided for by such a Sum of Money as the said Commissioners shall consider sufficient; and such Sum shall be set apart, and invested in Government Securities in the Names of Trustees to be appointed by the said Commissioners, and shall be held by such Trustees in trust for the Purposes aforesaid, and the Dividends or annual Proceeds arising therefrom shall be applied in and about such Repair and Sustentation, as and when the Trustees or Trustee for the Time being, with the Consent of the Bishop of the Diocese, shall deem fit from Time to Time to direct; and in case of a Vacancy or Vacancies amongst such Trustees, the remaining Trustees or Trustee, and if there shall be no remaining Trustee, or no Trustee that is capacitated or willing to act, the Bishop of the Diocese shall supply such Vacancy or Vacancies, by the Appointment of a fresh Trustee or Trustees, who shall hold such Trust Fund, and apply the annual Dividends and Proceeds arising therefrom jointly with the remaining Trustees or Trustee, if any, in like Manner as the former Trustees or Trustee in whose Room he or they shall be appointed.

Act not to authorize Church Rate, &c.

A sufficient Fund for the Repair, &c. be set apart, and invested in the Names of Trustees.

Vacancies amongst Trustees to be filled up.

V. And be it enacted, That in the Interpretation of this Act, where the Words "Parish" or "Parishes" occur therein, such Words, or either of them, shall include any distinct and separate Parish, District Parish, District Chapelry, or Consolidated District already or to be hereafter formed under the Provisions of the Church Building Acts, and also any new Parish already or to be hereafter constituted by or under the Proceedings of the Ecclesiastical Commissioners for *England*.

Interpretation of Act.

CAP.

CAP. LXIX.

An Act to authorize until the Thirty-first Day of *July* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament, the Regulation of the Annuities and Premiums of the Naval Medical Supplemental Fund Society. [26th *August* 1846.]

'WHEREAS under an Order in Council, bearing Date the Thirteenth Day of *August* One thousand eight hundred and seventeen, the Naval Medical Supplemental Fund Society was established for the Relief of Widows of Medical Officers in the Royal Navy, and certain Rules and Regulations were thereby made and prescribed for the Government, Regulation, and Management of the said Society, and the Funds thereof: And whereas certain Pensions and Annuities have been and are paid and payable by, and Premiums have been and are paid and payable to, the said Society, and it is expedient that the Rate of the said Pensions, Annuities, and Premiums now paid or payable should be continued during the Continuance of this Act, unless it be found expedient to reduce or vary the Rate thereof, as herein-after mentioned, in order to prevent any Encroachment on the Funds of the said Society:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the Amount or Rate of Pensions and Annuities now paid and payable by, and the Rate of Premiums now paid and payable to, the said Society shall, during the Continuance of this Act, continue to be paid and payable by and to the said Society, unless the Lord High Admiral, or the First Commissioner for executing the Office of Lord High Admiral for the Time being, as Patron of the said Society, and the Secretary of the Admiralty for the Time being, as President of the said Society, shall deem it expedient at any Time or Times to reduce or vary the same; in which Case it shall be lawful for the Lord High Admiral, or the said First Commissioner, and the said Secretary, and they are hereby authorized and empowered to vary or reduce at any Time and from Time to Time, by Writing under their respective Hands, as the Exigencies of the Case may seem to them requisite, the Amount of the Annuity now or hereafter payable by the said Society to Widows or other Claimants, provided that the Amount of the Annuities be not thereby rendered less than Two Thirds of the Amount which is now paid, and also to vary and increase the Rate of Premium which now is or shall be paid to the said Society for or in respect of any Annuity, so that the Amount of the Premium shall not exceed the Rate established by the said Order in Council: Provided always, that nothing in this Act contained shall render it obligatory on any Person to commence or continue the Payment of the full or reduced Amount of any such Premiums of Insurance as aforesaid.

Amount or Rate of Pensions and Annuities payable by, and Premiums payable to, the Society, shall continue to be paid, unless the Patron or President shall think fit to vary the same.

Proviso.

II. And be it enacted, That this Act shall commence and take effect from the passing thereof, and shall continue in force until the Thirty-first Day of *July* One thousand eight hundred and forty-seven, and from thence to the End of the then next Session of Parliament.

Term of Act.

III. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

Public Act.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Act may be amended, &c.

CAP. LXX.

An Act to amend the Act to facilitate the Inclosure and Improvement of Commons. [26th *August* 1846.]

'WHEREAS an Act was passed in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to facilitate the Inclosure and Improvement of Commons and Lands held in common, the Exchange of Lands, and the Division of intermixed Lands; to provide Remedies for defective or incomplete Executions, and for the Non-execution of the Powers of general and local Inclosure Acts; and to provide for the Revival of such Powers in certain Cases;* and it is expedient that the said Act should be amended as herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That where it shall appear to the Commissioners that the Terms and Conditions of any Provisional Order heretofore issued or which shall hereafter be issued by the Commissioners in the Matter of an Inclosure ought to be varied or amended, it shall be lawful for the Commissioners, at any Time before they shall have certified in their annual General Report their Opinion that the proposed Inclosure would be expedient, or, in case the Land proposed to be inclosed shall be Land to the Inclosure of which the previous Authority of Parliament shall not be necessary before they shall have caused Notice to be given of their Intention to proceed with such Inclosure, whether the requisite Consents shall or shall not have been taken to such Provisional Order, to make void and cancel the same, and to issue in lieu thereof such varied or amended Provisional Order as they shall think fit; and such Deposit shall be made, and Notice given, and other Proceedings had thereupon, as by the said Act would have been required in respect of an Original Provisional Order in the like Matter; and in case any Consents shall have been taken to a Provisional Order, and it shall not appear necessary to the Commissioners wholly to cancel the same, then it shall be lawful for the Commissioners, at any Time before they shall have certified in their annual General

8 & 9 Vict. c. 118.

Provisional Orders of Commissioners may be varied or amended.

General Report their Opinion that the proposed Inclosure would be expedient, or in case the Land proposed to be inclosed shall be Land to the Inclosure of which the previous Authority of Parliament shall not be necessary at any Time before they shall have caused Notice to be given of their Intention to proceed with such Inclosure, to vary or amend the Terms and Conditions of such Provisional Order, or any of them, by a Supplemental Provisional Order: Provided always, that in every Case in which a Supplemental Provisional Order shall be made, the Commissioners shall cause a Copy thereof to be deposited for Inspection in the same Manner as by the said Act required in reference to a Provisional Order, and shall cause Notice to be given of such Deposit, and shall by such Notice specify the Time within which Dissents may be signified to such Supplemental Order; and unless Persons the aggregate Amount of whose Interests in the Land proposed to be inclosed shall exceed One Third in Value of the whole Interest in such Land shall, within the Time so limited, signify in Writing to the Commissioners their Dissent from such Supplemental Order, such Order shall, for all the Purposes of the Inclosure, be deemed Part of the Provisional Order.

Copies of Supplementary Orders to be deposited for Inspection.

II. Provided always, and be it enacted, That where under the said Act the Consent of the Person interested in such Land in right of a Manor is required to an Inclosure, or the Dissent of any Person or Persons so interested might, in respect of his or their Interest in right of a Manor, have prevented an Inclosure, such Supplemental Order shall not take effect in case such Person or Persons respectively shall, within the Time so limited, signify in Writing to the Commissioners his or their Dissent from such Order; and where the Freemen, Burgesses, or Inhabitant Householders of any City, Borough, or Town shall be entitled to Rights of Common or other Interests in such Land, no Supplemental Provisional Order shall take effect without the like Consents of the like Number of such Freemen, Burgesses, and Inhabitant Householders as would have been required to the Provisional Order.

Supplemental Order not to take effect unless Consent of certain Parties be obtained.

III. And be it enacted, That in case any Supplemental Provisional Order so issued shall not take effect by reason of Dissents having been signified as aforesaid, the Commissioners may, at their Discretion, proceed as if such Supplemental Provisional Order had not been issued, or may suspend all Proceedings in the Inclosure.

If Orders do not take effect, Commissioners may suspend Proceedings.

IV. And be it enacted, That where Allotments for Exercise and Recreation, or for the labouring Poor, or for any other public Purpose, shall have been made the Condition of any Provisional or any Supplemental Provisional Order, it shall be lawful for the Commissioners, on the Application in Writing of the Valuer, at any Time before such Valuer shall have made his Award, under their Seal, to allow an equal Quantity of the Land proposed to be inclosed to be allotted for either or both of the Purposes aforesaid, or for any other public Purpose, in lieu of that which may have been directed to have been allotted by the Original or any Supplemental Provisional Order.

As to Allotments for Exercise and Recreation, &c.;

V. And be it enacted, That it shall be lawful for the Commissioners, by their Provisional Order in the Matter of any Inclosure, to make it a Condition that there shall be awarded to the Lord of the Manor, instead of the whole or any Part of the Share or Proportion of the Residue of the Land to which it shall be thereby declared he would have been otherwise entitled in respect of his Right and Interest as Lord in the Soil, and also if they shall think fit in lieu of any other Allotment or Allotments to which he may be found entitled in respect of any other Rights or Interests in the Land proposed to be inclosed, such perpetual Rent-charge or Rent-charges of such aggregate Amount as shall in the Judgment of the Valuer be equal to such Share or Proportion of the Residue and such other Allotment or Allotments as aforesaid, as the Case may be, and such Rent-charge or Rent-charges shall be awarded accordingly, and shall be recoverable by the same Means as are by the Act of the Seventh Year of King *William* the Fourth, for the Commutation of Tithes in *England* and *Wales*, or any Act amending the same, given for recovering Rent-charges charged under the last-mentioned Act; and the aggregate Amount of Rent-charge to which the Lord shall be found entitled under this Provision shall be charged by the Valuer, as he shall deem convenient, as separate Rent-charges or as One Rent-charge on the Allotments or Allotment to be allotted and awarded to any Persons or Person who shall consent thereto; and the Valuer shall award to the Person whose Allotment shall be made liable to any such Rent-charge, and as a Portion of his Allotment so charged, such Addition in Land as the Valuer shall deem equivalent to such Rent-charge; but in case such aggregate Amount of Rent-charge shall not be so charged, with Consent as aforesaid, the Valuer shall charge separate Rent-charges making together the aggregate Amount of Rent-charge on all the Allotments except the Allotments for public Purposes, in proportion to the Value, in the Judgment of the Valuer, of the respective Allotments.

and Allotments to Lord of Manor for Right of Soil, &c.

VI. And be it enacted, That where any Copyhold or Customary Land shall be intermixed or held or occupied together with Land of Freehold Tenure, or with Copyhold or Customary Land held of another Manor, or under other Customs or Titles, and such Copyhold or Customary Land cannot be identified by the Description thereof on the Rolls of the Manor, and the Situation or Boundaries of such Freehold and Copyhold or Customary Land respectively shall be unknown or unascertained, whether such Lands shall or shall not be subject to be inclosed under the said recited Act, and whether any Proceedings for an Inclosure shall or shall not be pending, it shall be lawful for the Commissioners, upon the Application in Writing of the Persons interested in such Lands, and with the Consent of the Lord or Lords of the Manor or respective Manors of which such Copyhold or Customary Land shall be holden, by Order under their Seal, to appoint and authorize an Assistant Commissioner or any other Person to award and declare what Part of the Lands so intermixed or held or occupied together shall be and be deemed Copyhold or Customary Land and Freehold Land respectively, or shall respectively be held of each such Manor or under each of such Customs or Titles respectively, or to determine and declare the Situation and

Award may be made by Assistant Commissioner, subject to Approval of Commissioners, in certain Cases of intermixed Copyhold, Customary, or Freehold Lands.

and Boundary thereof, as the Case may require; and such Assistant Commissioner or other Person shall frame a Draft Award, declaring which Parts of such Lands so intermixed or occupied should in his Judgment be or be deemed Copyhold or Customary Lands, for or in lieu of the Copyhold or Customary Land or several Copyhold or Customary Lands passed by the Description or several Descriptions in the Court Rolls, and for and in lieu of such Freehold Land respectively, with a Map or Plan annexed thereto; and the Commissioners may, if they think fit, make such Inquiries in relation to the Matter of such Draft Award or any Part thereof, and cause the same to be revised by such Assistant Commissioner or other Person; and in case such Draft Award, without or after such Revision as aforesaid, shall appear satisfactory to the Commissioners, they shall cause the same to be engrossed, and to be signed by such Assistant Commissioner or other Person, and shall approve the same under their Seal; and from and after such Approval the Land described in such Award shall be and be deemed of such Tenures, and to be held of such Manor and under such of the said respective Customs or Titles, as therein declared, and shall be subject to the same Services, Uses, Trusts, and Charges as the Lands in respect of which they shall be awarded respectively; and a Copy of such Award shall be delivered to the Lord of the Manor or of each Manor to which the same may relate, or his Steward, and shall be kept with and deemed Part of the Court Rolls.

Application of Provisions of recited Act as to Notices and Dissents.

VII. And be it enacted, That the Provisions of the said recited Act concerning Notices and Dissents in the Case of an Order of Exchange shall apply to and have the same Effect respectively in the Case of such Award as aforesaid as if the Approval of such Award were the Confirmation of an Order of Exchange.

Boundaries of Leaseholds may be declared in Award setting out Boundaries of Copyhold or Customary Lands.

VIII. And be it enacted, That where any Land held by Lease for Years or for Life or Lives shall be intermixed with or held or occupied together with, or shall be alleged to be intermixed with or to be held or occupied together with other Land, and by reason of the Description of the Parcels in such Lease being general and indefinite, or inapplicable to the actual Condition of the Property, or otherwise, the Quantity, Situation, or Boundaries of such Leasehold Land cannot be ascertained, or Differences or Disputes shall have arisen concerning such Quantity, Situation, or Boundaries, (whether such Land shall or shall not be subject to be inclosed under the said recited Act, and whether any Proceedings for an Inclosure shall or shall not be pending,) it shall be lawful for the Commissioners, upon such Application as herein-after mentioned, in and by any Order under their Seal, to authorize or to appoint and authorize any Assistant Commissioner or other Person to award and declare what Part of the Lands so intermixed or held or occupied together, or alleged to be intermixed or held or occupied together, shall be and be deemed to be the Land held under such Lease, or to determine and declare the Quantity, Situation, and Boundaries thereof, as the Case may require; and any such Authority, or Appointment and Authority as last aforesaid, may be inserted in any Order which shall also relate to Copyhold or Customary Land, or may be made and given by separate Order, as the Case may require; and the Assistant Commissioner or other Person so authorized shall insert a Declaration in his Draft Award, or shall frame a Draft Award, as the Case may require, in like Manner as herein-before provided in the Case of Copyhold or Customary Land being intermixed or held or occupied as aforesaid; and the Provisions herein-before contained for Inquiries in the Matter of a Draft Award concerning Copyhold or Customary Land, and the Revision thereof, and the Ingrossment, Execution, and Approval thereof, shall apply to a Draft Award and the Declarations in a Draft Award concerning such Leasehold Land as aforesaid; and from and after the Approval of the Award concerning such Leasehold Land the Land which shall be thereby declared to be or to be deemed Leasehold Land shall be and be deemed to be held under such Lease, according to the Intent of the Declaration therein contained: Provided always, that every such Order which shall authorize such Assistant Commissioner or other Person to proceed as aforesaid in relation to any such Leasehold Land shall be made upon the Application in Writing of the Person who if the Lease had not been granted would have been the Person interested in the Land therein comprised, and also of the Lessee or Assignee of such Lease and of such Sub-lessees and other Persons as would have been Persons (alone or jointly with any other Person) interested in the Land comprised in such Lease, and upon the Application also of the Person interested in the Land with which such Leasehold Land shall be intermixed or held or occupied, or alleged to be intermixed or held or occupied.

Proviso.

Copyhold and Customary Lands may be exchanged.

IX. And be it enacted, That the Provisions of the said recited Act respecting the Exchange of Lands, and respecting the Division into convenient Parcels and Allotment of Lands intermixed or divided into Parcels of inconvenient Form or Quantity, (and respectively applicable to Land not subject to be inclosed under the said Act, and to Land so subject as to which no Proceedings for an Inclosure shall be pending,) shall extend and be applicable to Lands of Copyhold or Customary Tenure and the Land taken in exchange under any Order of Exchange; and the Land allotted under any Order of Division and Allotment in respect of any Copyhold or Customary Land shall be deemed Copyhold or Customary Land, and shall be held of the Lord of the same Manor, under the same Rent, Custom, and Services as the Copyhold or Customary Land in respect of which it may be so taken and allotted respectively was or ought to have been held, without any new Admittance in respect of Land so taken and allotted; and the Land taken in exchange and the Land allotted under such Orders respectively in respect of Freehold Land shall be of Freehold Tenure: Provided always, that no such Order of Exchange or of Division and Allotment of or affecting any Copyhold or Customary Land shall be confirmed by the Commissioners unless the Consent of the Lord of the Manor of which such Copyhold or Customary Land shall be holden shall have been given, either to the Application of the Persons interested for such Exchange or Division and

Consent of Lord of the Manor required.

and Allotment, or to the Exchange or Division and Allotment to which such Order shall relate; and a Copy of every such Order, when confirmed, shall be delivered to the Lord of such Manor or his Steward, and shall be kept with and deemed Part of the Court Rolls of such Manor.

Steward or Deputy may consent in Writing on behalf of the Lord.

X. And be it enacted, That in every Case where the Consent of the Lord of a Manor is required under this Act a Declaration or Statement in Writing under the Hand of the Steward or his Deputy authorized to take Surrenders or grant Admittances of or to Copyhold or Customary Lands in such Manor, signifying that the Lord has consented, shall be Evidence of such Consent for all the Purposes of this Act; and a Recital or Statement of the Consent of the Lord of a Manor contained in an Award which shall be approved or in an Order which shall be confirmed by the Commissioners shall, so far as respects the Validity of such Award or Order, be conclusive Evidence of such Consent.

Shares of Land and Cattle Gates and Stints may be exchanged.

XI. And be it enacted, That where a Person interested in any undivided Share, or any Cattle Gate or other Gate, or any Right of Common defined by Numbers or Stints, in or to be exercised over any Land, and a Person interested in any undivided Share or Gate or Right (so defined) in or to be exercised over any other Land, shall be desirous of exchanging their respective Shares, Gates, or Rights, whether such respective Lands or either of them shall or shall not be subject to be inclosed under the said recited Act, and whether any Proceedings for an Inclosure of such respective Lands or either of them shall or shall not be pending, it shall be lawful for the Commissioners, upon the Application in Writing of the Persons interested in such Shares, Gates, or Rights which they shall be so desirous of exchanging, or in such Lands in respect of such Shares, Gates, or Rights, to make an Order of Exchange of such respective Shares, Gates, or Rights, without requiring the Concurrence in such Application of the other Persons interested in such Lands; and all the Provisions of the said recited Act and this Act respecting the Exchange of Lands shall extend and be applicable to the Exchange of such respective Shares, Gates, or Rights; provided that, instead of the Map or Plan by the said recited Act directed to be annexed to an Order of Exchange, the Commissioners may cause to be therein inserted or thereunto annexed such Descriptions as may appear to them sufficiently to ascertain such respective Shares, Gates, or Rights, and such respective Lands as aforesaid.

Accuracy of Maps to be certified.

XII. 'And whereas by the said Act Provision is made for the Adoption and Use for the Purposes of 'any Inclosure under the said Act of a Copy of any Map or Plan which shall have been confirmed under 'the Hands and Seal of the Tithe Commissioners, or of any other Map or Plan of the Accuracy of which 'the Inclosure Commissioners shall be satisfied, or for making a new Survey, Map, or Plan;' be it enacted, That every new Survey, Map, or Plan which is used for the Purposes of any Inclosure under the said Act shall be signed by the said Inclosure Commissioners, after Examination of the Accuracy thereof under their Direction, and sealed with their Official Seal in testimony of such Examination.

Assistant Commissioner may be appointed Assessor.

XIII. 'And whereas by the said recited Act it is provided that the Valuer may in the Cases therein 'mentioned be assisted by an Assistant Commissioner specially appointed as an Assessor, who shall be a 'practising Barrister at Law of Five Years standing at the least;' be it enacted, That any Assistant Commissioner under the said Act may be specially appointed as an Assessor for the Purpose aforesaid.

Act deemed Part of recited Act.

XIV. And be it enacted, That this Act shall be taken to be a Part of the said recited Act, and be construed accordingly.

Act may be amended, &c.

XV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session.

CAP. LXXI.

An Act to amend an Act of the present Session, intituled *An Act to authorize Grand Juries in* Ireland, *at the Spring Assizes of the present Year, to appoint Extraordinary Presentment Sessions; to empower such Sessions to make Presentment for County Works; and to provide Funds for the Execution of such Works; and also to provide for the more prompt Payment of Contractors for Works under Grand Jury Presentments in* Ireland. [26th *August* 1846.]

9 & 10 Vict. c. 2.

'WHEREAS an Act was passed in the present Session of Parliament, intituled *An Act to authorize 'Grand Juries in* Ireland, *at the Spring Assizes of the present Year, to appoint Extraordinary 'Presentment Sessions; to empower such Sessions to make Presentments for County Works; and to 'provide Funds for the Execution of such Works; and also to provide for the more prompt Payment of 'Contractors for Works under Grand Jury Presentments in* Ireland: And whereas it is expedient to 'alter and amend certain of the Provisions of the said Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act so much of the said recited Act as requires that any Extraordinary Baronial Presentment Sessions held under the Provisions of the said Act shall be adjourned until some Day not sooner than Fourteen Days after the Day fixed for the Extraordinary County Presentment Sessions, or as provides for or relates to the Preparation of Forms of Tender for the Execution of any Works, or sealed Tenders or Proposals for Works, or the notifying, making, receiving, or otherwise dealing with any such Tenders or Proposals, or entering into any Contracts in respect thereof, or any Security for such Contracts, or the keeping of any Book or Abstract of such Contracts, shall be and the same is hereby repealed, save and except as to any Matter or Thing heretofore done under any of such Provisions respectively:

Certain Parts of the recited Act repealed.

tively: Provided always, that if, under the Provisions or in pursuance of the said recited Act, any Work shall have been actually commenced, or a Contract for any Work shall have been approved of and entered into at any adjourned Extraordinary Baronial Presentment Sessions, such Work shall and may be executed, and the several Matters and Things in relation to the same shall and may be done and carried on, as if this Act had not been passed.

Works already commenced or contracted for under recited Act to be executed.

II. And be it enacted, That, save as last aforesaid, the several Proceedings (if any) heretofore commenced in respect to Works applied for under the Provisions of the said recited Act shall or may be continued or carried on under the said Act as amended by this Act; and all Proceedings hereafter to be commenced in relation to any such Applications and Works as in the said Act specified shall be carried on under the Provisions of the said Act as amended by this Act.

Proceedings commenced, &c. under the said Act to be carried on.

III. 'And whereas it is expedient that all Works heretofore presented or which shall hereafter be presented under the Provisions of the said recited Act and this Act, or either of them, but which at the Time of the passing of this Act have not been commenced or contracted for, should be executed, not by Contract as in the said recited Act provided, but either by the Commissioners of Public Works in *Ireland* or by the respective County Surveyors;' be it therefore enacted, That when any Presentment for any Works shall be made at any Extraordinary County Presentment Sessions or Extraordinary Presentment Sessions hereafter to be holden under the Provisions of the said recited Act and this Act or either of them, such Sessions shall determine which of such Works shall be executed by the County Surveyor and which of them by the Commissioners of Public Works in *Ireland*, and each such Presentment shall be thereupon noted or endorsed by the Chairman according to such Determination; and such Chairman shall at the same Time cause to be made out and shall sign with his Name separate Schedules of all Applications for Works which shall have been duly approved and presented at such Sessions respectively, that is to say, one Schedule of all such Works (if any) so to be executed by the County Surveyor, and another Schedule of all such Works (if any) so to be executed by the said Commissioners of Public Works, and shall deposit such Schedules with the Secretary of the Grand Jury of such County, County of a City, or County of a Town, who within Six Days shall transmit to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* a Copy, signed by himself, and verified by his Declaration before a Justice of the Peace, of each of such Schedules of Works so presented at such Presentment Sessions, together with a Certificate of the acting Clerk of the Crown that such Works have been duly presented under the said Act and this Act or either of them, which such Clerk of the Crown is hereby required to furnish; and it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors, if he or they shall so think fit, to cause the same or Copies thereof respectively to be forthwith transmitted to the Commissioners of Her Majesty's Treasury for their Sanction and Approval; and in all Cases of Extraordinary County Presentment Sessions holden for any County after the passing of this Act as aforesaid any adjourned Extraordinary Baronial Presentment Sessions in such County theretofore appointed shall either not assemble, or shall separate without the Transaction of any Business.

Schedules of Works to be executed by Commissioners of Public Works, or by the County Surveyor, presented for at Extraordinary County Presentment Sessions, shall be transmitted to the Lord Lieutenant, who may lay them before the Lords of the Treasury for their Approval.

IV. Provided always, and be it enacted, That if at the Time of the passing of this Act any Extraordinary County Presentment Sessions or Extraordinary Presentment Sessions holden under the said recited Act shall have been concluded and shall have separated, but the Period for assembling the adjourned Extraordinary Baronial Presentment Sessions for such County or Place pursuant to Adjournment shall not have arrived, then and in such Case the adjourned Extraordinary Baronial Presentment Sessions shall assemble pursuant to the Adjournment, and when assembled shall not accept of or adopt any Proposals or Tenders for the Execution of Works by Contract as in the said recited Act provided, but in lieu thereof shall in relation to all Works presented for at the Extraordinary County Presentment Sessions or Extraordinary Presentment Sessions determine which of the said Works shall be executed by the County Surveyor, and which of the said Works shall be executed by the said Commissioners of Public Works, and each such Presentment shall be thereupon noted and endorsed by the Chairman of such Extraordinary Baronial Presentment Sessions according to such Determination, or such Chairman shall make an Entry thereof in a Book to be kept for that Purpose; and such Chairman shall at the same Time cause to be made out and shall sign with his Name separate Schedules of the Works so presented, that is to say, One Schedule of the Works (if any) to be executed by the County Surveyor, and One Schedule of the Works (if any) to be executed by the said Commissioners of Public Works, and shall deposit the said Schedules with the Secretary of the Grand Jury of such County, County of a City, or County of a Town, who within Six Days shall transmit to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* a Copy, signed by himself and verified as aforesaid, of each of such Schedules, together with such Certificate of the acting Clerk of the Crown as aforesaid; and it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors, if he or they shall so think fit, to transmit the same or Copies thereof to the said Commissioners of the Treasury for their Approval, and such last-mentioned Proceedings shall be as valid for the Purposes of the said Act and this Act as if the Mode of Execution of such Works had been determined on, and as if such Schedules had been duly signed at an Extraordinary County Presentment Sessions or Extraordinary Presentment Sessions holden after the passing of this Act as aforesaid.

In Cases where Extraordinary County Sessions shall have been concluded, but the adjourned Extraordinary Baronial Sessions shall not have arrived before the passing of this Act, then such Baronial Sessions to determine who the Works presented shall be executed by, subject to the Approval of the Lord Lieutenant and the Treasury.

V. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury from Time to Time, by Warrant under the Hands of any Three or more of them, to authorize the Commissioners of Public Works in *Ireland* to execute the said Works so presented and specified in any such Schedule of Works to be executed by the said Commissioners of Public Works as aforesaid, or such of the said Works as the said Commissioners of the Treasury shall think fit, at and for the Amount so presented

The Treasury may, out of the Monies authorized to be issued under recited Act, make Advances

for such Works as are determined to be executed by the Board of Works, and authorize them to execute them,

sented for each such Work respectively; and it shall be lawful for the said Commissioners of the Treasury, out of the Monies authorized to be advanced by the said Commissioners by way of Loan under the Provisions of the said recited Act, to advance and place at the Disposal of the said Commissioners of Public Works the several and respective Sums of Money so presented for each and every such Work so authorized to be by them executed, to be by the said Commissioners of Public Works applied and expended respectively to and for and in the Execution of the said several and respective Works so to be executed by them, and to be accounted for to the said Commissioners of the Treasury; and the Monies so to be from Time to Time advanced shall be accounted to be Part of the Money by the said recited Act authorized to be advanced by way of Loan.

The Board of Works shall proceed to execute such Works as are authorized to be executed by them.

VI. And be it enacted, That the said Commissioners of Public Works shall, upon the Receipt of any such Warrant of the said Commissioners of the Treasury, forthwith cause the Execution or Construction of any such respective Works therein authorized to be proceeded with, and shall for such Purpose have and use all such Powers and Authorities as they are by any of the Acts now in force for the Extension and Promotion of Public Works in *Ireland* invested with for the Construction of any Road or Bridge or other Work, for the Construction whereof a Grant shall have been sanctioned by the said Commissioners of the Treasury, and also all such Rights, Powers, Authorities, and Privileges as any County Surveyor or Contractor appointed or acting under and by virtue of an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in* Ireland, may have or use with reference to the Execution of Works thereunder.

6&7W.4.c.116.

Advances by the Treasury for Works to be executed by the County Surveyor.

VII. And be it enacted, That the Copy of any Schedule as aforesaid of Works to be executed by the respective County Surveyors, so transmitted to the said Lord Lieutenant or other Chief Governor or Governors of *Ireland*, shall, in addition to the Signature of the Secretary of the Grand Jury, be also signed, under the Hand of the Treasurer of such respective County, County of a City, or County of a Town, with his Name, and such Signature by him shall be deemed and construed to be an Application by such respective Treasurer for an Advance by the Commissioners of Her Majesty's Treasury, out of the Monies authorized by the said recited Act to be by them advanced by way of Loan, to the Amount of the respective Sums specified in any such Schedule as presented for the respective Works therein comprised; and it shall be lawful for the said Commissioners of the Treasury, after the Receipt of any such Schedule, or a Copy thereof, and of such Certificate of the Clerk of the Crown as aforesaid, by a Warrant in Writing under the Hands of any Three or more of them, to authorize an Advance of the Sums presented for the Execution of all or any of the Works specified in such Schedule, and so to be executed by any such County Surveyor, or any Part thereof, or of such of the said Works as they shall think fit, and to transmit their Determination thereon to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to be communicated to such Secretary of the Grand Jury, County Treasurer, and County Surveyor; and it shall thereupon be lawful for the said Commissioners of the Treasury, out of the Monies authorized to be advanced by them by way of Loan under the Provisions of the said recited Act, from Time to Time to advance and place at the Disposal of any such County Treasurer as aforesaid such respective Sums as aforesaid for every or any such Work specified in such Schedule, and so by them approved of and authorized; and any such Money so advanced shall be delivered or paid by such Officer or Person and in such Manner as the said Commissioners shall think fit, and by such Instalments as may be necessary, to the Treasurer of the County, County of a City, or County of a Town in which the Works in respect of which such Advances shall be made are to be executed, and shall be accounted for by him in like Manner as any other Monies by him received for the Use of such County, County of a City, or County of a Town, and all Securities given or to be given by him or on his Behalf shall extend to such Money; and every such Treasurer shall also from Time to Time, and at all Times when thereunto required by the Grand Jury of the said respective Counties, account for the same, and for all his Disbursements and Receipts in respect of such Advances, in such and the same Manner as such Treasurer is now by Law bound to account for other Public Monies received by him as such.

Monies advanced to be paid to the Treasurer of the County, &c., who shall account for the same.

County Treasurer empowered to advance Monies to the County Surveyor.

VIII. And be it enacted, That any such County Treasurer shall, upon Application for that Purpose made to him by the County Surveyor, out of the Monies so placed at his Disposal, advance and pay to such County Surveyor the Sums from Time to Time required for the Execution of the respective Works so authorized to be executed by such County Surveyor, not exceeding the Sums respectively presented for the said Works, upon the Certificate of such Surveyor that a Sum equal to the Amount applied for had been expended upon such Work, or will become due and payable in respect thereof at the Termination of the current Week.

County Surveyor to execute the Works authorized to be executed by him.

IX. And be it enacted, That the County Surveyor of any County, County of a City, or County of a Town, as the Case may be, shall, as soon as any such Works so presented to be executed by him shall have been authorized and approved of by the Commissioners of the Treasury, forthwith cause the same to be executed, and cause to be expended thereupon any Sums not exceeding the respective Sums presented for the same respectively, and for such Purpose shall have Power to employ sufficient Workmen, either at reasonable Wages or by Taskwork, and also an Overseer for each such Work, if he shall deem such Overseer to be necessary, and shall account for the Execution of such respective Works, and for the Expenditure thereon, and for the Sums advanced to him for such Works, before the Grand Jury at the Assizes next ensuing the Completion of such Works respectively; and all and every the Powers and Authorities or Provisions given or contained in the Acts for consolidating and amending the Laws relating to the Presentment of Public Money by Grand Juries in *Ireland* with reference to Execution of Works thereunder

thereunder shall, as far as the same are applicable, extend and apply to the executing of such Works as aforesaid by the County Surveyor.

The Lord Lieutenant may cause Grand Jurors to be re-assembled for the Appointment of Presentment Sessions.

X. And be it enacted, That it shall and may be lawful for the Sheriff, or in his Absence for the Sub-Sheriff of any County, County of a City, or County of a Town, and such Sheriff or Sub-Sheriff is hereby authorized and required, in case he shall receive a Direction by Warrant for that Purpose, to be issued from Time to Time as may be necessary, under the Hand of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, (and whether any Warrant shall have been theretofore issued for such Purpose under the Provisions of the said recited Act or this Act or not,) to summon the several and respective Persons who shall have served as Grand Jurors upon the Grand Jury at the Spring Assizes of the present Year for such County, County of a City, or County of a Town to re-assemble and attend for the Purposes of the said recited Act and this Act, at the usual Place of holding Assizes, upon a Day by such Sheriff or Sub-Sheriff to be fixed, not later than Seven Days from the Day on which such Sheriff or Sub-Sheriff shall have received such Warrant as aforesaid; and such Persons so summoned are hereby required to come and appear, agreeably to the Exigency of such Summons, under the like Penalties, and subject to the like Forfeiture of Issues, as Persons heretofore summoned to appear and serve on Grand Juries at any Assizes in *Ireland;* and on the Day and at the Place appointed for such Attendance such Sheriff or Sub-Sheriff, and also the Clerk of the Crown or his Deputy, shall attend at such Time and Place, and proceed to call such Grand Jurors, and such Clerk of the Crown or his Deputy shall thereupon administer to such Grand Jurors, and to such Persons (if any) as may be associated with them as herein-after mentioned, the Oath in the Schedule to this Act set forth; but in case all the Grand Jurors who were impannelled at such Spring Assizes, or Fifteen of them at the least, shall not be so in attendance, it shall be lawful for such Sheriff or Sub-Sheriff to call and summon, to be associated with such Grand Jurors then and there attending, such Number of other Persons whose Attendance can be procured, and whose Names shall have been on the Grand Jury Panel for such Spring Assizes, as will be sufficient with such first-named Grand Jurors attending to make up a Number not less than Fifteen and not exceeding Twenty-three; and such Grand Jurors so attending, or, as the Case may be, such Grand Jurors so attending together with such other Persons associated with them, shall have all the Powers and Authorities by the said recited Act given to the respective Grand Juries at the Spring Assizes of this Year, or to Grand Jurors summoned to re-assemble under the said Act, for appointing any such Extraordinary Presentment Sessions as therein provided; and it shall be lawful for them, if they shall respectively so think fit, Twelve of them at the least assenting, by a Presentment to appoint such Extraordinary Presentment Sessions respectively, and the Times and Places for holding the same, and the several Matters relating to the same as in the said recited Act provided; and any such Extraordinary Presentment Sessions so appointed shall be as valid, and have all such Powers and Authorities, and be subject to such Provisions, as if the same had been appointed by the Grand Jury at such Spring Assizes under the Provisions of the said recited Act; provided that after the passing of this Act the Time to be so appointed for holding the first Extraordinary Baronial Presentment Sessions in each County, County of a City, or County of a Town shall not be later than Fifteen Days from the Days so respectively from Time to Time fixed for the respective Grand Juries to re-assemble.

Extraordinary Baronial or County Presentment Sessions, separating without approving or presenting for any Work, may be re-assembled by the Lord Lieutenant.

XI. And be it enacted, That whenever any Extraordinary Baronial Presentment Sessions, Extraordinary County Presentment Sessions, or Extraordinary Presentment Sessions shall have been or shall be duly appointed under the Provisions of the said recited Act and this Act or either of them, and any such Sessions shall have adjourned or separated without having approved of or presented for any Work to be executed, as also in all Cases wherein from the Distress in any District it may seem expedient to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* that such several Presentment Sessions respectively, although they may have made Presentments, should have an Opportunity of again assembling and making further Presentments, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by a Notice or Notices to be published in the *Dublin Gazette*, and also in One or more Newspapers circulating in the respective District, and of which Copies shall be posted in the usual Places for posting public Grand Jury Notices in such District, to require such respective Extraordinary Baronial Presentment Sessions, or Extraordinary County Presentment Sessions, or Extraordinary Presentment Sessions, as the Case may be, to meet and re-assemble at the Place or Places theretofore appointed in that Behalf, on such Day or Days and Hours as shall be specified in such Notice, not being sooner than Fifteen nor later than Twenty Days after the Publication of such Notice in the Gazette as aforesaid, and the respective Justices and Cess-payers are hereby required to meet and assemble pursuant to such Notice; and any such respective Sessions so appointed shall be as valid and shall have all such Powers and Authorities, and be subject to such Provisions, so far as the same shall be applicable, as any other Extraordinary Baronial Presentment Sessions, or Extraordinary County Presentment Sessions, or any Extraordinary Presentment Sessions respectively, under the Provisions of the said Act as amended by this Act: Provided always, that no Extraordinary Baronial Presentment Sessions, or Extraordinary County Presentment Sessions, or Extraordinary Presentment Sessions, under the Provisions of the said recited Act and this Act or either of them, shall be appointed to be held on any Day later than the First Day of *October* in this present Year.

No Extraordinary Sessions to be held after 1st Oct. 1846.

Times for Service of Notices of Application for Works, &c.

XII. Provided always, and be it enacted, That it shall not be necessary for the Purposes of the said recited Act and this Act that any Applications for any Work should be lodged with any High Constable earlier than Ten Days, or with the Secretary of the Grand Jury earlier than Seven Days, before the Day appointed

appointed for holding the first Extraordinary Baronial Presentment Sessions so appointed in such County or Place; and every such High Constable with whom any such Application shall be lodged shall transmit every such Application to the Secretary of the Grand Jury Seven Days before the Day appointed for holding such first Sessions; and it shall not be necessary for the Purposes of the said recited Act and this Act that any Notices in respect of such Applications for Works shall be affixed, delivered, or given earlier than Seven Days previous to the first Day appointed for holding the several Sessions respectively at which the Application for the Works is to be made.

Advances from Treasury to be repaid by compulsory Presentment by Instalments.

XIII. 'And whereas certain Provisions are made in and by the said recited Act in regard to the 'Manner in which and the Times when the Monies to be advanced under the Provisions thereof by the 'Commissioners of Her Majesty's Treasury shall be repaid, and it is expedient to alter and amend the 'said Act in relation thereto;' be it enacted, That the Monies from Time to Time advanced or to be advanced pursuant to the Provisions of the said recited Act and of this Act, or either of them, by the Commissioners of Her Majesty's Treasury, for the Execution of any Works under the said recited Act and this Act or either of them, in any County, County of a City, or County of a Town, shall be repaid by Grand Jury Presentments by such Number of half-yearly Instalments, not less than Four and not more than Twenty, as the said Commissioners of the Treasury shall direct, and commencing at the Spring Assizes of the Year of our Lord One thousand eight hundred and forty-seven, and with such Interest (not exceeding the Rate of Five Pounds *per Centum per Annum*) as the said Commissioners of the Treasury shall appoint and direct; and the said Commissioners shall from Time to Time cause to be certified to the Secretary of the Grand Jury of each such County, County of a City, or County of a Town, to or for whose Use any such Monies shall have been advanced, the Amount of the Instalment or Instalments so to be repaid; and each such Secretary shall lay such Certificate before the Grand Jury of such County, County of a City, or County of a Town, at the next Assizes or Presenting Term after he shall receive the same; and it shall be lawful for every such Grand Jury and they are hereby required to present the Sum mentioned in every such Certificate relating to such County, County of a City, or County of a Town to be raised off the respective Baronies or Half Baronies, County of a City or County of a Town, in respect whereof the Works for which any such Monies shall be so advanced by the said Commissioners shall have been presented; and the Treasurer of such County, County of a City, or County of a Town shall pay the Sum so presented by the Grand Jury, when and as by him received, to such Bank or Person, and to such Account or in such Manner, as the said Commissioners of the Treasury shall direct: Provided always, that if the Grand Jury of any County, County of a City, or County of a Town shall fail to present the Sum, or any Part thereof, contained in any such Certificate, relating to such County, County of a City, or County of a Town, the Treasurer of such County, County of a City, or County of a Town shall and he is hereby required to insert such Sum, or such omitted Part thereof, in his Warrant for raising the Monies presented at the same Assizes, as if such Sum had been duly presented by such Grand Jury to be raised off the respective Baronies or Half Baronies properly chargeable therewith as aforesaid, or County of a City or County of a Town (as the Case may be), and the same shall be raised and levied off such Barony or Half Barony, County of a City or County of a Town, (as the Case may be,) accordingly, as if the same had been so presented, and the said Treasurer shall pay over the Amount when by him received as herein-before provided in the Case of such Money being presented by the Grand Jury; and all the Provisions of the Acts for consolidating and amending the Laws relating to the Presentment of Public Money by Grand Juries in *Ireland* with reference to the raising, Applotment, Collection, Levy, or Recovery of Grand Jury Cess shall, as far as the same are applicable, apply to all such Sums of Money so presented by the Grand Jury, or so inserted in such Warrant.

If Grand Jury fail to present, the Treasurer of the County to insert the Sum required in his Warrant.

When any Road shall be widened under this Act, Owners, &c. of Land taken to obtain from the Board of Works or County Surveyor a Certificate of the Value, &c. of the same, upon Production of which Grand Jury to present a Sum of Money for Damage sustained.

XIV. And be it enacted, That when any public Road shall have been or shall be widened under the Provisions of the said recited Act and this Act or either of them, it shall be lawful for any Occupier or Owner of the Ground taken and occupied by the widening of such Road to demand and obtain from the Officer of the said Commissioners of Public Works or the County Surveyor, as the Case may be, by whom such Work shall have been or shall be executed, a Certificate under his Hand, which such Officer or Surveyor is hereby required to give, stating the Quantity of Ground belonging to such Occupier or Owner which shall have been so taken and occupied by means of the widening of such Road, and an Estimate of the average annual Value of such Ground, the Tenure of such Occupier or Owner thereof, and an Estimate of the total Damage sustained by him by the widening of such Road; and upon giving or tendering such Certificate it shall be lawful for such Officer or Surveyor as aforesaid to proceed in the Execution of the Presentment for widening such Road without the Interruption of any Person; and it shall be lawful for any such Owner or Occupier, giving Ten Days previous Notice to the Secretary of the Grand Jury, to make Application to the Grand Jury at the Assizes next following the giving of such Certificate, or the next subsequent Assizes, for the Amount of Damages specified in such Certificate, whereupon it shall be lawful for the Grand Jury to present, without previous Application to Presentment Sessions, such Sum or Sums of Money, for the Use of such Owner or Occupier, in respect of the Damage sustained by him, as they, upon Inspection of such Certificate, shall deem reasonable to be raised off the Barony or Half Barony in which such Ground shall be situated, and to such Presentment no Traverse shall be allowed or received; but in case such Owner or Occupier shall not think fit to make such Application to the Grand Jury, it shall be lawful for him at the Assizes next following the giving of the said Certificate, or at the next subsequent Assizes, upon giving Ten Days Notice previously to such Assizes

In case Owner, &c. shall not make Application to Grand

to

to the Secretary of the Grand Jury of the Amount of Damages intended to be claimed, to have a Traverse for Damages entered in the Crown Book in respect of such Damage sustained by him, and thereupon such Traverse shall be tried in like Manner, and like Proceedings shall be had and Presentment made in respect of the same, and subject to like Provisions, as far as the same can be applied, as in the Case of Traverses entered for Damages under the Acts for consolidating and amending the Laws relating to the Presentment of Public Monies by Grand Juries in *Ireland*. Jury, he may apply to the Assizes, upon giving Notice.

XV. And be it enacted, That the said recited Act and this Act shall be construed together as One Act; and that the several Words and Expressions to which an extended Meaning is given in the said Act shall have or include the same extended Meaning in this Act, unless in such several Cases there be something in the Subject or Context repugnant thereto. Construction of Acts. Interpretation.

XVI. And be it enacted, That the several County Surveyors in *Ireland* and their Assistants within their respective Counties do and shall from and after the passing of this Act, in addition to their Duties herein-before mentioned and to all their other Duties, obey, perform, and execute, either alone or conjointly with or subject to the Direction of any other Person or Persons to be appointed for that Purpose by the Commissioners of Public Works in *Ireland*, all such Orders and Directions as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, or the said Commissioners of Public Works, shall from Time to Time issue and transmit to them or any of them respecting the planning, laying out, superintending, or overseeing any such Work or Works under the Provisions of the said Act and this Act or either of them, within their respective Counties, as shall be specified in and by such Orders or Directions, or the disbursing any such Sum or Sums of Money as shall be placed at his or their Disposal for that Purpose, and do and shall from Time to Time, and as often as he or they shall be so required, report to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or to the said Commissioners of Public Works, how and in what Manner he or they shall have executed such Orders and Directions, or disbursed such Sum or Sums of Money so to be issued and transmitted to him or them as aforesaid. County Surveyors to assist in carrying into execution Works under this Act.

XVII. Provided always, and be it enacted, That nothing in this Act contained shall be deemed to prejudice or interfere with any existing Contract for keeping any Road in repair, under the Provisions of any Acts relating to the Presentment of Public Money by Grand Juries in *Ireland*. Act not to interfere with existing Contracts.

XVIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament. Act may be amended, &c.

SCHEDULE to which the foregoing Act refers.

Form of Oath.

You shall diligently inquire on behalf of the County [*or* County of the City, *or* County of the Town] of and true Presentment make of all such Matters and Things as shall come before you in relation to the Appointment of Extraordinary Baronial Presentment Sessions *or* Extraordinary County Presentment Sessions [*or, in the Case of a County of a City or County of a Town*, Extraordinary Presentment Sessions] in the said County [*or* County of a City, *or* County of a Town], under the Provisions of an Act of the Ninth Year of the Reign of Her present Majesty, intituled "An Act "to authorize Grand Juries in Ireland, at the Spring Assizes of the present Year, to appoint Extra- "ordinary Presentment Sessions; to empower such Sessions to make Presentment for County Works; "and to provide Funds for the Execution of such Works; and also to provide for the more prompt "Payment of Contractors for Works under Grand Jury Presentments in Ireland," and under another Act of the present Session amending the same; you shall not present nor allow nor disallow any Matter or Thing through Hatred or Illwill, nor through Fear, Favour, or Affection.

So help you GOD.

CAP. LXXII.

An Act to amend the Act for Marriages in *Ireland*, and for registering such Marriages.

[26th *August* 1846.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Seventh and Eighth 'Years of the Reign of Her present Majesty, intituled *An Act for Marriages in* Ireland, *and for* '*registering such Marriages*: And whereas it is expedient to amend the Provisions of the same in respect 'of Marriages of Parties, One of whom may reside in *England* or *Scotland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in any Case of a Marriage intended to be solemnized in *Ireland* between Parties One of whom shall be resident in *England*, such Party so resident in *England* shall give Notice in the Form used in *England* in that Behalf, or to the like Effect, to the Superintendent Registrar of the District within which such Party shall have dwelt for not less than Seven Days then next preceding, and shall state therein the Name and Surname and the Profession or Condition of each of the Parties intending Marriage, the Dwelling Place of each of them, and the Time, not being less than Seven Days, during which each has dwelt therein, and the Church or other Building in which the Marriage is to be solemnized, provided that if 7 & 8 Vict c. 81. Marriages intended to be solemnized in Ireland between Parties One of whom resides in England, Notice of the same to be given to Superintendent

Registrar of the District in England within which the Party resides Seven Days preceding, &c. 6 & 7 W. 4. c. 85.

if either Party shall have dwelt in the Place stated in the Notice more than One Calendar Month, it may be stated therein that he or she hath dwelt there One Month and upwards; and such Notice shall be dealt with in such Manner, and such Certificate shall be given by such Registrar in such Manner, as is prescribed in an Act of the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for Marriages in* England, provided that in such Case such Certificate shall not be issued before the Expiration of Seven Days from the Entry of such Notice as aforesaid; and from and after the Expiration of Seven Days from the issuing of such Certificate the Production of the same to the Person duly authorized under the Provisions of the said first-recited Act to grant a Licence for Marriage in such Case shall be as valid and effectual to all Intents and Purposes for authorizing such Person to grant a Licence for Marriage, and such Certificate shall be as valid and effectual for all other Purposes under the Provisions of the said first-recited Act as any Certificate of a Registrar of a District in *Ireland* would be under the said Act if such Party giving such Notice were resident within such District in *Ireland*, and the other Party to such intended Marriage were also resident within another Registrar's District in *Ireland*.

If One Party shall be resident in Scotland, a Certificate of the Banns having been published in the Congregation of which the Party is a Member to be obtained from the Minister.

II. And be it enacted, That in the Case of a Marriage intended to be solemnized in *Ireland* between Parties One of whom shall be resident in *Scotland*, it shall be lawful for such Party to obtain from the Minister of the Congregation in *Scotland* of which he or she shall be a Member for at least One Calendar Month preceding a Certificate under his Hand that Banns of such intended Marriage of such Parties have been duly published or proclaimed in such Congregation on Three several *Sundays*; and from and after the Expiration of Seven Days from the granting of such Certificate the Production of such Certificate to the Person duly authorized in *Ireland* under the Provisions of the said first-recited Act to grant a Licence for Marriage in such Case shall be as valid and effectual to all Intents and Purposes for authorizing such Person to grant a Licence for Marriage, and such Certificate shall be as valid and effectual for all other Purposes under the Provisions of the said recited Act as any Certificate of a Registrar of a District in *Ireland* would be under the said Act if such Party giving such Notice were resident within such District in *Ireland*, and the other Party to such intended Marriage also were resident within another Registrar's District in *Ireland*.

Places having no Parish Church, &c., and Extra-parochial Places having no Chapel wherein Marriages may be solemnized, to be deemed, for the Purpose of this Act only, to belong to an adjoining Parish.

III. 'And whereas it is by the said Act, amongst other things, provided, that no Surrogate or other 'Person having Authority to grant any Licences for Marriages shall grant any Licence for Marriage, 'not being a Special Licence, until Seven Days after Notice shall have been given by one of the Parties 'who shall have resided for not less than Seven Days then next preceding in the Parish named in that 'Notice, under his or her Hand, in the Form therein mentioned, to such Surrogate or other Person 'having Authority to grant Licences as aforesaid, which Notices he shall file and keep with the Records 'of his Office, and that such Surrogate or other Person shall forthwith send a Copy of such Notice to 'the Incumbent or Incumbents of the Parish or Parishes in which the Parties intending Marriage dwell: 'And whereas certain Parishes in *Ireland* have no Parish Church or Chapel belonging thereto, or no 'Church or Chapel where Divine Service is usually solemnized every *Sunday*, and certain Places are 'extra-parochial; and it is expedient to make Provision for such Cases, and other Cases, as herein-after 'mentioned:' Be it enacted, That all Parishes where there shall be no Parish Church or Chapel belonging thereto, or none wherein Divine Service shall be usually solemnized every *Sunday*, and all Extra-parochial Places whatever having no public Chapel wherein Banns may be lawfully published or Marriage celebrated, shall be deemed and taken to belong to any Parish or Chapelry having such Church or Chapel next adjoining, for the Purposes of the said recited and this Act only; and where Banns shall be published in any Church or Chapel of any Parish or Chapelry adjoining to any such Parish or Chapelry where there shall be no Church or Chapel, or none wherein Divine Service shall be solemnized as aforesaid, or to any Extra-parochial Place as aforesaid, the Parson, Vicar, Minister, or Curate publishing such Banns shall, in Writing under his Hand, certify the Publication thereof, and act in all Things in the same Manner as if either of the Persons to be married had dwelt in such adjoining Parish or Chapelry.

When Parish Church is in Ruins, &c., Banns may be proclaimed and Marriages celebrated in an adjoining Parish, &c.

IV. And be it enacted, That if the Church of any Parish, or Chapel of any Chapelry, wherein Marriages may have been usually solemnized, be in Ruins, or be demolished in order to be rebuilt, or for any other Cause, or be under Repair, and on such Account or for any other Reason be disused for Public Service, it shall be lawful for Banns to be proclaimed and Marriages to be celebrated in a Church or Chapel of any adjoining Parish or Chapelry in which Banns are usually proclaimed or Marriage is usually celebrated, or in any Place within the Limits of the Parish or Chapelry which shall be licensed by the Ordinary of the Diocese for the Performance of Divine Service, during or by Reason of the Repair or Rebuilding or Disuse of the Church as aforesaid; and where no such Place shall be so licensed, then during such Period as aforesaid the Marriage may be solemnized in the adjoining Church or Chapel wherein the Banns have been proclaimed, or which shall have been specified in the Licence; and all Marriages heretofore solemnized in other Places within the said Parishes or Chapelries than the said Churches or Chapels on account of their being in Ruins, under Repair, or demolished, or taken down in order to be rebuilt, or for any other Cause, shall not be liable to have their Validity questioned on that Account, nor shall the Ministers who have so solemnized the same be liable to any Ecclesiastical Censure, or to any other Proceeding or Penalty whatsoever.

Act may be amended, &c.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. LXXIII.

An Act further to amend the Acts for the Commutation of Tithes in *England* and *Wales*.

[26th *August* 1846.]

'WHEREAS an Act was passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Commutation of Tithes in* England *and* Wales, and the said Act has been amended, and the Provisions thereof have been extended, by Acts passed in the Sessions of Parliament held in the First Year, the Second and Third Years, the Third Year, and the Fifth and Sixth Years of the Reign of Her present Majesty: And whereas an Act was passed in the Session of Parliament held in the First and Second Years of Her present Majesty, intituled *An Act to facilitate the Merger of Tithes in Land:* And whereas it is expedient that the said Acts should be amended as herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That where, under any Agreement or Award which has been or hereafter shall be confirmed by the Commissioners, the Amount of the Rent-charge agreed or awarded to be paid instead of the Tithes of any Parish shall not exceed the Sum of Fifteen Pounds, and shall not have been apportioned, or the Apportionment of such Rent-charge shall not have been confirmed by the Commissioners, it shall be lawful for the Owners of the Land chargeable therewith, or any of them, with the Consent of the Person or Persons for the Time being entitled to the Receipt thereof, or, in the Case of an Infant, Feme Covert, or Lunatic, with the Consent of the Guardian, Husband, or Committee of the Estate of the Person so under Disability, to redeem such Rent-charge on Payment, in manner herein-after mentioned, (within such Time as the Commissioners shall in each Case limit in this Behalf,) of a Sum of Money not less than Twenty-four Times the Amount of such Rent-charge.

6 & 7 W. 4. c. 71.

1 & 2 Vict. c. 64.

Power to Landowners to redeem a Rent-charge not apportioned where the Amount does not exceed Fifteen Pounds.

II. And be it enacted, That in every Case in which any such Rent-charge, not exceeding Fifteen Pounds as aforesaid, has been or shall be awarded to be paid, the Commissioners shall give Notice, in such Manner as they shall think fit, of the Time within which it shall be lawful for the Owners of the Land charged therewith, or any of them, to redeem such Rent-charge; and when it shall appear to the Commissioners that the Consideration Money for the Redemption of such Rent-charge as aforesaid shall have been paid, according to the Provisions of this Act, within the Time limited by them in this Behalf, or within any enlarged Time which the Commissioners may by any Order under their Hands and Seal allow for that Purpose, no Apportionment of the Rent-charge shall be made, but the Commissioners shall, by a Certificate under their Hands and Seal, certify that such Rent-charge has been redeemed, and that the Parish is discharged of such Rent-charge, and of the Tithes in lieu of which such Rent-charge was agreed or awarded to be paid, as from such Time as the Commissioners shall think reasonable and declare, and such Parish shall be thenceforth discharged according to the Terms of such Certificate.

Upon Payment of the Consideration Money, Commissioners to certify that the Parish is discharged of Tithes.

III. And be it enacted, That in every Case in which, by any Instrument of Apportionment confirmed under the Provisions of the said Acts, any Rent-charge or Portion of Rent-charge has been or shall have been (by reason of Error as to Boundary or otherwise) charged on Lands not within the Parish in respect of the Tithes of which the aggregate Rent-charge the Apportionment of which shall have been so confirmed was agreed or awarded to be paid, such Rent-charge or Portion of Rent-charge so charged on Lands not within the Parish shall be redeemable on Payment by the Owners of the Lands charged with the Residue of such aggregate Rent-charge, or any of them, of a Sum of Money equal to Twenty-four Times the Amount of the Rent-charge or Portion of Rent-charge hereby made redeemable, and it shall be lawful for the Commissioners before they shall proceed to direct a new Apportionment to give Notice that the Rent-charge or Portion of Rent-charge so erroneously apportioned on Lands not within the Parish may be redeemed, under the Provisions of this Act, within a Time in such Notice to be limited in this Behalf.

Power to redeem Rent-charge erroneously apportioned on Lands not chargeable therewith.

IV. And be it enacted, That when it shall appear to the Commissioners that the Consideration Money for the Redemption of the Rent-charge or Portion of Rent-charge so charged by such Instrument of Apportionment on Lands not within the Parish shall have been paid, according to the Provisions of this Act, within the Time which shall have been limited by the Commissioners in this Behalf, or within any enlarged Time which the Commissioners may by Order under their Hands and Seal allow for that Purpose, and that the Arrears thereof (if any) have been paid, the Commissioners shall under their Hands and Seal certify that such Rent-charge or Portion of Rent-charge has been redeemed, and thenceforth, except as respects the Lands so erroneously charged, and the Rent-charge or Portion of Rent-charge apportioned thereon, the Apportionment and Charges made by such Instrument of Apportionment shall be valid and effectual in such and the same Manner as if the aggregate Rent-charge had originally consisted only of the Sum of the Portions charged on the Lands within the Parish, and had been apportioned on such Lands, and no others, in the Portions in the Instrument of Apportionment expressed.

After Redemption of the Rent-charge erroneously apportioned, the Apportionment of the Remainder to be valid.

V. And be it enacted, That in every Case in which, under any confirmed Instrument of Apportionment or any altered Apportionment under the Powers of the said Acts, the whole Amount of the Rent-charge or separate Portion of Rent-charge with which the Lands of any Owner shall be charged in respect either of all Tithes or of any Kind of Tithes payable to separate Tithe-owners shall be a Sum not exceeding Twenty Shillings, it shall be lawful for such Owner at his Option, and with the Consent of the Person or

Separate Rent-charges, not exceeding Twenty Shillings in Amount, may be redeemed

after Apportionment.

or Persons for the Time being entitled to the Receipt thereof, or, in the Case of an Infant, Feme Covert, or Lunatic, with the Consent of the Guardian, Husband, or Committee of the Estate of the Person so under Disability, at any Time to redeem such Rent-charge or separate Portion of Rent-charge on Payment, according to the Provisions of this Act, of such a Sum of Money as shall be not less than Twenty-four Times the Amount of the Rent-charge or Portion of Rent-charge; and after Payment of such Consideration Money according to the Provisions of this Act the Commissioners shall certify that such Rent-charge or Portion of Rent-charge has been redeemed, and the same, from and after the Payment of the half-yearly Portion of such Rent-charge or Portion of Rent-charge which shall next accrue due subsequently to the Time of the Payment of such Consideration Money, shall cease and be extinguished; Provided always, that no such Redemption as last aforesaid shall extinguish or affect any extraordinary Rent-charge which would become payable in respect of such Land upon any Change of the Cultivation thereof.

Extraordinary Charge not to be affected.

Commissioners to certify the Amount of Consideration Money for Redemption.

VI. And be it enacted, That in every Case in which a Rent-charge is redeemable under the Provisions of this Act, the Commissioners shall, upon the Request of the Owners of Land chargeable with such Rent-charge or any of them, certify under the Hands and Seal of the Commissioners the Sum of Money in consideration of which such Rent-charge may be redeemed; and when it shall appear to the Commissioners that Payment or Tender of such Consideration Money has been duly made, it shall be lawful for the Commissioners to certify that such Rent-charge has been redeemed under the Provisions of this Act, and such Certificate shall be final and conclusive: Provided that if any Consideration Money shall be paid for the Redemption of a Rent-charge to a Person not entitled under the Provisions of this Act to receive the same, the Land which was charged with such Rent-charge before the Redemption thereof shall be charged in equity with the Payment of such Consideration Money to the Person rightfully entitled thereto as if the same were Purchase Money for such Land remaining unpaid; but the same Remedies may be had against the Person who shall have wrongfully received such Money as Purchasers are entitled to by the Rules of Law and Equity.

Consideration Money for Redemption, how payable.

VII. And be it enacted, That where the Person entitled to a Rent-charge redeemable under the Provisions of this Act shall be absolutely entitled thereto in Fee Simple in possession, or shall be enabled to dispose of the Fee Simple in possession independently of the Provisions of this Act, and shall not be a Spiritual Person entitled in respect of his Benefice or Cure, or a Corporation prevented from aliening such Rent-charge otherwise than under the Provisions of this Act, a Payment or Tender to the Person so entitled, or to the proper Officer of the Corporation so entitled, of the Sum of Money certified by the Commissioners as aforesaid, shall be deemed a due Payment of the Consideration Money; and in every other Case the Payment of the Sum of Money so certified according to the Provisions herein-after contained shall be deemed a due Payment of the Consideration Money.

Consideration for Redemption of Rent-charges payable to Spiritual Owners to be paid to Governors of Queen Anne's Bounty.

VIII. And be it enacted, That the Consideration Money for the Redemption under this Act of any Rent-charge agreed or awarded to be paid or payable under any Apportionment to any Spiritual Person in respect of his Benefice or Cure shall be paid to the "Governors of Queen *Anne*'s Bounty for the Augmentation of the Maintenance of the poor Clergy," and such Consideration Money shall be applied and disposed of by the said Governors as Money in their Hands appropriated for the Augmentation of such Benefice or Cure should by Law and under the Rules of the said Governors be applied and disposed of; and the Receipt of the Treasurer of the said Governors shall be a sufficient Discharge for such Consideration Money, and the Person paying the same to such Treasurer shall not be concerned to see to the Application or Disposal thereof.

Consideration Money, in case of Owners under Disability, how payable.

IX. And be it enacted, That in all other Cases in which the Person for the Time being entitled to any Rent-charge or apportioned Rent-charge subject to be redeemed under the Provisions of this Act shall be only entitled thereto for a limited Estate or Interest therein, or shall be under any Disability, or shall be a Corporation not authorized to make an absolute Sale of such Rent-charge otherwise than under the Provisions of this Act, the Consideration Money to be paid for the Redemption thereof shall be applied in manner hereafter provided; (that is to say,) shall, at the Option of the Person for the Time being entitled as aforesaid, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there *ex parte* the Tithe Commissioners, pursuant to the Method prescribed by any Act for the Time being in force for regulating Monies paid into the said Court, and such Monies shall remain so deposited until the same be applied to some One or more of the following Purposes; (that is to say,) in the Purchase or Redemption of the Land Tax, or the Discharge of any Debt or Incumbrance affecting the Rent-charge in respect of which such Money shall have been paid, or the Tithes for which the same shall have been substituted, or affecting other Hereditaments settled therewith, to the same or the like Uses, Trusts, or Purposes; or in the Purchase of other Lands, to be conveyed, limited, and settled upon the like Uses, Trusts, Purposes, and in the same Manner, as the Rent-charge for Redemption of which such Money shall have been paid stood settled; or in Payment to any Party becoming absolutely entitled to such Money; and such Money may be so applied as aforesaid upon an Order of the Court of Chancery made on the Petition of the Party who would have been entitled to the Receipt of the Rent-charge in respect of which such Money shall have been deposited; and until the Money can be so applied it may, upon the like Order, be invested by the said Accountant General in the Purchase of Three *per Centum* Consolidated or Three *per Centum* Reduced Bank Annuities, or in Government or Real Securities, and the Dividends thereof paid to the Party who would for the Time being have been entitled to the Rent-charge in case the same had not been redeemed, or otherwise such

Consideration

Consideration Money may be paid, at the like Option of the Person for the Time being so entitled, to the Trustees acting under the Will, Conveyance, or Settlement under which such Person having such limited Interest shall be entitled to or interested in such Rent-charge, or if there are no such Trustees, then into the Hands of Trustees to be nominated under the Hands and Seal of the said Commissioners; and the Money, when so paid to such Trustees, shall be applied by the said Trustees, with the Consent of the said Commissioners, in the Manner herein-before directed concerning any Money to be paid for Redemption into the Bank of *England* in the Name and with the Privity of the said Accountant General; and upon every Vacancy in the Office of such Trustee some other fit Person shall be appointed by the said Commissioners in like Manner.

As to Consideration Money under 20*l.*

X. Provided also, and be it enacted, That when any Consideration Money so to be paid as last herein-before mentioned shall not exceed the Sum of Twenty Pounds for the Redemption of all the Rent-charge which shall be redeemable under this Act, and shall not be payable to the Governors of Queen *Anne*'s Bounty as aforesaid, the same shall be paid, if the said Commissioners shall so direct, to the Person for the Time being entitled to the Rent-charge, for his own Use and Benefit, or in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity of the Person for the Time being entitled, then such Money shall be paid, for the Use of the Person so entitled, to the Husband, Guardian, Committee, or Trustee of such Person; and in case any Dispute shall arise as to the proper Application, Appropriation, or Investment of any Money according to the Intention of this Act, it shall be lawful for the said Commissioners to decide such Question, and their Decision shall be final and conclusive thereon.

Power to Persons entitled for limited Interests to charge Expences of Redemption.

XI. And be it enacted, That every Owner of an Estate in Land less than an immediate Estate in Fee Simple or Fee Tail, or which may be settled upon any Uses or Trusts, may, with the Consent of the Commissioners, or in such Manner as they shall direct, charge so much of the Consideration Money and other Monies payable in respect of the Redemption of a Rent-charge, or any Part thereof, with Interest after the yearly Rate of Four Pounds by the Hundred upon the Lands of such Owner which would have been subject to such Rent-charge, or to an apportioned Part thereof, but so, nevertheless, that the Charge upon such Land shall be lessened in every Year after the Redemption of such Rent-charge by One Twentieth Part at least of the whole original Charge thereon.

Commissioners Certificates of Redemption to show Amount of Consideration for the same.

XII. And be it enacted, That every Certificate of the Commissioners of the Redemption of a Rent-charge under the Provisions of this Act shall be under the Hands and Seal of the Commissioners, and shall show the Amount of the Consideration Money for the Redemption thereof, and to whom or in what Manner the same shall have been paid; and Copies of every such Certificate shall be made, and sealed with the Seal of the Commissioners, and shall be deposited in the like Custody and in like Manner as by the said first-recited Act is provided concerning every confirmed Instrument of Apportionment; and Copies of and Extracts from any Copy of such Certificate shall be furnished in like Manner as Copies of any Copy of a confirmed Instrument of Apportionment; and every Recital or Statement in any such Certificate or in any sealed Copy thereof, shall be Evidence of the Matters therein recited.

Alteration of Apportionment may be made after Inclosure, &c.

XIII. And be it enacted, That where Lands now charged or hereafter to be charged with Rent-charges or Portions of Rent-charges under confirmed Instruments of Apportionment have been or shall be (after the Confirmation of such Apportionment) inclosed or divided, allotted or exchanged, by Agreement or Award made under the Powers of any general or local Act of Inclosure (or otherwise), in such Manner that the Apportionment shall appear to the Commissioners to be inconvenient with reference to the altered Distribution of the Land among the several Owners thereof, it shall be lawful for the Commissioners, upon the Application of the Owners of such Lands, or the Majority in Number and Value of such Owners, or upon the Application of the Person or Persons entitled to such Rent-charges or Portions of Rent-charges, or any of them, to make or confirm an altered Instrument of Apportionment adapted to the altered Distribution of the Lands, in order that the Rent-charges or Portions of Rent-charges originally charged on the several Portions of Land which shall have been taken or allotted away from the former Owners on such Inclosure, Division, Allotment, or Exchange shall be charged on the Lands which shall have been allotted or received in the way of Substitution or Compensation for the Lands so taken or allotted away from the former Owners thereof, or as near thereto as Circumstances will admit; and every such altered Apportionment, when confirmed under the Hands and Seal of the Commissioners, shall be valid as from the Date of such Confirmation, and shall be taken to be an Amendment of the original Apportionment.

Such Alteration, when confirmed, to be valid.

Expences of Alteration of Apportionment shall be borne by Owners of Lands to which it shall relate.

XIV. And be it enacted, That all the Expences of the altered Apportionment last aforesaid shall be borne by the Owners of the Lands to which such altered Apportionment shall relate, and shall be recovered in the same Manner as Expences chargeable on the same Owners in or about the making of an original Apportionment of the Sum of the Rent-charges charged on the same Lands respectively would have been recoverable; and all the Provisions of the said Acts in relation to such of the Expences of or incident to making an Apportionment of a Rent-charge as are payable by the Owners of the Land included therein shall extend and be applicable to the Expences of such altered Apportionment.

Supplemental Apportionment of a Rent-charge as made payable to one Owner in respect of Tithes belonging to

XV. And be it enacted, That where by any Agreement or Award made under the Provisions of the said Acts a Rent-charge has been or shall have been agreed or awarded to be paid to any Person in lieu of any Tithes, and after the Apportionment of such Rent-charge shall have been made and confirmed under the Provisions of the said Acts it shall appear that some Tithes included in the aggregate Tithes in lieu of which such Rent-charge shall have been so agreed or awarded to be paid, or some Portion or undivided Share of some Tithes so included, were or was at the Time of such Agreement or Award the Property

several Owners or held in separate Rights.

Property of some Person other than the Person to whom the same Rent-charge was so agreed or awarded to be paid, or that the whole of the Tithes included in the aggregate in respect of which such Rent-charge was agreed or awarded to be paid were not held by the Person to whom such Rent-charge was so agreed or awarded to be paid in the same Right and for the same Estate, or were not subject after the Determination of the Estate of such Person to the same Limitations or Estates legal and equitable, it shall be lawful for the Commissioners in any of the Cases aforesaid, in pursuance of or in accordance with the Decree or Direction of a Court of Equity of competent Jurisdiction, or on the Request in Writing of the Parties who for the Time being in case there had been no Commutation would have been the Owners of all the Tithes included in such aggregate, to make or confirm a supplemental Award or Apportionment of such Rent-charge in such Manner that, without altering the aggregate Amount of Rent-charge to which any Owner of Land may be subject, separate Rent-charges or separate Portions of Rent-charge may be made payable to the Parties who would have been Owners of the Tithes in case they had not been extinguished in lieu of the several Tithes or Portions of Tithe included in such aggregate which would belong to different Persons, or be held in different Rights, or be subject to different Limitations or Estates; and by such supplemental Award and Apportionment the Commissioners, if they shall so think fit, may apportion or award to be paid to one of the respective Owners, or to the Owner in lieu of one of his respective Rights, the whole of any Rent-charges payable under the original Instrument of Apportionment out of specific Lands, instead of dividing each Rent-charge made payable in lieu of the aggregate of the Tithes of each Parcel of Land between or among the Owners of the separate Tithes arising out of such Parcel; and such supplemental Award and Apportionment, when confirmed by the Commissioners under their Hands and Seal, shall take effect from the half-yearly Day of Payment which shall happen next after the Confirmation thereof.

Commissioners empowered to declare that Lands to which Doubts have arisen, shall be considered a separate District for Commutation, and the Residue of the Parish to remain subject to the original Award.

XVI. And be it enacted, That where by any confirmed Agreement or Award a Rent-charge shall have been agreed or awarded to be paid instead of the Tithes of any Parish, or of any of such Tithes, and before the Apportionment of such Rent-charge shall have been confirmed, it shall appear to the Commissioners that by reason of any Question or Doubt which after the Confirmation of such Agreement or Award shall be raised or shall exist in respect of any actual or supposed Exemption from Tithes, Modus, Composition real, or prescriptive or customary Payment, applicable only to a Part of the Lands in such Parish, or by reason of any other Question or Doubt whatsoever applicable only to a Part of the Lands in such Parish, or by reason of any Question or Doubt touching the Boundaries of such Parish, it cannot be immediately ascertained whether the Agreement or Award might require any and what Rectification in respect of the Matters to which such Question or Doubt shall relate, it shall be lawful for the Commissioners by a separate Award by way of Supplement to the Agreement or Award to declare that the Lands to which such Doubt or Question shall be applicable shall be considered a separate District for the Commutation of the Tithes thereof, and that the Residue of the Parish, or the Parish exclusively of the Lands to which the Question or Doubt touching Boundaries may be applicable, shall remain subject to the Agreement or original Award with such Variation as in the Award by way of Supplement shall be directed; and the Commissioners, in case they shall find that in estimating or fixing the Amount of the Rent-charge so agreed or awarded to be paid any Sum was included or added in respect of the Lands which they shall have directed to be considered a separate District, shall declare what Sum was so added, and shall direct the Residue of the Rent-charge, after deducting such Sum, to be apportioned on the Lands composing the Residue of the Parish, or on the Parish exclusively of the Lands which they shall have formed into a separate District; but if they shall find that by reason of Exemption or supposed Exemption or otherwise no Sum was so included or added in respect of the Lands which they shall have formed into a separate District, they shall direct the whole of such Rent-charge to be apportioned on the Lands comprising the Residue of the Parish, or on the Parish exclusively of the Lands which they shall have formed into a separate District; and all Awards by way of Supplement under this Section shall be subject to the Provisions of the said Act of the Session of Parliament holden in the Second and Third Years of the Reign of Her Majesty, concerning the separate Awards by way of Supplement to a parochial Agreement or Award.

Place of Deposit of Copy of confirmed Apportionment may be altered by Quarter Sessions.

XVII. And be it enacted, That where the Place of Deposit of the Copy of a confirmed Instrument of Apportionment which by the said Act of the Session of Parliament holden in the Sixth and Seventh Years of the Reign of King *William* the Fourth is directed to be deposited with the Incumbent and Church or Chapel Wardens for the Time being, or such other fit Person as the Commissioners shall approve, shall be alleged to be inconvenient to the Majority of the Persons interested therein, or otherwise inconvenient or unsafe, it shall be lawful for any Person interested in the Lands or Rent-charge to which such Apportionment shall relate to apply to the Court of General Quarter Sessions of the Peace for the County, Riding, Division, or Place in which such Place of Deposit shall be situate for an Order for the Deposit of such Copy in some more convenient or secure Custody or Place, and Fourteen Days Notice in Writing of every such Application shall be given to the Persons in whose Custody such Copy shall at the Time of such Application be deposited; and it shall be lawful for the Court at the Quarter Session for which such Notice shall be given to hear and determine such Application in a summary Way, or they may, if they think fit, adjourn it to the following Session; and upon the hearing of such Application, the Court may, if they think fit, order such Copy to be removed from the Custody of the Persons with whom the same shall have been deposited, and to be deposited with such other Persons or in such other Custody as the Court having reference to the Security and due Preservation of such Copy, and to the

the Convenience of the Parties interested therein, may think fit, and may make such Order concerning the Notice to be given of such Removal and Deposit, and concerning the Costs of such Application, or of any Opposition thereto, as they may think reasonable.

Tithes or Rent-charge in lieu thereof may be merged after Agreement or Award, but before Apportionment.

XVIII. And be it enacted, That where by any Agreement or Award already made or hereafter to be made a Rent-charge shall have been agreed or awarded to be paid instead of the Tithes of any Parish, or instead of any of such Tithes, and shall not have been apportioned, it shall be lawful for the Person who under the Provisions of the said recited Acts would have been enabled in case such Agreement or Award had not been made to merge the Tithes in lieu of which such Rent-charge shall have been agreed or awarded to be paid, or such of the same Tithes as were payable out of Part of the said Lands, by any Deed or Declaration, to be made in such Form as the Commissioners shall approve, and to be confirmed under their Hands and Seal, to declare that the Tithes which he would have been so entitled to merge shall, so far as respects all the Lands, or, if he shall think fit, so far as respects only any specified Part of the Lands out of which the same were payable, and the Rent-charge or Portion of Rent-charge which shall have been awarded or ought to be apportioned in lieu thereof on such Lands, or specified Parts of such Lands, as the Case may be, shall be merged, and such Merger shall take effect accordingly; and in case such Merger shall extend to all the Lands which would have been chargeable with such Rent-charge, no Apportionment of such Rent-charge shall be made under the Provisions of the said recited Acts; but in case such Merger shall extend to Part only of the Lands which would have been chargeable with such Rent-charge, then such Portion of the Rent-charge shall be apportioned among the other Lands which would have been chargeable with such Rent-charge as such other Lands would have been subject to in case such Merger had not taken place; and the Owner of the Land to which such Merger shall extend shall pay such Portion of the Expences of or incident to the Apportionment as the Commissioners or any Assistant Commissioner may under the special Circumstances order to be paid by such Owner, instead of the rateable Proportions to which he would have been liable in case the whole of such Rent-charge had been apportioned.

Powers relating to the Merger, &c. of any Tithes may be executed by a Person entitled in Equity.

XIX. And be it enacted, That all Powers relating to the Merger and Extinguishment of any Tithes, or Rent-charge instead thereof, may be executed by a Person entitled in Equity to such Tithes or Rent-charge in all respects and with the same Consequence as he could have done if he had been legally entitled thereunto; and every Instrument already executed and purporting to be made in pursuance of the Powers of the said Acts or any of them by any Person so entitled in Equity shall in every respect be as effectual and have the same Consequence as if he had been legally entitled to the said Tithes or Rent-charge at the Time of the Execution of such Instrument, subject nevertheless in every Case to any Charge, Incumbrance, or Liability which lawfully or equitably existed on such Tithes or Rent-charge to the Extent of the Value of such Tithes or Rent-charge; and any such Charge, Incumbrance, or Liability shall have such Priority, and the Lands and the Owners thereof for the Time being shall be liable in the same Manner in respect of such Rent-charge, Incumbrance, or Liability, or of any Penalty or Damages for Nonpayment or Nonperformance thereof respectively, as by the said Act of the Session of Parliament held in the Second and Third Years of the Reign of Her present Majesty is provided in the Case of such Merger or Extinguishment as therein mentioned; and every Instrument purporting to merge any Tithes or Rent-charge, and made with the Consent of the said Commissioners before the passing of this Act, shall be hereby absolutely confirmed and made valid both at Law and in Equity in all respects, subject nevertheless to any Charge, Incumbrance, or Liability in all respects as is lastly herein-before provided.

1 & 2 Vict. c. 64, to be construed as Part of the Tithe Commutation Acts.

XX. And be it enacted, That the said Act of the Session of Parliament holden in the First and Second Years of the Reign of Her Majesty shall be construed with and as Part of the first-recited Act as amended by the several Acts passed for the Amendment thereof and by this Act.

Decisions concerning Boundary not appealed against to be valid notwithstanding Informality.

XXI. And be it enacted, That in every Case in which the Judgment or Determination of the Commissioners or of any Assistant Commissioner already given respecting the Boundary of any Parish, Township, District, or Lands shall not have been removed into the Court of Queen's Bench by Certiorari within the Time limited in that Behalf, such Judgment or Determination shall be valid and conclusive notwithstanding any Want of Form in such Judgment or Determination, or in the Award in which the same may be set forth, and although it may not appear on the Face of such Award, Judgment, or Determination, or otherwise, that the Commissioners or Assistant Commissioner had Jurisdiction in relation to such Boundary.

Glebe Lands may be exchanged although no Commutation be pending.

XXII. And be it enacted, That the Provisions of the said Act of the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her Majesty for the Exchange of Glebe Lands for other Lands shall authorize and be deemed to have authorized the Exchange of Glebe Lands for other Lands, although at the Time of such Exchange, or of the Applications in relation thereto, no Proceedings for or concerning the Commutation of Tithes in the Parish in which such Glebe Lands may be situate shall have been pending, and whether the Commutation of Tithes in such Parish shall or shall not have been completed.

Construction of Act.

XXIII. And be it enacted, That this Act shall be construed with and as Part of the first-recited Act as amended by the several Acts passed for the Amendment thereof and by this Act.

Act may be amended, &c.

XXIV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. LXXIV.

An Act to encourage the Establishment of public Baths and Wash-houses. [26th *August* 1846.]

'WHEREAS it is desirable for the Health, Comfort, and Welfare of the Inhabitants of Towns and populous Districts to encourage the Establishment therein of public Baths and Wash-houses and open Bathing Places:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act may be adopted for any incorporated Borough in *England* which is regulated under an Act passed in the Sixth Year of the Reign of His late Majesty, to provide for the Regulation of Municipal Corporations, or any Charter granted in pursuance of the said Act, or any Act passed for the Amendment thereof, and also, with the Approval of One of Her Majesty's Principal Secretaries of State, for any Parish in *England* not within any such incorporated Borough.

Act may be adopted in certain Boroughs and Parishes.

Interpretation of Act.

II. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say,

"Parish" shall mean every Place having separate Overseers of the Poor, and separately maintaining its own Poor:

"Borough" shall mean City, Borough, Port, Cinque Port, or Town Corporate:

"Rate-payers" shall mean such of the Persons for the Time being assessed to and paying Rates for the Relief of the Poor of the Parish as for the Time being shall be duly qualified to vote for the Election of Overseers for the Parish:

"Churchwardens" shall mean also Chapelwardens, or other Persons discharging the Duties of Churchwardens:

"Overseers" shall mean also any Persons authorized and required to make and collect or cause to be collected the Rate for the Relief of the Poor of the Parish, and acting instead of Overseers of the Poor:

"Vestry" shall mean the Inhabitants of the Parish lawfully assembled in Vestry, or for any of the Purposes for which Vestries are holden, except in those Parishes in which there is a Select Vestry elected under an Act passed in the Fifty-ninth Year of the Reign of King *George* the Third, intituled *An Act to amend the Laws for the Relief of the Poor*, or elected under an Act passed in the Second Year of the Reign of His late Majesty, intituled *An Act for the better Regulation of Vestries, and for the Appointment of Auditors of Accounts, in certain Parishes of* England *and* Wales, or elected under the Provisions of any local Act of Parliament for the Government of any Parish by Vestries, in which Parishes it shall mean such Select Vestry:

59 G. 3. c. 12. 1 & 2 W. 4. c. 60.

"Commissioners" shall mean the Commissioners appointed in accordance with this Act for any Parish, and for the Time being in Office and acting as such Commissioners:

"Clerk" shall mean, as regards an incorporated Borough, the Town Clerk of such Borough; and, as regards a Parish, the Clerk appointed pursuant to this Act by the Commissioners:

"Justice" shall mean Justice of the Peace for the County, Riding, Division, Liberty, Borough, or Place where the Matter requiring the Cognizance of Justices shall arise:

"Lands" shall mean Lands, Tenements, and Hereditaments, of whatsoever Nature or Tenure:

Words importing the Masculine Gender shall include the Feminine:

Words of the Plural Number shall include the Singular, and Words of the Singular Number shall include the Plural.

Council of any Borough may adopt the Provisions contained in this Act, if they think fit.

III. And be it enacted, That the Council of any such Borough as aforesaid may, if they think fit, determine that this Act shall be adopted for such Borough, and then and in such Case such of the Provisions of this Act as are applicable in that Behalf shall thenceforth take effect and come into operation in such Borough, and this Act shall be carried into execution in such Borough in accordance with such Provisions and the Laws for the Time being in force relating to the Municipal Corporation of such Borough.

Expences of carrying this Act into execution shall be charged upon the Borough Fund, and Income arising carried to same.

IV. And be it enacted, That the Expences of carrying this Act into execution in any such Borough in which the Council shall have resolved to adopt this Act for their Borough shall be chargeable upon and paid out of the Borough Fund, and for that Purpose the Council may levy with and as Part of the Borough Rate, or by a separate Rate to be assessed, levied, paid, and recovered in like Manner and with the like Powers and Remedies in all respects as the Borough Rate, such Sums of Money as shall be from Time to Time necessary for defraying such Expences, and shall apply the same accordingly as if the Expence of carrying this Act into execution were an Expence necessarily incurred in carrying into effect the Provisions of the said Act of the Sixth Year of the Reign of His late Majesty; and the Income arising from the Baths and Wash-houses and open Bathing Places in any Borough shall be paid to the Credit of the Borough Fund thereof, and the Council shall keep distinct Accounts of their Receipts, Payments, Credits, and Liabilities, with reference to the Execution of this Act, to be called "The public Baths and Wash-houses Account."

On the Requisition of Ten Rate-payers, Church-

V. And be it enacted, That upon the Requisition in Writing of Ten or more Rate-payers of any such Parish as aforesaid, not being within any such incorporated Borough, the Churchwardens or other Persons to whom it belongs to convene Meetings of the Vestry in such Parish shall convene a Meeting of

of the Vestry for the special Purpose of determining whether this Act shall be adopted for the Parish, after public Notice of such Vestry, and the Place and Hour of holding the same, and the special Purpose thereof, given in the usual Manner in which Notice of the Meetings of the Vestry is given at least Seven Days before the Day to be appointed for holding such Vestry; and if thereupon it shall be resolved by the Vestry that this Act ought to be adopted for the Parish, a Copy of such Resolution extracted from the Minutes of the Vestry, and signed by the Chairman, shall be sent to One of Her Majesty's Principal Secretaries of State for his Approval, and as soon as such Approval shall have been signified in Writing under the Hand of any such Secretary of State, such of the Provisions of this Act as are applicable in that Behalf shall thenceforth take effect and come into operation in the Parish: Provided always, that no such Resolution of the Vestry shall be deemed to be carried unless at least Two Thirds of the Number of Votes given on the Question according to the usual Manner of voting at such Vestry shall have been given for such Resolution.

wardens, &c. to convene Vestry Meeting to determine whether this Act shall be adopted; and if adopted a Resolution to be sent to Secretary of State, &c. No Resolution carried unless Two Thirds vote for it.

VI. And be it enacted, That in such Case the Vestry shall appoint not less than Three nor more than Seven Persons, being Rate-payers of the Parish, Commissioners for carrying this Act into execution in the Parish, of whom One Third, or as nearly as may be One Third (to be determined among themselves), shall go out of Office yearly, but shall be eligible for immediate Re-appointment.

Where Act adopted Vestry to appoint Commissioners, &c.

VII. And be it enacted, That any Commissioner may at any Time resign his Office as a Commissioner on giving Seven Days Notice in Writing of his Intention to resign to the Clerk, and also to the Churchwardens.

Resignation of Commissioners.

VIII. And be it enacted, That any Vacancies in the Commissionership may be filled up by the Vestry when and as the Vestry shall think fit.

Vacancies to be filled by Vestry.

IX. And be it enacted, That the Commissioners shall meet at least once in every Calendar Month at their Office, or some other convenient Place previously publicly notified.

Meetings of the Commissioners.

X. And be it enacted, That the Commissioners may meet at such other Time as at any previous Meeting shall be determined upon, and it shall be at all Times competent for any One Commissioner, by Writing under his Hand, to summon, with at least Forty-eight Hours Notice, the Commissioners for any special Purpose, therein named, and to meet at such Times as shall be therein named.

Special Meetings of Commissioners.

XI. And be it enacted, That at all Meetings of the Commissioners any Number not less than One Third of the whole Number when more than Three Commissioners shall have been appointed, and when only Three Commissioners shall have been appointed then any Number not less than Two Commissioners, shall be a sufficient Number for transacting Business, and for exercising all the Powers of the Commissioners.

Quorum of Meetings of Commissioners.

XII. And be it enacted, That the Commissioners shall appoint, and may remove at Pleasure, a Clerk and such other Officers and Servants as shall be necessary for effecting the Purposes of this Act, and, with the Approval of the Vestry, may appoint reasonable Salaries, Wages, and Allowances for such Clerk, Officers, and Servants, and, when necessary, may hire and rent a sufficient Office for holding their Meetings and transacting their Business, and may agree for and pay a reasonable Rent for such Office.

Commissioners may appoint and remove Officers, &c.

XIII. And be it enacted, That all Orders and Proceedings of the Commissioners shall be entered in Books to be kept by them for that Purpose, and shall be signed by the Commissioners, or any Two of them; and all such Orders and Proceedings so entered and purporting to be so signed, shall be deemed to be original Orders and Proceedings; and such Books may be produced and read as Evidence of all such Orders and Proceedings, upon any Appeal, Trial, Information, or other Proceeding, civil or criminal, and in any Court of Law or Equity whatsoever.

Minutes of Proceedings of Commissioners to be entered in a Book.

XIV. And be it enacted, That the Commissioners shall provide and keep Books in which shall be entered true and regular Accounts of all Sums of Money received and paid for or on account of the Purposes of this Act in the Parish, and of all Liabilities incurred by them for such Purposes, and of the several Purposes for which such Sums of Money shall have been paid and such Liabilities shall have been incurred; and such Books shall at all reasonable Times be open to the Examination of every Commissioner, Churchwarden, Overseer, and Rate-payer, without Fee or Reward, and they respectively may take Copies of or Extracts from such Books or any Part thereof, without paying for the same; and in case the Commissioners, or any of them, or any of their Officers or Servants having the Custody of the said Books, being thereunto reasonably requested, shall refuse to permit or shall not permit any Churchwarden, Overseer, or Rate-payer to examine the same, or take any such Copy or Extract, every Commissioner, Officer, or Servant so offending shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Commissioners to keep Accounts, which shall be open to Inspection.

Penalty for refusing to allow Inspection.

XV. And be it enacted, That the Vestry shall yearly appoint Two Persons, not being Commissioners, to be Auditors of the Accounts of the Commissioners, and at such Time in the Month of *March* in every Year after the Adoption of this Act for the Parish as the Vestry shall appoint the Commissioners shall produce to the Auditors their Accounts, with sufficient Vouchers for all Monies received and paid, and the Auditors shall examine such Accounts and Vouchers, and report thereon to the Vestry.

Auditors to be appointed yearly, who shall examine the Accounts, &c.

XVI. And be it enacted, That the Expences of carrying this Act into execution in any Parish not within any such incorporated Borough to such Amount as shall be from Time to Time sanctioned by the Vestry shall be chargeable upon and paid out of the Monies to be raised or applicable for the Relief of the Poor of the Parish.

Expences of executing Act in any Parish to be paid out of the Poor's Rate.

XVII. And be it enacted, That for defraying the Expences which shall have been or shall be incurred in carrying this Act into execution in the Parish the Vestry may and shall from Time to Time order the Overseers

Overseers to levy, as Part of the Poor's Rate,

such Sums as Vestry shall deem necessary to pay Expences.

Overseers to levy with and as Part of the Rate for the Relief of the Poor of the Parish such Sums as the Vestry shall deem necessary, and the Amount thereof shall accordingly be assessed, levied, paid, and recovered in like Manner, and with the like Powers and Remedies in all respects, as such Rate, and shall be paid by the Overseers, according to the Order of the Vestry, to such Person as shall be appointed by the Commissioners to receive the same, and his Receipt shall be a sufficient Discharge to the Overseers for the same, and shall be allowed accordingly in passing their Accounts.

Monies raised, and the Income arising from Baths, &c. in the Parish, to be applied towards defraying Expences.

XVIII. And be it enacted, That the Money raised for defraying the Expences of carrying this Act into execution, and the Income arising from the Baths and Wash-houses and open Bathing Places in the Parish, shall be applied by the Commissioners in or toward defraying the Expences of carrying this Act into execution in the Parish; and whenever, after Repayment of all Monies borrowed for the Purpose of carrying this Act into execution in the Parish, and the Interest thereof, and after satisfying all the Liabilities of the Commissioners with reference to the Execution of this Act in the Parish, and providing such a Balance as shall be deemed by the Commissioners sufficient to meet their probable Liabilities during the then next Year, there shall be at the Time of holding the Meeting of the Vestry at which the yearly Report of the Auditors shall be produced any surplus Money at the Disposal of the Commissioners, they shall pay the same to the Overseers in aid of the Rate for the Relief of the Poor of the Parish.

Vestries of Two or more Parishes may concur in carrying this Act into execution, subject to the Approval of Secretary of State.

XIX. And be it enacted, That the Vestries of any Two or more neighbouring Parishes which shall have respectively adopted this Act may concur in carrying this Act into execution in such Parishes in such Manner not inconsistent with the Provisions of this Act, and for such Time, as they shall mutually agree; and for that Purpose it may, with the Approval of such Secretary of State, be agreed on between such Vestries that any public Baths and Wash-houses and open Bathing Places shall be erected and made in any One of such Parishes, to be vested in the Commissioners thereof, and that the Expences of carrying this Act into execution with reference to the same shall be borne by such Parishes in such Proportions as such Vestries shall mutually agree, and the Proportion for each of such Parishes of such Expences shall be chargeable upon and paid out of the Monies to be raised for the Relief of the Poor of the same respective Parish accordingly; and, according and subject to the Terms which shall have been so agreed on, the Commissioners appointed for each of such Parishes shall, in the Management of the said Baths and Wash-houses and open Bathing Places, form One Body of Commissioners, and shall act accordingly in the Execution of this Act, and the Accounts and Vouchers of such Commissioners shall be examined and reported on by the Auditors of each of such Parishes; and the surplus Money at the Disposal as aforesaid of such Commissioners shall be paid to the Overseers of such Parishes respectively in the same Proportions as those in which such Parishes shall be liable to such Expences.

Incorporation of Commissioners.

XX. And for the more easy Execution of the Purposes of this Act, be it enacted, That the Commissioners of every such Parish shall be a Body Corporate, with perpetual Succession, which shall not be deemed to be interrupted by any partial or total Vacancy from Time to Time in their Office, by the Name of "The Commissioners for public Baths and Wash-houses in the Parish of ( ) in the County of ( )," and by that Name may sue and be sued in all Courts, and before all Justices and others, and may have and use a Common Seal, and by that Name may take, hold, and convey any Lands vested in them for the Purposes of this Act.

Councils, &c. may borrow Money for the Purposes of the Act, with the Approval of the Treasury.

XXI. And be it enacted, That for carrying this Act into execution in any Borough or Parish respectively, the Council, with the Approval of the Commissioners of Her Majesty's Treasury, and the Commissioners, with the Sanction of the Vestry, and also with the Approval of the Commissioners of Her Majesty's Treasury, may from Time to Time borrow at Interest, on the Security of a Mortgage, as the Case may be, of the Borough Fund, or of the Rates for the Relief of the Poor of the Parish, the Money which may be by them respectively required, and shall apply the Monies so borrowed accordingly.

The Public Works Loan Commissioners may advance Money for the Purposes of this Act.

XXII. And be it enacted, That the Commissioners for carrying into execution an Act passed in the Second Session of the Fifth Year of the Reign of Her Majesty, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund to a limited Amount for carrying on Public Works and Fisheries and Employment of the Poor, and to amend the Acts authorizing the Issue of Exchequer Bills for the like Purposes*, may from Time to Time make to the Council of any such Borough, or Commissioners of any such Parish respectively, for the Purposes of this Act, any Loan under the Provisions of the recited Act or the several Acts therein recited or referred to, upon Security of the Borough Fund, or the Rates for the Relief of the Poor of the Parish, as the Case may be.

8 & 9 Vict. c. 16. incorporated with this Act for certain Purposes.

XXIII. And be it enacted, That the Provisions of the Companies Clauses Consolidation Act, 1845, with respect to the borrowing of Money by any Company on Mortgage, and the Provisions of the same Act with respect to the Accountability of the Officers of the Company, and the Provisions of the same Act with respect to the making of Bye Laws, subject to the Provision herein-after contained, and the Provisions of the same Act with respect to the Recovery of Damages not specially provided for, and Penalties, so far as such Provisions may respectively be applicable to the Purposes of this Act, shall be respectively incorporated with this Act; and the Expressions in such Provisions applicable to the Company and the Directors shall apply as regards a Borough to the Council, and as regards a Parish to the Commissioners; and all Deeds and Writings which under such Provisions are required or directed to be made or executed under the Common Seal of the Company shall in the Application of such Provisions to this Act be deemed to be required or directed to be made or executed as regards a Borough under the Common Seal of the Mayor, Aldermen, and Burgesses, and as regards a Parish under the Common Seal of the Commissioners; and so much of such Provisions as are applicable to the "Secretary of the Company"

pany" shall apply to the Clerk; and in such of the said Provisions as relate to the Inspection of Accounts as regards a Borough the Burgesses, and as regards a Parish the Rate-payers, shall have the Privileges of Shareholders.

Council may appropriate, with Consent of the Treasury, Lands vested in the Mayor, &c.

XXIV. And be it enacted, That in any such Borough the Council, with the Approval of the Commissioners of Her Majesty's Treasury, may from Time to Time appropriate for the Purposes of this Act in the Borough any Lands vested in the Mayor, Aldermen, and Burgesses; and in any such Parish the Commissioners appointed under this Act, with the Approval of the Vestry and of the Guardians of the Poor of the Parish (if any), and of the Poor Law Commissioners for *England* and *Wales*, may from Time to Time appropriate for the Purposes of this Act in the Parish any Lands vested in such Guardians, or in the Churchwardens, or in the Churchwardens and Overseers of the Parish, or in any Feoffees, Trustees, or others, for the general Benefit of the Parish; and in any such Parish the Commissioners, with the Approval of the Vestry, and in any such Borough the Council, may from Time to Time contract for the purchasing or renting of any Lands necessary for the Purposes of this Act, and the Property therein shall be vested in the Mayor, Aldermen, and Burgesses in the Case of a Borough, or in the Commissioners in the Case of a Parish.

Commissioners may, with Approval of Vestry, &c., appropriate Lands, &c. or contract for Purchase of the same.

Councils and Commissioners may erect, &c. public Baths and Wash-houses and open Bathing Places.

XXV. And be it enacted, That the Council and Commissioners respectively may from Time to Time, on any Lands so appropriated, purchased, or rented, or contracted so to be respectively, erect any Buildings suitable for public Baths and Wash-houses, and as to such Wash-houses either with or without open Drying Grounds, and make any open Bathing Places, and convert any Buildings into public Baths and Wash-houses, and may from Time to Time alter, enlarge, repair, and improve the same respectively, and fit up, furnish, and supply the same respectively with all requisite Furniture, Fittings, and Conveniences.

Councils and Commissioners may enter into Contracts for the Purposes of this Act.

XXVI. And be it enacted, That the Council and Commissioners respectively may from Time to Time enter into any Contract with any Persons or Companies for building and making, and for altering, enlarging, repairing, and improving, such public Baths and Wash-houses and open Bathing Places, and for supplying the same respectively with Water, and for lighting the same respectively, and for fitting up the same respectively, and for furnishing any Materials and Things, and for executing and doing any other Works and Things necessary for the Purposes of this Act; which Contracts respectively shall specify the several Works and Things to be executed, furnished, and done, and the Prices to be paid for the same, and the Times when the Works and Things are to be executed, furnished, and done, and the Penalties to be suffered in Cases of Nonperformance; and all such Contracts, or true Copies thereof, shall be entered in Books to be kept for that Purpose: Provided always, that no Contract above the Value or Sum of One hundred Pounds shall be entered into by the Council or the Commissioners, for the Purposes of this Act, unless previous to the making thereof Fourteen Days Notice shall be given in One or more of the public Newspapers published in the County in which the Borough or Parish shall be situated, expressing the Intention of entering into such Contract, in order that any Person willing to undertake the same may make Proposals for that Purpose, to be offered to the Council or Commissioners at a certain Time and Place in such Notice to be mentioned, but it shall not be incumbent on the Council or Commissioners to contract with the Person offering the lowest Price.

No Contract above 100*l.* to be entered into without Notice.

Council and Commissioners may purchase existing Baths, &c.

XXVII. And be it enacted, That the Council of any such Borough, and the Commissioners, with the Approval of the Vestry of any such Parish, may, if they shall think fit, contract for the Purchase or Lease of any Baths and Wash-houses already or hereafter to be built and provided in any such Borough or Parish, and appropriate the same to the Purposes of this Act, with such Additions or Alterations as they shall respectively deem necessary; and the Trustees of any public Baths and Wash-houses which have been already or may hereafter be built or provided in any such Borough or Parish by private Subscriptions or otherwise may, with the Consent of the Council of any such Borough, or with the Consent of the Commissioners, and Approval of the Vestry of any such Parish, and with the Consent of a Majority of the Committee or other Persons by whom they were appointed Trustees, sell or lease the said Baths and Wash-houses to the said Council or Commissioners respectively, or make over to them the Management of such Baths and Wash-houses; and in all such Cases the Baths and Wash-houses so purchased or leased, or of which the Management has been so made over, shall be deemed to be within the Provisions of this Act as fully as if they had been built or provided by the said Council or Commissioners; and the Property therein shall be vested in the Mayor, Aldermen, and Burgesses in the Case of a Borough, or in the Commissioners in the Case of a Parish.

Power to Water and Gas Companies to supply Water and Gas to Baths, &c.

XXVIII. And be it enacted, That any Commissioners of Waterworks, Trustees of Waterworks, Water Companies, Canal Companies, Gas Companies, and other Corporations, Bodies, and Persons having the Management of any Waterworks, Canals, Reservoirs, Wells, Springs, and Streams of Water, and Gas Works respectively, may in their Discretion grant and furnish Supplies of Water or Gas for such public Baths and Wash-houses and open Bathing Places either without Charge or on such other favourable Terms as they shall think fit.

Councillors and Commissioners not to be personally liable.

XXIX. And be it enacted, That nothing in this Act contained shall render any Member of the Council of any Borough, or any Commissioner, personally, or any of their Lands, Goods, Chattels, or Monies (other than such Lands, Goods, Chattels, or Monies as may be vested in or under the Management or Control of the Council or Commissioners respectively in pursuance of this Act), liable to the Payment of any Sum of Money as or by way of Compensation or Satisfaction for or in respect of any thing done or suffered in due pursuance of this Act.

XXX. And

Persons may appeal against Orders of Councils and Commissioners.

XXX. And be it enacted, That every Person who shall feel aggrieved by any Bye Law, Order, Direction, or Appointment of or by the Council or Commissioners shall have the like Power of Appeal to the General Quarter Sessions as under the Provisions of the Companies Clauses Consolidation Act, 1845, incorporated with this Act, he might have if feeling aggrieved by any Determination of any Justice with respect to any Penalty.

Council, &c. empowered to make Sale and Exchange of Lands, with Consent.

XXXI. And be it enacted, That the Council, with the Approval of the Commissioners of Her Majesty's Treasury, and the Commissioners appointed under this Act, with the Approval of the Vestry, and of the Commissioners of Her Majesty's Treasury respectively, may from Time to Time make Sale and dispose of any Lands vested in the Mayor, Aldermen, and Burgesses, or in the Commissioners respectively for the Purposes of this Act, and apply the Proceeds in or towards the Purchase of other Lands better adapted for such Purposes, and may, with the like Approval, exchange any Lands so vested, and either with or without paying or receiving any Money for Equality of Exchange, for any other Lands better adapted for such Purposes, and the Mayor, Aldermen, and Burgesses, or the Commissioners, may convey the Lands so sold or exchanged accordingly.

When Baths, &c. are considered too expensive they may, with Approval of Treasury, be sold, and Proceeds of Sale carried to Borough Fund or Poor's Rate.

XXXII. And be it enacted, That whenever any public Baths or Wash-houses or open Bathing Places which shall have been for Seven Years or upwards established under the Authority of this Act shall be determined by the Council or by the Vestry, in accordance with a previous Recommendation of the Commissioners, to be unnecessary or too expensive to be kept up, the Council or Commissioners, with the Approval of the Commissioners of Her Majesty's Treasury, may sell the same for the best Price that can reasonably be obtained for the same, and the Mayor, Aldermen, and Burgesses, or the Commissioners, shall convey the same accordingly; and the Purchase Money shall be paid to such Person as the Council or Commissioners shall appoint, and his Receipt shall be a sufficient Discharge for the same; and the net Proceeds of such Sale shall be paid to the Credit of the Borough Fund, or of the Rate for the Relief of the Poor of the Parish.

Management to be vested in Councils and Parish Commissioners.

XXXIII. And be it enacted, That the general Management, Regulation, and Control of the public Baths and Wash-houses and open Bathing Places established under this Act shall, subject to the Provisions of this Act, be as to any Borough vested in and exercised by the Council, and as to any Parish vested in and exercised by the Commissioners.

Council, &c. may make Bye Laws for regulating the Use of Baths and Wash-houses, &c., and Charges thereat.

XXXIV. And be it enacted, That the Bye Laws which the Council and Commissioners respectively may from Time to Time make, alter, repeal, and enforce shall include such Bye Laws for the Management, Use, and Regulation of the public Baths and Wash-houses and open Bathing Places, and of the Persons resorting thereto respectively, and for determining from Time to Time the Charges for the Use of such Baths and Wash-houses and open Bathing Places respectively, as the Council and Commissioners respectively shall think fit, and they respectively may appoint any Penalty not exceeding Five Pounds for any and every Breach, whether by their Officers or Servants, or by other Persons, of any Bye Law made by them respectively; and such Bye Laws shall make sufficient Provision for the several Purposes respectively expressed in the Schedule (A.) to this Act: Provided always, that no Bye Law made under the Authority of this Act shall be of any legal Force until the same shall have received the Approval of One of Her Majesty's Principal Secretaries of State.

Bye Laws to be approved by the Secretary of State.

Copies or Abstracts of Bye Laws to be hung up in every Bath Room, &c.

XXXV. And be it enacted, That a printed Copy or sufficient Abstract of the Bye Laws relating to the Use of the Baths and open Bathing Places respectively shall be put up in every Bath Room and open Bathing Place respectively; and a printed Copy or sufficient Abstract of the Bye Laws relating to the Use of the Wash-houses shall be put up in some convenient Place near every Washing Tub or Trough, or every Pair of Washing Tubs or Troughs, in every Wash-house.

Proportion of Baths for the labouring Classes.

XXXVI. And be it enacted, That the Number of Baths for the labouring Classes in any Building or Buildings under the Management of the same Council or Commissioners shall not be less than Twice the Number of the Baths of any higher Class if but One, or of all the Baths of any higher Classes if more than One in the same Building or Buildings.

Charges to be fixed by Councils and Commissioners, not exceeding those in Schedule (B.)

XXXVII. And be it enacted, That the Council and the Commissioners respectively may from Time to Time make such reasonable Charges for the Use of the Baths and Wash-houses and open Bathing Places respectively provided under this Act as they shall think fit, but not exceeding such Charges as are mentioned in the Schedule (B.) annexed to this Act, unless for the Use of any Washing Tub or Trough for more than Two Hours in any one Day, for which any Charges may be made which the Council or Commissioners respectively shall deem reasonable.

As to Recovery of Charges at Wash-houses.

XXXVIII. And be it enacted, That for the Recovery of the Charges at such Wash-houses the Officers, Servants, and others having the Management thereof may detain the Clothes brought to be washed or other Goods and Chattels of any Person refusing to pay the Charge to which such Person may be liable, or any Part thereof, till full Payment thereof be made, and in case such Payment be not made within Seven Days may sell such Clothes, Goods, and Chattels, or any of them, returning the surplus Proceeds of such Sale, after deducting the unpaid Charge and the Expences of such Detention and Sale, and the unsold Articles, if any, on demand, to such Person.

Penalty for Council, Commissioners, or

XXXIX. And be it enacted, That if any Clerk or other Officer, or any Servant who shall be in anywise employed by any Council or Commissioners in pursuance of this Act, shall exact or accept any Fee or Reward whatsoever for or on account of any thing done or forborne or to be done or forborne in pursuance

suance of this Act, or on any account whatsoever relative to putting this Act into execution, other than such Salaries, Wages, or Allowances as shall have been appointed by the Council or Commissioners, or shall in anywise be concerned or interested in any Bargain or Contract made by the Council or Commissioners for or on account of any thing done or forborne or to be done or forborne in pursuance of this Act, or on any account whatsoever relative to the putting of this Act into execution, or if any Person during the Time he holds the Office of Member of the Council or Commissioner shall exact or accept any such Fee or Reward, or shall accept or hold any Office or Place of Trust created by virtue of this Act, or be concerned directly or indirectly in any such Bargain or Contract, every such Person so offending shall be incapable of ever serving or being employed under this Act, and shall for every such Offence also forfeit the Sum of Fifty Pounds. Officers taking Fees beyond Salaries, or being interested in Contracts.

XL. And be it enacted, That such Part of any Penalty recovered under this Act as shall not be awarded to the Informer shall be paid to the Credit as regards a Borough of the Borough Fund, and as regards a Parish of the Rate for the Relief of the Poor thereof. Application of Penalties.

XLI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Bye Laws to be made in all Cases.

For securing that the Baths and Wash-houses and open Bathing Places shall be under the due Management and Control of the Officers, Servants, or others appointed or employed in that Behalf by the Council or Commissioners.

For securing adequate Privacy to Persons using the Baths and Wash-houses and open Bathing Places, and Security against Accidents to Persons using the open Bathing Places.

For securing that Men and Boys above Eight Years old shall bathe separately from Women and Girls and Children under Eight Years old.

For preventing Damage, Disturbance, Interruption, and indecent and offensive Language and Behaviour, and Nuisances.

For determining the Duties of the Officers, Servants, and others appointed by the Council or Commissioners.

In Parishes. For regulating the Procedure of the Commissioners.

SCHEDULE (B.)

Maximum Charges during the First Seven Years after the Establishments are opened for public Use; and after such Seven Years, except only so long after such Seven Years as higher Charges may be necessary for defraying the current Expences of the Establishments.

Baths for the labouring Classes, supplied with clean Water for every Bather, or for several Children bathing together:

For One Person above Eight Years old, including the Use of One clean Towel:

Cold Bath	One Penny.
Warm Bath	Two-pence.

For several Children, not exceeding Four, including the Use of One clean Towel for every Child:

Cold Bath	Two-pence.
Warm Bath	Four-pence.

Wash-houses for the labouring Classes, supplied with Conveniences for washing and drying Clothes and other Articles:

For the Use by One Person of One Washing Tub or Trough, or One Pair of Washing Tubs or Troughs:

For One Hour only in any One Day	One Penny.
For Two consecutive Hours only in any One Day	Three-pence.

Such Charges to include the Use of the drying Apparatus for drying all the Articles washed. The Time occupied in drying not to be included in the Hour or Two Hours. A Fraction of an Hour, exceeding Five Minutes, to be reckoned One Hour.

Open Bathing Places, where several Persons bathe in the same Water:

For One Person	One Halfpenny.

CAP. LXXV.

An Act to regulate Joint Stock Banks in *Scotland* and *Ireland*. [26th *August* 1846.]

7&8 Vict. c. 113.

'WHEREAS an Act was passed in the Eighth Year of the Reign of Her Majesty, intituled *An Act to regulate Joint Stock Banks in* England, and it is expedient to extend the Provisions of the said Act to *Scotland* and *Ireland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Provisions of the said Act (except as herein-after excepted) shall extend to *Scotland* and *Ireland*, and to every Company of more than Six Persons who shall carry on the Trade or Business of Bankers in *Scotland* or *Ireland* after the passing of this Act, as if the first-recited Act were herein re-enacted, with the Substitution of the Words "United Kingdom of *Great Britain* and *Ireland*," instead of the Word "*England*," wherever the same is found in the said Act: Provided always, that where by the said Act Enactments are made with reference to Agreements or Covenants of Copartnership entered into on or after the Sixth Day of *May* last passed, before the passing of the said Act, and Companies carrying on or established for the Purpose of carrying on the Trade or Business of Bankers in *England* on or before the said Sixth Day of *May*, the same Enactments shall be deemed to apply in *Scotland* and *Ireland* only to Agreements or Covenants of Copartnership entered into on or after the Ninth Day of *August* One thousand eight hundred and forty-five, and Companies carrying on or established for the Purpose of carrying on the Trade or Business of Bankers in *Scotland* or *Ireland* on or before the said Ninth Day of *August:* Provided always, that nothing herein contained shall extend to apply to *Scotland* or *Ireland* so much of the said recited Act as declares what Companies shall be deemed trading Companies within the Provisions of an Act passed in the Eighth Year of the Reign of Her present Majesty intituled *An Act for facilitating the winding up of the Affairs of Joint Stock Companies unable to meet their pecuniary Engagements.*

Provisions of recited Act extended to Scotland and Ireland.

Nothing herein to apply certain Part of recited Act to Scotland or Ireland.

7&8 Vict. c. 111.

II. And be it declared and enacted, That nothing herein or in the first-recited Act contained shall be held to preclude any Creditor of any such Company in *Scotland* from any Remedy or Proceeding now competent to such Creditor by the Law of *Scotland* against such Company or the Partners thereof, or the Property, Funds, or Effects of such Company or of the Partners thereof, or to preclude any Partner of any such Company in *Scotland* from any Remedy or Proceeding now competent to such Partner by the Law of *Scotland* against such Company or any of the other Partners thereof, or against the Property, Funds, or Effects of such Company or Partners.

Nothing in this Act to preclude Creditors in Scotland from Remedies, &c. competent to them before the passing thereof.

Interpretation of Act.

III. And be it enacted, That the following Words and Expressions in the first-recited Act shall have in *Scotland* the several Meanings hereby assigned to them, unless there be something in the Subject Matter or Context repugnant to such Construction; (that is to say,) the Expression "Copy of the Register of such Marriage, or other Particulars of the Celebration thereof," shall be held to include all legal Evidence of such Marriage; the Expression "Probate of the Will or Letters of Administration, or an official Extract therefrom," shall be held to include the Will itself, or an official Extract therefrom, or Confirmation of an official Extract therefrom; the Expression "Committee of such Idiot or Lunatic" shall be held to include any Curator or other Person having by lawful Authority the Right to receive the Funds of such Idiot or Lunatic.

Banking Companies established since 9th August 1845, may carry on Business until the 31st Dec. 1846, and no longer;

but may apply for Letters Patent under this Act; and if granted, to carry on Business according to this Act.

IV. 'And whereas certain Companies of more than Six Persons are now carrying on the Trade and Business of Bankers under Agreements or Covenants of Copartnership entered into since the Ninth Day of *August* One thousand eight hundred and forty-five, and it is expedient to allow to such Companies a certain Time within which they may be at liberty to comply with the Provisions of this Act;' be it therefore enacted, That any Company of more than Six Persons which shall be now carrying on the Trade and Business of Bankers under Agreements or Covenants of Copartnership entered into subsequently to the said Ninth Day of *August* may continue to carry on the said Trade and Business until the Thirty-first Day of *December* One thousand eight hundred and forty-six and no longer, any thing in this Act to the contrary notwithstanding: Provided always, that it shall be lawful for every such Company to apply to Her Majesty for Letters Patent under the Provisions of this Act in the same Manner as if such Company had carried on the Trade and Business of Bankers under an Agreement entered into before the said Ninth Day of *August;* and if Her Majesty shall be pleased to grant to such Company Letters Patent on or before the Thirty-first Day of *December* One thousand eight hundred and forty-six, it shall be lawful for such Company thereafter to carry on their Trade and Business of Bankers as aforesaid according to this Act, and not otherwise.

Act may be amended, &c.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed during this Session of Parliament.

CAP. LXXVI.

An Act for the Abolition of the exclusive Privilege of Trading, or of regulating Trades, in Cities, Towns, or Boroughs in *Ireland*. [26th *August* 1846.]

'WHEREAS in certain Counties of Cities, Counties of Towns, Cities, Towns, and Boroughs in *Ireland* certain Persons styling themselves Guilds, Crafts, Incorporations, or Fraternities, or claiming to be Members of Guilds, Crafts, and Fraternities, claim to possess exclusive Privileges of dealing in certain Merchandize, and of carrying on or exercising certain Trades, Occupations, Mysteries, or Handicrafts, or of regulating, controlling, or restraining Persons in the Use or Exercise of such Trades, Occupations, Mysteries, or Handicrafts, and the Admission of Apprentices to learn and practise the same, or other Matters relating thereto, respectively, within their respective Cities, Towns, or Boroughs, as well by making Bye Laws in relation thereto, as otherwise; and Claim is made, on the Part of Bodies styled Guilds, Crafts, Incorporations, or Fraternities, to the Existence and Exercise of Rights and Powers entitling them to prevent Persons not being Members, or not conforming to the Regulations thereof, from dealing in such Merchandize, or from carrying on or exercising such Trades, Occupations, Mysteries, or Handicrafts, or from being apprenticed to learn the same, within such Cities, Towns, or Boroughs, and also to the Existence and Exercise of Rights, Powers, and Authorities enabling them to impose Pains, Punishments, Penalties, Forfeitures, Fines, and Imprisonment in respect of the said Matters or some of them: And whereas it has become expedient that any such exclusive Privileges, Rights, Powers, and Authorities should be abolished:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act no such exclusive Privileges, and no such Rights, Powers, or Authorities as aforesaid, shall be exercised or enjoyed, or shall be henceforth treated as existing in *Ireland*; and it shall be lawful for any Person or Persons to deal in any Merchandize, and to carry on, use, and exercise any lawful Trade, Occupation, Mystery, or Handicraft, and to take Apprentices to learn the same, in any City, Town, or Borough, and elsewhere, in *Ireland*, without being a Member of any Guild, Craft, Incorporation, or Fraternity, and free from any Control, Regulation, Restraint, or Interference of any Guild, Craft, Incorporation, or Fraternity whatsoever; any Royal Charter, Grant, or Letters Patent, or any Prescription, Custom, or Bye Law, to the contrary notwithstanding.

Exclusive Privileges and Rights as to exercising Trades in Cities, Towns, or Boroughs in Ireland to cease.

II. And be it enacted, That after the passing of this Act it shall be lawful for any Person or Persons against whom any Action, Bill, Plaint, or Information shall have been sued out, commenced, or prosecuted by or on behalf of any Body or Persons claiming to be or styling itself or themselves as such Guild, Craft, Incorporation, or Fraternity, for the Recovery of any pecuniary Penalty or Penalties, Forfeiture or Sum, incurred or payable on or before the Day of the passing of this Act, under or by virtue or in respect of any such alleged exclusive Privilege, or any such alleged Rights, Powers, or Authorities as aforesaid, or in respect of any of the Matters aforesaid, to apply to the Court in which such Action, Bill, Plaint, or Information shall have been sued out, commenced, or prosecuted, or to any Judge of any of the Superior Courts at *Dublin*, for an Order that such Action, Bill, Plaint, or Information shall be discontinued upon Payment of the Costs thereof which were incurred on or before the First Day of *April* in the Year One thousand eight hundred and forty-six, such Costs to be taxed according to the Form of such Court; and every such Court or Judge, upon such Application, shall make such Order as aforesaid; and upon the making of such Order, and Payment or Tender of such Costs as aforesaid, such Action, Bill, Plaint, or Information shall be forthwith discontinued.

Actions, &c. commenced by any Guild, &c. for Recovery of Penalties to be discontinued.

III. And be it enacted, That if any Person shall, in a Memorial to be presented to the Lord Lieutenant within Three Calendar Months after the passing of this Act, claim to have been at the Time of the passing of this Act an Officer of any such Guild, Craft, Incorporation, or Fraternity holding any Office to which he was appointed on or before the Sixteenth Day of *February* in the Year One thousand eight hundred and thirty-six, and shall in such Memorial allege that such his Office has been abolished, or has ceased or become unnecessary by reason of this Act, and that thereby or that otherwise by Force of this Act he has been deprived of Salary, Fees, or Emoluments to which he would have been entitled if this Act had not passed, and shall specify in such Memorial the Nature and Tenure of such Office, and the Time and Manner of his Appointment to the same, and the Duties thereof, and the Salary, Fees, or Emoluments respectively to which he shall allege that he would have been entitled if this Act had not passed, and of which he shall allege that he has been so deprived, and the Services for which and the Right under which he shall allege that he enjoyed the same, and the Amount of such Salary, Fees, and Emoluments respectively received by him in each Year for Six Years next before the passing of this Act, then and in any such Case it shall be lawful for the Lord Lieutenant by Warrant under his Hand (if he shall so think fit) to authorize and direct a Barrister to be named in such Warrant (which shall be conclusive Evidence of his Authority) to inquire into such Claim, and the Grounds thereof, and the Matter of such Memorial, and all the Facts and Circumstances relating to such alleged Office, and the original Appointment to and the Enjoyment of the same, and to such alleged Salary, Fees, or Emoluments, and to such Claim, and (if he shall think fit) into the Amount and Receipt and Right to any Salary, Fees, or Emoluments of such Officer claimed or enjoyed by him since the Sixteenth Day of *February* in the said Year One thousand eight

Officers of any Guild, &c. whose Offices have been abolished by this Act may memorialize Lord Lieutenant, who may cause Inquiry to be made by a Barrister.

hundred and thirty-six, and it shall be lawful for such Barrister accordingly to inquire on Oath into the same, and to administer an Oath to, or in any Case in which an Affirmation is allowed by Law instead of an Oath to take the Affirmation of the Claimant and any Person to be examined before such Barrister, and to issue a Summons signed by such Barrister to be served upon such Claimant or Person, requiring such Claimant or Person to attend before such Barrister, at a Time and Place to be specified in such Summons, to give Evidence touching the Matter of such Inquiry, and further (if such Barrister shall so think fit) requiring such Claimant or Person to produce before such Barrister all such Writings and Documents relating to the Matter of such Inquiry as shall be specified in such Summons; and such Claimant or Person being served with such Summons shall attend accordingly at the Time and Place specified in such Summons, and shall produce all such Writings and Documents as he shall be required to produce as aforesaid, and shall submit to be sworn or affirmed, as the Case may be, and examined by or before such Barrister, and if upon such Oath or Affirmation any Claimant or Person making the same shall wilfully and corruptly give any false Evidence, any Person so offending shall be deemed and taken to be guilty of Perjury, and shall be prosecuted and punished accordingly.

Barrister to report to Lord Lieutenant.

IV. And be it enacted, That the Barrister who shall make any such Inquiry as aforesaid shall report to the Lord Lieutenant the Result of such Inquiry, and also, if so required by the Lord Lieutenant, the Evidence given before him upon such Inquiry, and the Lord Lieutenant shall, if he shall deem it proper so to do, lay such Report, either with or without such Evidence, before both Houses of Parliament: Provided always, that nothing in this Act contained or in any Proceeding thereunder shall operate or be deemed or construed to operate to create or affirm any Right in any such Officer to any such Compensation.

Nothing in this Act to repeal or alter Provisions of 23 & 24 G. 3. c. 23. or 47 G. 3. sess. 2. c. 15.

V. Provided always, and be it enacted, That nothing in this Act contained shall repeal or alter any thing contained in an Act passed in the Parliament of *Ireland* in the Session held in the Twenty-third and Twenty-fourth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act to regulate the Assay of Gold, and promote the Manufacture of Gold and Silver Wares in this Kingdom*, or an Act passed in the Forty-seventh Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act to provide for the regulating and securing the Collection of the Duty on Gold and Silver Plate wrought or manufactured in* Ireland, or so much of the said recited Acts as is now in force.

Act not to alter or affect Provisions of 3 & 4 Vict. c. 108. and 31 G. 3. (I.)

VI. Provided always, and be it enacted, That nothing herein contained shall in any Manner alter or affect the Provisions of an Act passed in the Session of Parliament held in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in* Ireland, or the Construction thereof, but the same shall be construed and applied as if this Act had not passed: Provided also, that nothing herein contained shall in any Manner alter or affect any thing contained in an Act passed in the Thirty-first Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the more effectually preserving the Health of His Majesty's Subjects, for erecting an Apothecaries Hall in the City of* Dublin, *and regulating the Profession of an Apothecary throughout the Kingdom of* Ireland, or the Rights, Privileges, or Immunities of the Governor and Company of the Apothecaries Hall of *Dublin*.

Interpretation of Act.

VII. And be it enacted, That in the Construction of this Act, unless there be something in the Subject or Context repugnant to such Construction, every Word importing the Singular Number only shall extend and be applied to several Persons and Things as well as to one Person or Thing, and the converse, and the Words "Lord Lieutenant" shall be construed to mean the Lord Lieutenant, Lords Justices, or other Chief Governor or Governors of *Ireland*.

Act may be amended, &c.

VIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. LXXVII.

An Act to amend the Acts relating to the Offices of the House of Commons.

[26th *August* 1846.]

52 G. 3. c. 11. 2&3 W. 4. c. 105. 4&5 Vict. c. 70.

'WHEREAS an Act was passed in the Fifty-second Year of the Reign of His Majesty King *George* the Third, intituled *An Act to repeal an Act passed in the Thirty-ninth and Fortieth Year of His present Majesty, for establishing certain Regulations in the Offices of the House of Commons; and to establish other and further Regulations in the said Offices:* And whereas another Act was passed in the Third Year of the Reign of His Majesty King *William* the Fourth, intituled *An Act for the better Support of the Dignity of the Speaker of the House of Commons, and for disabling the Speaker of the House of Commons for the Time being from holding any Office or Place of Profit during Pleasure under the Crown:* And whereas another Act was passed in the Fifth Year of the Reign of His said Majesty King *William* the Fourth, intituled *An Act to regulate the Salaries of the Officers of the House of Commons, and to abolish the sinecure Offices of Principal Committee Clerks and Clerk of Ingrossments:* And whereas in pursuance of the said Acts, and of the Recommendations contained in several Reports from Select Committees of the House of Commons, the whole of the Fees and Sums payable in the several Offices and Departments of the said House, as well those mentioned and provided for in the said recited Acts as all other the Fees, Perquisites, and Emoluments payable in the said several Offices and Departments, are now paid to the Account of the Commissioners for regulating the Offices of the House of Commons appointed by virtue

of

'of the said first-recited Act, and an Estimate of the Salaries and Expences of the said House is annually 'laid before the House of Commons; and it is expedient to amend the said Acts:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Person or Persons appointed by the said Commissioners acting under the Provisions of the said first-recited Act to collect the Fees, Perquisites, and Emoluments of the Clerk of the House of Commons, the Clerks Assistant, the Serjeant-at-Arms, and the Deputy Serjeant-at-Arms shall in like Manner collect the Fees, Perquisites, and Emoluments appertaining to the Offices of the Speaker of the House of Commons and of the Speaker's Secretary, and also all Fees, Perquisites, and Emoluments payable in the several Offices of the Clerk of the House of Commons and in the Department of the Serjeant-at-Arms, and shall pay the Money so collected into the Bank of *England* to the Account directed to be established by the said first-recited Act, and called "The Account of the Commissioners for regulating the Offices of the House of Commons;" and the Person so collecting such Sums shall from Time to Time, and at such Times and in such Manner as the Speaker of the House of Commons or the said Commissioners shall direct, render to the said Speaker or Commissioners a full and true Account of all the Sums of Money to be received by him by virtue of this and the said recited Acts.

All Fees, &c. to be collected by the Collector appointed under first-recited Act.

Money collected to be paid into Bank of England to the Account directed by the said Act.

II. And be it enacted, That the Money so paid to the said Account shall be applied, first, in Payment of the Salaries of the Clerk, Clerks Assistant, Serjeant-at-Arms, Deputy Serjeant-at-Arms, and Speaker's Secretary, as directed by the said Acts, or any other Act for the Time being in force relating to such Offices, and, next, in Payment of the Salaries and Superannuation and other Allowances and Expences in the Offices of the Clerk of the House, and in the Departments of the Speaker and the Serjeant-at-Arms, and in Payment of any other Charges and Expences of the House of Commons, as such Payments may from Time to Time be directed by the said Speaker or by the said Commissioners, in conformity with the Estimate of such Salaries, Allowances, Superannuations, Charges, and Expences directed to be laid before the House of Commons as herein-after mentioned; and in case the Monies standing to the said Account shall in any Year be more than sufficient to pay and discharge all such Salaries and other Charges, the said Commissioners (after retaining in their Hands a Sum sufficient to answer all Demands in respect of the same which may be likely to arise to the First Day of *July* in the following Year) shall, within Six Weeks after the End of the Session, pay the Surplus into the Receipt of the Exchequer to the Credit of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Application of the Monies so paid to the said Account.

III. And be it enacted, That so much of the said first-recited Act as requires a Statement of the Money remaining to the Account of the said Commissioners, with a Plan of the proposed Expenditure thereof, to be in every Session laid before the House of Commons, shall be repealed; and instead thereof an Estimate shall annually be prepared by the Clerk of the House, the Serjeant-at-Arms, and the Speaker's Secretary respectively of the Sums which will probably be required in their several Departments for the Payment of Salaries, Allowances, and contingent Expences during the Year ending on the First Day of *April* in the following Year; and such Estimates shall be submitted to the Speaker for his Approbation, and, subject to such Approbation, and to such Alterations as the Speaker shall consider proper, shall be embodied, together with an Estimate of the Sums which will be required for the Payment of retired Allowances and Compensation for Loss of Office in One Estimate; and there shall also be prepared under the Direction of the Speaker an Estimate of the Money which will probably remain in the Hands of the Commissioners after the Payments of the current Quarter ending on the First Day of *April*, and of the Fees expected to be received during the then Session, and of any Sum which may be required to be provided by Parliament, in addition to such Sums for the Payments set forth in the said Estimate of Expenditure; and such Estimates, signed by the Speaker, shall be transmitted by him to the Commissioners of Her Majesty's Treasury for their Approval, and shall be laid before the House of Commons with the other Estimates.

So much of the said first-recited Act as requires a Plan to be laid before House of Commons repealed, and instead thereof an Estimate to be prepared of the probable Sums required.

Estimates to be transmitted to Treasury, and laid before House of Commons.

IV. And be it enacted, That all the said Salaries, Allowances, and Expences shall be paid according to the Directions of the Speaker from Time to Time, and the said Commissioners shall appoint an Officer for that Purpose, who shall be called the Paymaster of the House of Commons, and shall take from him such Security for the faithful Discharge of his Office as they shall think fit; and an Account shall be opened at the Bank of *England* in the Name of the said Paymaster; and the Commissioners appointed under the said first-recited Acts shall from Time to Time transfer such Sums as they shall deem necessary for that Purpose from the Account of the said Commissioners at the Bank of *England* to the said Account of the said Paymaster by an Order signed by the Speaker of the House of Commons and One other of the said Commissioners; and in case of the Death or Removal from Office of any such Paymaster, the Monies standing to his Credit in the Account aforesaid shall be forthwith transferred to the Account of the said Commissioners at the said Bank.

Salaries, &c. to be paid by the Paymaster of the House of Commons.

Money to be transferred by Commissioners to Account of Paymaster.

V. And be it enacted, That for the Purposes of the said first-recited Act and this Act the Person who shall fill the Office of Speaker of the House of Commons at the Time of any Dissolution of Parliament shall be deemed to be the Speaker until a Speaker shall be chosen by the new Parliament, and that in the event of the Death or Disability or Absence from the Realm of the Speaker during any Dissolution or Prorogation of Parliament, it shall be lawful for any Three of the said Commissioners to execute any of the Purposes of the said first-recited Act or this Act.

Speaker to act notwithstanding Dissolution of Parliament.

VI. Pro-

Payments may be advanced if the Estimate be deficient.

VI. Provided always, and be it enacted, That it shall be lawful for the said Commissioners, upon Application of the Clerk of the House of Commons in respect of his Offices, and of the Serjeant-at-Arms in respect of his Department, and of the Speaker's Secretary in respect of the Department of the Speaker, to direct such further Sums to be advanced beyond those stated in the said Estimate of Expenditure as to them shall seem right to make good any unexpected Payments or Expences which shall not have been provided for in such Estimate; and an Account of all such Payments shall be laid before the House of Commons in the ensuing Session, with the Estimate for that Year.

Account to be laid before the House.

CAP. LXXVIII.

An Act to authorize a further Advance of Money out of the Consolidated Fund towards defraying the Expence of County Works presented in *Ireland*. [26th *August* 1846.]

9 & 10 Vict. c. 2.

'WHEREAS by an Act passed in the present Session of Parliament, intituled *An Act to authorize Grand Juries in* Ireland *at the Spring Assizes of the present Year to appoint extraordinary Presentment Sessions, to empower such Sessions to make Presentment for County Works, and to provide Funds for the Execution of such Works, and also to provide for the more prompt Payment of Contractors for Works under Grand Jury Presentments in* Ireland, it is amongst other things enacted, that it shall and may be lawful for the Commissioners of Her Majesty's Treasury, on Application to them in that Behalf, to make Advances, not exceeding in the whole the Sum of One hundred thousand Pounds, by way of Loan, at such Rate of Interest not exceeding the Rate of Five Pounds *per Centum per Annum* as they shall think fit, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* arising in *Ireland*, to defray the Expence of any public Work or Works, the Execution of which shall have been approved of and presented under the Provisions therein in that Behalf contained, or of any Work presented for by a Grand Jury under the Provisions of any Acts relating to the Presentment of public Money by Grand Juries in *Ireland* (save as herein mentioned); and that when and so soon as any Application for such Works as aforesaid shall have been duly certified to the said Commissioners of the Treasury by the acting Clerk of the Crown to have been duly approved of, and presented according to the Provisions of any of the said last-mentioned Acts or of this Act, it shall and may be lawful for the said Commissioners from Time to Time to make, upon the Credit of such Application so approved of and presented as aforesaid, any Advance they may think fit, and that any such Money advanced under the Authority of the said Act shall be delivered or paid by such Officer or Person and in such Manner as the said Commissioners shall think fit, and by such Instalments as may be necessary, to the Treasurer of the County, County of a City, or County of a Town in which the Works in respect of which such Advances shall be made shall have been or are intended to be executed, and shall be accounted for by him in like Manner as any other Monies by him received for the Use of such County, County of a City, or County of a Town; and all Securities given or to be given by him or on his Behalf shall extend to such Money; and every such Treasurer shall also from Time to Time, and at all Times when thereunto required by the said Commissioners of Her Majesty's Treasury, furnish to the said Commissioners, as they may direct, an Account of all his Disbursements and Receipts in respect of such Advances: And whereas Applications have been made to the Commissioners of Her Majesty's Treasury for Advances to defray the Expences of Works under said recited Act to an Amount exceeding the said Sum of One hundred thousand Pounds by the said recited Act authorized to be issued for such Purposes, and it is necessary to provide additional Funds for such Works:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of Her Majesty's Treasury, in addition to the said Sum of One hundred thousand Pounds by the said Act authorized to be advanced, to make Advances, not exceeding in the whole the further Sum of Thirty-five thousand Pounds, by way of Loan, at such Rate of Interest not exceeding the Rate of Five Pounds *per Centum per Annum* as they shall think fit, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* arising in *Ireland*, in the Manner, for the Purposes, and subject to the several Provisions, Conditions, and Regulations in the said recited Act contained.

Power to the Treasury to advance an additional Sum of 35,000*l.* for the Purposes of the said recited Act.

II. And be it enacted, That all and every the several Clauses, Powers, Authorities, Provisions, and Enactments in the said recited Act contained, for the recovering of the Sum of Money or any Part thereof by the said Act authorized to be advanced, shall be taken to extend and apply for the recovering of the said Sum of Thirty-five thousand Pounds by this Act authorized to be advanced, or any Part thereof, in the same Manner as if such Clauses, Powers, Authorities, Provisions, and Enactments were herein repeated and set forth, and applied to the Monies authorized by this Act to be advanced.

The Provisions of said recited Act to extend to this Act.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

Act may be amended, &c.

CAP. LXXIX.

An Act to continue until the Thirty-first Day of *July* One thousand eight hundred and forty-seven, and to the End of the then Session of Parliament, an Act of the Fifth and Sixth Years of Her present Majesty, for amending the Law relative to Private Lunatic Asylums in *Ireland*. [26th *August* 1846.]

" 5 & 6 *Vict.* c. 123. continued as in Title."

CAP. LXXX.

An Act to authorize the Advance of Money out of the Consolidated Fund, for carrying on Public Works and Fisheries, and Employment of the Poor. [26th *August* 1846.]

' WHEREAS an Act was passed in the Fifty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act to authorize the Issue of Exchequer Bills and the Advance of Money out of the Consolidated Fund, to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in* Great Britain, *in manner therein mentioned:* And whereas another Act was passed in the same Session of Parliament, intituled *An Act to amend an Act made in the present Session of Parliament, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries, and the Employment of the Poor:* And whereas another Act was passed in the First Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to amend and continue Two Acts passed in the Fifty-seventh Year of His late Majesty King* George *the Third, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on of Public Works and Fisheries, and Employment of the Poor, and to extend the Powers of the Commissioners for executing the said Acts in* Great Britain: And whereas another Act was passed in the First and Second Years of the Reign of His said Majesty King *George* the Fourth, intituled *An Act to empower the Commissioners in* Great Britain *for the Execution of several Acts for authorizing the Issue of Exchequer Bills for carrying on of Public Works and Fisheries, and Employment of the Poor, and to extend the Time for the Payment of certain Advances under the said Acts:* And whereas another Act was passed in the Third Year of the Reign of His said last-mentioned Majesty, intituled *An Act to amend Two Acts of the Fifty-seventh Year of His late Majesty, and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts:* And whereas another Act was passed in the Fourth Year of the Reign of His said last-mentioned Majesty, intituled *An Act to authorize the Advance of Money by the Commissioners under several Acts for the Issue of Exchequer Bills for Public Works for the building, rebuilding, enlarging, or repairing of Gaols in* England; And whereas another Act was passed in the Fifth Year of the Reign of His said last-mentioned Majesty, intituled *An Act to amend and render more effectual the several Acts for the issuing of Exchequer Bills for Public Works:* And whereas another Act was passed in the same Year, intituled *An Act to amend the Acts for the Issue of Exchequer Bills for Public Works:* And whereas another Act was passed in the Sixth Year of the Reign of His said last-mentioned Majesty, intituled *An Act to render more effectual the several Acts for authorizing Advances for carrying on Public Works so far as relates to* Ireland: And whereas another Act was passed in the Seventh Year of the Reign of His said last-mentioned Majesty, intituled *An Act to amend the several Acts for authorizing Advances for carrying on Public Works, and to extend the Provisions thereof in certain Cases:* And whereas another Act was passed in the Seventh and Eighth Years of the Reign of His said last-mentioned Majesty, intituled *An Act to amend an Act of the First Year of His present Majesty, for the Advance of Money for carrying on Public Works in* Ireland: And whereas another Act was passed in the same Year, intituled *An Act for the further Amendment and Extension of the Powers of the several Acts authorizing Advances for carrying on Public Works:* And whereas another Act was passed in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend several Acts passed for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts:* And whereas another Act was passed in the Third and Fourth Years of the Reign of His said late Majesty, intituled *An Act to amend several Acts authorizing Advances for carrying on Public Works:* And whereas another Act was passed in the Fourth and Fifth Years of the Reign of His said late Majesty, intituled *An Act to amend several Acts for authorizing the Issue of Exchequer Bills for carrying on Public Works and Fisheries and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts:* And whereas another Act was passed in the First Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to authorize the further Issue of Exchequer Bills for Public Works and Fisheries, and Employment of the Poor, and to amend the Acts relating thereto:* And whereas another Act was passed in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to authorize the further Issue of Exchequer Bills for Public Works and Fisheries, and Employment of the Poor, and to amend the Acts relating thereto:* And whereas another Act was passed in the Third Year of the Reign of Her present Majesty, intituled *An Act to authorize the Issue of Exchequer Bills for Public Works and Fisheries, and Employment of the Poor:* And whereas

57 G. 3. c. 34. 57 G. 3. c. 124. 1 G. 4. c. 60. 1 & 2 G. 4. c. 111. 3 G. 4. c. 86. 4 G. 4. c. 63. 5 G. 4. c. 36. 5 G. 4. c. 77. 6 G. 4. c. 35. 7 G. 4. c. 30. 7 & 8 G. 4. c. 12. 7 & 8 G. 4. c. 47. 1 & 2 W. 4. c. 24. 3 & 4 W. 4. c. 32. 4 & 5 W. 4. c. 72. 7 W. 4. & 1 Vict. c. 51. 1 & 2 Vict. c. 88. 3 & 4 Vict. c. 10.

' another

5 & 6 Vict. c. 9.

'another Act was passed in the Fifth Year of the Reign of Her present Majesty, intituled *An Act to 'authorize the Advance of Money out of the Consolidated Fund, to a limited Amount, for carrying on 'Public Works and Fisheries, and Employment of the Poor, and to amend the Acts authorizing the Issue 'of Exchequer Bills for the like Purposes:* And whereas sundry Advances or Loans have been made by 'the Commissioners of the said recited Acts for the Purposes in the same Acts specified, and great 'Benefits have been derived therefrom: And whereas further Advances or Loans are required for the 'like Objects, and it is deemed expedient to make further Advances of Money out of the Consolidated 'Fund for the Purposes of such Loans:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for the Purposes of such Advances or Loans as aforesaid the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being are hereby empowered, by Warrant under the Hands of any Three or more of them, to charge the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* (after providing for all preceding Charges, but having Preference of all future Charges), and to direct the Issue or the Payment thereout to the Account of the Commissioners for the Time being for the Reduction of the National Debt of a Sum or Sums of Money not exceeding Three hundred and sixty thousand Pounds *per Annum* during the Five Years next ensuing the Fourth Day of *April* One thousand eight hundred and forty-seven, by quarterly Instalments or Issues not exceeding Ninety thousand Pounds *per* Quarter, the same to become due on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in each Year, the first Instalment thereof to become due and payable on the Fifth Day of *April* One thousand eight hundred and forty-seven.

360,000*l.* per Annum to be charged upon the Consolidated Fund by Issues not exceeding 90,000*l.* per Quarter.

II. And be it enacted, That the Commissioners for the Time being for the Reduction of the National Debt shall be and they are hereby appointed Trustees on the Part of the Public for holding the said Monies to be issued and paid out of the Consolidated Fund as aforesaid, and they shall continue or cause to be continued the separate Account already opened at the Bank of *England* with them under the Title of "The Commissioners for the Reduction of the National Debt on account of the Public Works Loan Fund," and which Account the Governor and Company of the Bank of *England* shall and they are hereby required to continue in their Books accordingly, and to which Account shall be carried all such Monies as shall be issued and paid out of the Consolidated Fund for the Purposes aforesaid; and the said Commissioners for the Reduction of the National Debt shall continue and keep or cause to be continued and kept in their Office a Book or Books, in which all the Monies transferred to their Account by virtue of this Act and the said last-recited Act shall be entered and kept separate and apart from all other Monies, and such Monies shall be by them held subject to the Disposal, Orders, and Directions of the said Commissioners of the said recited Acts and of this Act for the Purposes of such Loans and Advances as by the same Acts or the Acts relating thereto, or this Act, are directed or authorized to be made, and for other the Purposes herein-after mentioned.

Commissioners for Reduction of National Debt to be Trustees of Public Works Loan Fund, and to cause a separate Account to be continued at the Bank of England for the Purpose.

III. And be it enacted, That the Governor and Company of the Bank of *England* shall and they are hereby required to continue the Account already opened in their Books with the Commissioners for the Execution of this Act and of the said recited Acts, under the Title of "The Commissioners for the Issue of Loans for Public Works and Fisheries, *&c.*," to the Credit of which Account shall be carried all Principal and Interest Monies which shall from Time to Time become payable in respect of Loans made or to be made under the said recited Acts or this Act, and which shall be paid to the Cashiers of the said Bank of *England* upon such or the like Certificates under the Hands of the said Commissioners of the said recited Acts and of this Act as have been heretofore used for such Purpose in regard to Exchequer Bill or other Loans as directed by the said recited Acts, or some or one of them, in such or the like Manner in all respects as if the Clauses and Provisoes in the said recited Acts with respect to such Payments and Certificates had been repeated and re-enacted in the Body of this Act, or as near thereto as the Difference of the Circumstances will admit.

Bank to continue the Account already opened with the Commissioners for executing this Act.

IV. And be it enacted, That all and every Sum and Sums of Money which shall be paid into the Bank of *England* to the Account of the Commissioners for executing this Act, under and by virtue of this Act, shall from Time to Time, immediately on such Payments being made to the said Account, be transferred by the Governor and Company of the Bank of *England* to the Account kept by the said Bank of *England* with Her Majesty's Exchequer, and when so transferred shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Money paid to the Account of Commissioners for executing this Act to make Part of Consolidated Fund.

V. And be it enacted, That the several Persons who in and by the said recited Acts, or any of them, are named or constituted Commissioners for the Execution of the said Acts, or so many of them as shall be living at the Time of passing of this Act, shall be and they and all future Parties so constituted are hereby constituted Commissioners for the Execution of the said recited Acts and this Act, and all Acts authorized by the said recited Acts and this Act to be done and executed by the said Commissioners may be done and executed by any Three or more of them.

Commissioners for executing recited Acts to be Commissioners for executing this Act.

VI. And be it enacted, That the said Commissioners named in and by the said recited Acts or either of them, shall, before they enter upon the Execution of this Act, sign a Declaration to the following Effect:

'I *A.B.* do declare, That according to the best of my Judgment I will faithfully and impartially execute 'the several Duties, Powers, and Trusts vested in me by an Act, intituled [*insert Title of this Act*], 'according to the Tenor and Purport of the said Act and the Acts therein recited, and other Acts having 'reference thereto:'

Commissioners to sign the following Declaration.

And that such Declaration shall be kept and entered with the other Proceedings of the said Commissioners.

VII. And

VII. And be it enacted, That when and so soon as the said Commissioners for the Execution of the said recited Acts and this Act shall have determined upon any Amount of Money to be advanced and lent or paid under the Provisions of this Act, the said Commissioners, or any Three or more of them, shall forthwith certify such Amount to the Commissioners for the Reduction of the National Debt for the Time being, and at the Foot of every such Certificate the Secretary of the said Commissioners for the Execution of the said recited Acts and this Act shall state the Name or Names of the Person or Persons by whom every such Certificate is to be presented to the said Commissioners for the Reduction of the National Debt; and upon every such Certificate being produced to the Officer of the said Commissioners for the Reduction of the National Debt the Comptroller General or Assistant Comptroller, or Chief Clerk acting under the said last-named Commissioners, shall upon the Back of every such Certificate endorse and sign an Order for the Payment of the Sum mentioned in every such Certificate to the Person or Persons named at the Foot of every such Certificate, or to One of such Persons, and which Order of such Officer, previous to the issuing thereof, shall be entered by the Clerk or other proper Officer, and shall be countersigned by the Actuary or other Check Officer acting under the said last-named Commissioners, and shall be addressed to the Cashiers of the Governor and Company of the Bank of *England*; and such Cashiers, or One of them, shall, upon the Production of every such Order, pay the Sum mentioned therein to the Person or Persons mentioned in every such Order; and the Signature of such Person or Persons, jointly or severally, shall be a sufficient Discharge to the said Commissioners for the Reduction of the National Debt, and to the said Governor and Company respectively, provided the total Amount directed to be paid by such Certificate or Certificates respectively shall not at any Time exceed the Amount for the Time being standing to the Credit of the said Account of the said Commissioners for the Reduction of the National Debt under the Provisions of this Act or of the said last-recited Act.

Amount of Monies to be advanced under this Act to be certified to the Commissioners for the Reduction of the National Debt.

VIII. And be it enacted, That the Commissioners for the Reduction of the National Debt shall cause to be made up, for Examination and Audit, an annual Account to the Thirty-first Day of *December* in each Year of the Receipts, Payments, and Balances on the said Account so directed to be kept by them in respect of the said Public Works Loan Fund as aforesaid, and shall deliver the same to the Commissioners for auditing the Public Accounts at *Somerset Place*.

Commissioners to furnish annual Account of the Fund for Audit.

IX. And be it enacted, That all and every the several Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures contained in the said recited Acts, or any of them, so far as the same can be made applicable and are not varied by this Act, shall be taken to extend to this Act, and to every thing to be done in pursuance of this Act, and as if such Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures were herein repeated and set forth.

Powers, &c. of recited Acts to have the same Force as if re-enacted in this Act.

X. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

Act may be amended, &c.

CAP. LXXXI.

An Act for regulating the Deduction at the Bank of *England* of Income Tax Duty in respect of certain Offices. [26th *August* 1846.]

'WHEREAS certain Salaries, Compensations, and Pensions are by several Statutes charged upon and payable without Draft out of Cash standing in the Books of the Governor and Company of the Bank of *England* in the Name of the Accountant General of the High Court of Chancery to the respective Accounts, intituled "Account of Interest arising from Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery," and "Account of Interest arising from Securities purchased with surplus Interest arising from Securities carried to an Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery:" And whereas the Income Tax Duty in respect of the Dividends composing the Cash standing to such several Accounts is deducted therefrom at the Bank of *England* previously to carrying such Dividends to the Credit of the said Accountant General, and it is therefore expedient that in paying such Salaries, Compensations, and Pensions an Amount equivalent to such Duty be deducted therefrom at the Bank of *England*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the proportionate Amount of Income Tax Duty which shall have been deducted from the Dividends composing the Cash standing to the Credit of the said Accountant General to the aforesaid respective Accounts in the Books of the Governor and Company of the Bank of *England* be deducted by the said Governor and Company from all Salaries, Compensations, and Pensions charged upon and payable without Draft out of the said Cash at the Time of each Payment thereof hereafter to accrue due, any thing in any Statute contained to the contrary thereof notwithstanding.

Income Tax Duty to be deducted at Bank of England on Payment of Salaries, &c. charged upon Suitors Funds Accounts of Court of Chancery.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

CAP. LXXXII.

An Act to amend an Act of the present Session for authorizing a Loan from the Consolidated Fund to the *New Zealand* Company. [26th *August* 1846.]

9&10 Vict. c. 42. ‘ WHEREAS by an Act passed in the present Session of Parliament, intituled *An Act to authorize a Loan from the Consolidated Fund to the* New Zealand *Company*, it was enacted, that it should ‘ be lawful for the Lord High Treasurer, or any Three or more Commissioners of Her Majesty's Treasury ‘ of the United Kingdom of *Great Britain* and *Ireland*, from Time to Time to advance and lend to the ‘ *New Zealand* Company, in manner therein mentioned any Sum or Sums of Money not exceeding in ‘ the whole the Sum of One hundred thousand Pounds, to be applied by the said Company in the Pro- ‘ portions and for the Purposes therein also mentioned; and it was by the said Act provided, that no ‘ Part of the said Sums should be applied to the Payment of any Principal Sum of Money for which any ‘ Debenture had been or should be issued under the Seal of the said Company: And whereas it is ‘ expedient that so much of the said Proviso as relates to Debentures already issued by the said Company ‘ should be repealed, and that the said Company should be authorized and empowered to apply a certain ‘ Portion of the said Loan of One hundred thousand Pounds, not exceeding Thirty-two thousand five ‘ hundred Pounds, to the Payment of certain Sums of Money, for which such Debentures as last afore- ‘ said have been issued under the Seal of the said Company:’ Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Proviso, so far as regards any Debentures which shall have been already issued by the said Company, shall be and the same is hereby repealed.

So much of recited Act as regards Debentures already issued by Company repealed.

Repayment of Loan.

II. And be it enacted, That notwithstanding any thing in the said Act contained whereby it is enacted, that the said Loan of One hundred thousand Pounds shall be applied by the said Company in the Proportions and for the Purposes therein mentioned, it shall be lawful, nevertheless, for the said Company to apply any Portion thereof not exceeding the Sum of Thirty-two thousand five hundred Pounds, to the Payment of the Principal Sums due on certain Debentures which have been issued by the said Company, and are now due or will become due and payable on or before the Fourth Day of *January* which will be in the Year One thousand eight hundred and forty-seven, which said Sum of Thirty-two thousand five hundred Pounds, or so much thereof as shall be so applied by the said Company, shall be repaid, and they are hereby required and made liable to repay the same, to the Lord High Treasurer or Commissioners of Her Majesty's Treasury, or to such other Persons as the said Lord High Treasurer or Commissioners shall direct, within the Space of Three Years after the passing of this Act; and if within or at the Expiration of such Period of Three Years the Company shall not have repaid the said Sum, it shall be lawful for the Lord High Treasurer, or any Three or more of the Commissioners of Her Majesty's Treasury, to cause Notice in Writing to be given to the said Company, by leaving the same at the Office of the said Company, to repay the said Sum of Thirty-two thousand five hundred Pounds, or so much thereof as shall have been applied as aforesaid, and shall remain due and unpaid, within One Calendar Month from the Day on which such Notice shall be given or served on the said Company.

If Company, after Notice, refuse or neglect to repay Loans, Treasury may, by Warrant, make Calls on subscribed Capital not paid up.

Treasury may enforce Payment of Calls.

III. And be it enacted, That if the said Company, after Receipt of such Notice, shall refuse, or for the Space of One Calendar Month from the Day on which such Notice shall have been given or served, neglect, to repay the said Sum, it shall be lawful for the Lord High Treasurer, or any Three or more of the Commissioners of Her Majesty's Treasury, and they are hereby authorized and empowered, by Warrant under their Hands, to declare and make a Call or Calls on such Portion of the subscribed Capital of the said Company as shall not at the Time of such Call or Calls have been called up and paid as shall be sufficient to repay the said Sum; and for the Purpose of enforcing Payment of any such Call or Calls, the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury shall have, use, and exercise all such Power and Authority as the said Company now have or may use and exercise for enforcing Payment of any Calls to be made by them under any Letters Patent or Act of Parliament now in force.

Sums applied by the Company to certain Purposes to be reckoned as so much towards Repayment of Loan.

IV. Provided always, and be it enacted, That if it shall appear to the Satisfaction of the Lord High Treasurer, or any Three or more of the Commissioners of Her Majesty's Treasury, that the said Company during the said Period of Three Years from the passing of this Act, have applied any Sum or Sums of Money to any of the Purposes mentioned in the said recited Act to which the said Loan of One hundred thousand Pounds was thereby directed to be applied, then and in such Case the Amount of such Sums so applied by the said Company shall be taken and reckoned towards Repayment of the said Sum of Thirty-two thousand five hundred Pounds, or so much thereof as shall be due and unpaid.

Monies derived from Moiety of Lands pledged as Security for Loan not to be reckoned as Part of Repayment.

V. ‘ And whereas by the said recited Act a Moiety of the Purchase Money of any Lands, Tenements, ‘ and Hereditaments belonging or hereafter to be acquired by the said Company, and of the Rents, Issues, ‘ and Profits to be thereafter received by the said Company, is pledged as a Security for the Repayment ‘ from Time to Time of the said Loan of One hundred thousand Pounds;’ it is hereby declared and enacted, That if it shall appear that any such Sums as are herein-before directed to be taken and reckoned towards Repayment of the said Sum of Thirty-two thousand five hundred Pounds, or so much thereof as shall be due and unpaid, shall have been paid out of the said Moiety so pledged as aforesaid, then and in every such Case such Sums shall not be taken and reckoned as aforesaid, but that such Sums only shall be so taken and reckoned as shall appear to have been paid out of the Moiety of the said Lands, Tenements,

ments, and Hereditaments, Rents, Issues, and Profits, remaining at the Disposal of the said Company, or out of any other Sums at their Disposal which are not so pledged as aforesaid.

Company not to make above a certain Amount of Call without Consent of the Treasury until Repayment of the Sum of 32,500*l.*

VI. And be it enacted, That until the said Sum of Thirty-two thousand five hundred Pounds, or so much thereof as shall be due and unpaid, shall be repaid by the said Company as aforesaid, it shall not be lawful for the said Company, without the Consent in Writing of the Lord High Treasurer, or any Three or more of the Commissioners of Her Majesty's Treasury, to make any Call or Calls exceeding in the whole the Amount of One Half of such Portion of the subscribed Capital of the said Company as at the Time of the passing of this Act has not been called up and paid; and all and every such Call or Calls as, with the Consent aforesaid, shall be made by the said Company, shall be only for the Purpose of and shall be applied to the Repayment of the said Sum of Thirty-two thousand five hundred Pounds, or so much thereof as shall be due and unpaid.

Repayment of the Sum of 32,500*l.* to be deemed part Repayment of Loan of 100,000*l.*

VII. And be it enacted, That whenever the said Company shall repay as aforesaid the said Sum of Thirty-two thousand five hundred Pounds or any Part thereof, the same shall be deemed and taken to be a Part of the said Loan of One hundred thousand Pounds so authorized to be advanced to the said Company, and may, at the Discretion of the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury, be advanced and lent to the said Company for the Purposes and subject to the Provisions in the said recited Act contained.

Act may be amended, &c.

VIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. LXXXIII.

An Act to empower the Commissioners for the Issue of Loans for Public Works and Fisheries to make Loans in Money to the Commissioners of Her Majesty's Woods, in lieu of Loans heretofore authorized to be made in Exchequer Bills. [26th *August* 1846.]

'WHEREAS by divers Acts of Parliament for effecting Improvements in the Metropolis, and for other Purposes, the Commissioners for issuing Exchequer Bills for Public Works acting in the Execution of an Act passed in the Fifty-seventh Year of the Reign of King *George* the Third, and of several subsequent Acts for amending and extending the same, have been from Time to Time authorized and empowered to advance and lend to the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for the Purposes of the said Acts respectively, divers Sums of Money in Exchequer Bills, upon such Terms and Securities, with such Provisions for the Repayment thereof, and in such Manner, as in the same Acts respectively is prescribed or referred to: And whereas by an Act passed in the Session of Parliament held in the Fifth and Sixth Years of Her present Majesty, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund to a limited Amount for carrying on Public Works and Fisheries, and Employment of the Poor, and to amend the Acts authorizing the Issue of Exchequer Bills for the like Purposes*, it was enacted, that in lieu of the Advances theretofore made in Exchequer Bills by the Commissioners for issuing Exchequer Bills for Public Works certain Sums of Money should be advanced for the like Purposes out of the Consolidated Fund in manner therein mentioned, and that such Advances should be made in manner therein mentioned by the said Commissioners, thereby styled "The Commissioners for the Issue of Loans for Public Works and Fisheries, *et cætera*:" And whereas no Exchequer Bills applicable to Public Works now remain to be issued under the Authority of the said Act of the Fifty-seventh Year of King *George* the Third, or of the several subsequent Acts for amending and extending the same, and it is expedient that in all Cases where Loans have as aforesaid been authorized by Parliament to be made to the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings of any Sum or Sums of Money in Exchequer Bills, but which have not yet been actually made, such Loans respectively should be made out of the Monies from Time to Time placed at the Disposal of the said Commissioners for the Issue of Loans for Public Works and Fisheries, *et cætera*, by the said recited Act of the Fifth and Sixth Years of Her Majesty's Reign or any other Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners for the Issue of Loans for Public Works and Fisheries, *et cætera*, for the Time being, and they are hereby authorized and empowered, by and out of the Monies from Time to Time placed at their Disposal under or by virtue of the said recited Act passed in the Session of Parliament held in the Fifth and Sixth Years of Her Majesty's Reign, or any other Act already passed or to be passed during the present Session of Parliament, to lend to the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being, and also to the said Commissioners (who are incorporated by several Acts for effecting Improvements in the Metropolis) and their Successors, all and every Sums and Sum of Money which by any Act or Acts of Parliament the Commissioners acting in execution of the said recited Act of the Fifty-seventh Year of the Reign of His Majesty King *George* the Third, and of the several subsequent Acts for amending and extending the same, have been by any Act already passed, or shall be by any Act passed during the present Session of Parliament, authorized to lend to Her Majesty's said Commissioners respectively in Exchequer Bills, and as if Powers enabling such Loans to be made in Money had been contained in such Acts respectively in addition to or in lieu of the Powers therein contained enabling such Loans to be made in Exchequer Bills.

5 & 6 Vict. c. 9.

Commissioners for Loans for Public Works and Fisheries empowered to make Loans to the Commissioners of Woods in Money in lieu of Exchequer Bills.

Provisions with respect to Loans in Exchequer Bills extended to Loans in Money.

II. And be it enacted, That notwithstanding any thing in the said recited Act of the Session of Parliament held in the Fifth and Sixth Years of Her Majesty's Reign, or in the Acts therein recited or referred to, or in any Act passed or to be passed during the present Session of Parliament, contained to the contrary, every Loan to be made by the Commissioners for the Issue of Loans for Public Works and Fisheries, *et cætera*, by virtue of this Act, shall be made by such Instalments, at such Rate of Interest, not exceeding the Rate of Four Pounds *per Centum per Annum*, upon such Terms and Conditions as to the Repayment thereof and otherwise, and upon such Securities as in any such Act or Acts of Parliament as aforesaid is or shall be directed, indicated, or provided with respect to Advances thereby authorized to be made of Monies in Exchequer Bills; and all and singular the Powers, Authorities, Provisions, and Exemptions in such Acts respectively contained with respect to Advances of Monies in Exchequer Bills to be made to the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being, or to the said Commissioners incorporated as aforesaid, and their Successors, shall (so far as the same are applicable) extend to all Loans to be made to the said Commissioners respectively by virtue of this Act; and the Loans of Monies to be from Time to Time made to the said Commissioners by virtue of this Act shall be by them applied to such and the same Purposes as the Loans by any such Act or Acts as aforesaid authorized to be made in Exchequer Bills, in lieu whereof such Loans in Monies shall be made under this Act, are or shall be by the same Acts respectively authorized or directed to be applied.

Act may be amended, &c.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

CAP. LXXXIV.

An Act to amend the Law concerning Lunatic Asylums and he Care of Pauper Lunatics in *England*. [26th *August* 1846.]

8&9 Vict. c.126.

'WHEREAS Doubts have been entertained whether under the Provisions of an Act of the last Session of Parliament, intituled *An Act to amend the Laws for the Provision and Regulation of Lunatic Asylums for Counties and Boroughs, and for the Maintenance and Care of Pauper Lunatics, in* England, it is incumbent on Justices of the Peace, and others therein specified, to issue Orders for the Reception into a Lunatic Asylum, or House licensed or Hospital registered for the Reception of Lunatics, of all Persons who shall be brought before them, or whom they shall visit in the Manner prescribed by the said Act, and of whose Lunacy they shall be satisfied, or only of those Persons of whose Lunacy they shall be satisfied, and whom they shall deem proper Persons to be confined, according to the Tenor of the Order set forth in the Form numbered One in the Schedule marked (E.) annexed to the said Act:' Be it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall not be deemed incumbent on any Justice of the Peace, or upon any Clergyman, Overseer, or Relieving Officer, to sign or issue such Order as aforesaid, in all Cases in which the Physician, Surgeon, or Apothecary whom he or they shall have called to his or their Assistance shall have signed the Certificate according to the Form numbered One in the said Schedule (E.) as provided by the said Act; but that every Justice, Clergyman, Overseer, or Relieving Officer by whom any such Order shall be signed or issued, in the Case of every such Person of whose Lunacy he shall be satisfied, shall be bound, before signing the Order, to satisfy himself of the Propriety of confining such Lunatic in a Lunatic Asylum, unless a Medical Certificate that such Lunatic is a proper Person to be so confined, in the same Form as the Medical Certificate in the said Schedule (E.) Number One, shall have been signed by the Medical Officer of the Union or Parish to which the Lunatic belongs, as well as by the said Physician, Surgeon, or Apothecary, in which Case such Two Medical Certificates shall be received by every such Justice, Clergyman, Overseer, and Relieving Officer as conclusive Evidence that such Lunatic is a proper Person to be so confined.

In what Cases Justices and others are to issue Orders for Confinement of Lunatics.

Committees of Justices appointed, or who may hereafter be appointed, for providing Lunatic Asylums, deemed to have been legally appointed.

II. 'And whereas by the said Act it is enacted, that a Committee of Justices to superintend or to treat and enter into an Agreement for the erecting or providing an Asylum for the Pauper Lunatics of any County or Borough which has no Asylum for the Pauper Lunatics thereof shall be appointed at the Time and in the Manner prescribed by the said Act, after public Notice of the Intention to appoint such Committee given on or before the General or Quarter Sessions for such County or Borough next after the Twentieth Day of *December* One thousand eight hundred and forty-five; but the Objects of the Act have not been in all Cases fully attained, and Doubts have been entertained as to the Power of the Justices in the Appointment of such Committees, and as to the Powers of such Committees when appointed;' be it declared and enacted, That a Committee as aforesaid may and shall be appointed in every County and Borough which has no Asylum for the Pauper Lunatics thereof, and in which a Committee has not been already appointed, or in which a Committee once appointed has ceased or shall hereafter cease to exist without carrying into effect the Purposes for which it was appointed, or if appointed for the Purpose only of treating and entering into an Agreement, has reported or shall hereafter report that it is not practicable or expedient to enter into an Agreement, or to that Effect; and that, notwithstanding any Committee already appointed or hereafter to be appointed may have been appointed either for the Purpose only of superintending the erecting or providing an Asylum, or for the Purpose only of treating and entering into an Agreement for erecting or providing an Asylum, or for effecting the one or the

the other of the said Purposes, as to the said Committee may seem best, such Committee shall be deemed to have been legally appointed under the said Act, and duly empowered to carry into effect the Purpose for which it has been or may be so appointed; and in any Case in which the Occasion for the Appointment of a Committee for any of the Purposes aforesaid now exists or shall hereafter arise, public Notice of the Intention to appoint the same shall be given in the Manner prescribed by the said Act, on or before the General Quarter Session of the Peace to be holden for such County or Borough next after the passing of this Act, or next after the Occasion for the Appointment thereof shall have arisen, as the Case may be: Provided nevertheless, that Notice at any subsequent General Quarter Session of the Peace for such County or Borough of the Intention to appoint any such Committee, and the Appointment of a Committee in pursuance thereof, shall be valid.

Powers of Committees may be enlarged by Justices.

III. And be it enacted, That when any Committee hath been or shall hereafter be appointed for one of the aforesaid Purposes only, it shall be lawful for the Justices, if they shall think fit, at any General Quarter Session of the Peace after the like public Notice as is required in the Case of the first Appointment of the Committee, to enlarge the Powers of the Committee, so as to authorize the Committee to effect the one or the other of such Purposes, as to the said Committee may seem best, and, if necessary, under the Provisions of the said Act, to appoint additional Members of the said Committee; and every such Committee shall be deemed to have been legally appointed under the said Act, and duly authorized to carry into effect the one or the other of the said Purposes, as to the said Committee may seem best.

Until Committees of Visitors shall be appointed for any County, &c., the Committee appointed for providing an Asylum shall act as such.

IV. And be it enacted, That until a Committee of Visitors shall, under the Provisions of the said Act or of this Act, be appointed on behalf of any County or Borough, Counties or Boroughs, the Committee appointed or hereafter to be appointed, either for superintending the erecting or providing, or for treating and entering into an Agreement for erecting or providing an Asylum, or for effecting the one or the other of those Purposes, as to the said Committee may seem best, shall have, on behalf of the County or Borough by which such Committee shall have been appointed, all the Powers, as well of contracting with the Proprietors of any House licensed for the Reception of Lunatics, as otherwise, of a Committee of Visitors appointed under the said Act, save that a Committee for the Purpose only of treating and entering into an Agreement as aforesaid shall not have Power to take Measures towards erecting or providing a Lunatic Asylum for the sole Use of the County or Borough for which it shall have been appointed.

Committee of Visitors to be appointed by Justices and Subscribers to Lunatic Asylums.

V. And be it enacted, That whenever any Agreement shall have been entered into, signed, and reported, as in the said Act is mentioned, the Justices of every County to which such Agreement shall relate, assembled at the General or Quarter Sessions to which such Report shall be made, and the Justices of every Borough to which such Agreement shall relate, shall, at a Special Meeting to be held within Twenty Days after such Agreement shall have been reported as aforesaid, and the Subscribers of every Lunatic Asylum to which such Agreement shall relate, or the Majority of such Subscribers, present at a Meeting to be holden within Twenty-eight Days after the signing of such Agreement, and of which Notice shall have been given by public Advertisement in some Newspaper circulated within the Place in which such Lunatic Asylum shall be situated, shall appoint a Committee of Visitors, in the same Manner and under the Regulations and with the Powers mentioned in the said Act in respect of a Committee of Visitors appointed for the like Purpose at the Times mentioned in the said Act, and all the Provisions in the said Act relating to Committees of Visitors shall apply to the said Committee, as far as the same may be applicable.

Further Provision for the temporary Care of Pauper Lunatics.

VI. 'And whereas certain Powers are given by the said Act to every Committee of Visitors to contract 'for certain Purposes, for a limited Time and under certain Restrictions, with the Proprietors of any 'House licensed for the Reception of Lunatics: And whereas it is expedient to enable further Provision 'to be made for the temporary Care of Pauper Lunatics:' be it enacted, That it shall be lawful for any Committee of Visitors to make Provision, either in manner mentioned in the said Act or otherwise, for the temporary Care of Pauper Lunatics, subject to the Approval, Restrictions, Limitations, and Provisoes mentioned in the said Act with respect to such Contracts as aforesaid, in as far as such Limitations and Restrictions and Provisoes are applicable to any Provision other than a Contract with the Proprietor of a House licensed as aforesaid, and the Expences of making such Provision shall be paid out of the same Monies or Funds and in the same Manner as is provided in the said Act in the Case of Contracts with such Proprietors as aforesaid; and it shall be lawful for the Guardians and Overseers of any Union or Parish, with the Consent of the Poor Law Commissioners for *England* and *Wales*, to contract with any such Committee of Visitors for the Use and Occupation of all or any Part of a Workhouse as a temporary Asylum for Pauper Lunatics; and during such temporary Occupation such Workhouse, or the Part of it so occupied, shall be subject to the same Law as a Workhouse taken for the Reception of Pauper chronic Lunatics under the Provisions of the said Act.

Separate Committees to be appointed for every such Asylum.

VII. 'And whereas by the said Act Provision is made that in certain Cases therein specified more than 'One Asylum shall be erected or provided in a County or Borough, and it hath been doubted whether a 'separate Committee of Justices should be appointed in reference to every such Asylum;' be it declared and enacted, That the true Intent and Meaning of the said Act is, that a separate Committee of Justices be appointed in every such County or Borough for every such Asylum, each of which Committees shall have all the Powers and be subject to all the Provisions of the said Act with regard to the Asylum for which it is appointed, as if it were the only Asylum for that County or Borough: Provided always, that it shall be lawful for the Justices of the County or Borough, if they shall think fit, with the Approval of One of Her Majesty's Principal Secretaries of State, to appoint the same Committee for Two or more such Asylums.

Justices may appoint the same Committee for Two Asylums.

VIII. And

For recovering Money under Orders made by Justices under Provisions of 9 G. 4. c. 40.

VIII. And be it enacted, That all the Powers and Remedies given by the said Act of the last Session of Parliament, and the Provisions therein contained for recovering Money ordered by Justices of the Peace, under the Provisions of the same Act, to be paid by the Overseers of any Parish, shall extend to the Recovery of any Money which may have been ordered by any Justices of the Peace under the Provisions of an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to amend the Laws for the Erection and Regulation of County Lunatic Asylums, and more effectually to provide for the Care and Maintenance of Pauper and Criminal Lunatics, in* England, to be paid by the Overseers of any Parish, and which at the Time of the passing of this Act may be due, or may thereafter become due by virtue of any such Order.

Extending Powers of borrowing Money.

IX. And be it enacted, That the Powers given by the said Act to the Justices of every such County and to the Council of every such Borough to borrow Money toward defraying the Expences of carrying into effect the Purposes of the said Act, or of any Act thereby repealed, whenever it should appear, as therein provided, that such Expences would exceed the several Sums of Five thousand Pounds or Two thousand Pounds, in the several Cases therein specified, shall be extended to all Cases in which it shall appear to the said Justices or Council respectively expedient to borrow Money toward defraying such Expences, whether or not it shall appear that such Expences will exceed the Sum of Five thousand Pounds or Two thousand Pounds, as the Case may be; and such Money may be raised in any Sum or Sums at any Rate of Interest not exceeding the yearly Rate of Five Pounds in the Hundred.

Construction of Terms.

X. And be it enacted, That the Words "furnishing and completing" the Asylum, in the said Act, shall be held to include the Purchase of Clothing sufficient for opening the said Asylum for the Reception of Patients.

Act to be construed with 8&9 Vict. c. 126.

XI. And be it enacted, That this Act shall be construed with and as Part of the said Act of the last Session of Parliament.

Act may be amended, &c.

XII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. LXXXV.

An Act to authorize the Application of Money for the Purposes of Loans for carrying on Public Works in *Ireland*. [26th *August* 1846.]

1 & 2 W. 4. c. 33. 6&7 W. 4. c. 108. 7 W. 4. & 1 Vict. c. 21. 1 & 2 Vict. c. 88. 2 & 3 Vict. c. 50. 5 & 6 Vict. c. 9. 6 & 7 Vict. c. 44. 9 & 10 Vict. c. 1. 9&10 Vict. c. 80.

'WHEREAS an Act was passed in the Second Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in* Ireland: And whereas another Act was passed in the Seventh Year of the same Reign, intituled *An Act to amend an Act passed in the First and Second Years of His present Majesty, for the Extension and Promotion of Public Works in* Ireland: And whereas another Act was passed in the First Year of the Reign of Her present Majesty, intituled *An Act to amend the Acts for the Extension and Promotion of Public Works in* Ireland: And whereas another Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to authorize a further Issue of Exchequer Bills for Public Works and Fisheries and Employment of the Poor; and to amend the Acts relating thereto:* And whereas another Act was passed in the Third Year of the Reign of Her present Majesty, intituled *An Act to extend and amend the Provisions of the Acts for the Extension and Promotion of Public Works in* Ireland; *and for the Recovery of Public Monies advanced for the Use of Counties, Parishes, and other Districts in* Ireland, *on the Faith of Grand Jury Presentments and Parochial Assessments:* And whereas another Act was passed in the Fifth Year of the Reign of Her present Majesty, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund, to a limited Amount, for carrying on Public Works and Fisheries, and Employment of the Poor; and to amend the Acts authorizing the Issue of Exchequer Bills for the like Purposes:* And whereas another Act was passed in the Seventh Year of the Reign of Her present Majesty, intituled *An Act to amend the Acts for carrying on Public Works in* Ireland: And whereas another Act was passed in the Ninth Year of the Reign of Her present Majesty, intituled *An Act for the further Amendment of the Acts for the Extension and Promotion of Public Works in* Ireland: And whereas by an Act passed in the present Session of Parliament, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund, for carrying on Public Works and Fisheries, and Employment of the Poor*, the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being are empowered, by Warrant under the Hands of any Three or more of them, to charge the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and to direct the Issue or Payment thereout to the Account of the Commissioners for the Time being for the Reduction of the National Debt of a Sum or Sums of Money not exceeding Three hundred and sixty thousand Pounds *per Annum* during the Five Years next ensuing the Fourth Day of *April* One thousand eight hundred and forty-seven, by quarterly Instalments or Issues, not exceeding Ninety thousand Pounds *per* Quarter, the same to become due on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in each Year, the first Instalment thereof to become due and payable on the Fifth Day of *April* One thousand eight hundred and forty-seven: And whereas sundry Advances or Loans have been made by the Commissioners of Public Works in *Ireland* under the said first-recited Act, and the several Acts since passed for amending and extending the same, for the Purposes in the same Acts specified, and great Benefits have been derived therefrom, and further Advances or Loans are required for the like Objects;' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent

Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Commissioners of Public Works for the Time being shall be Commissioners for the Execution of this Act.

Commissioners for this Act.

II. And be it enacted, That the said Commissioners of Her Majesty's Treasury, by Warrant under the Hands of any Three or more of them, may direct from Time to Time, that out of the Sum not exceeding Three hundred and sixty thousand Pounds *per Annum*, which by the said Act of this present Session of Parliament they are authorized to charge on the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and which they are authorized to direct to be paid to the Account of the Commissioners for the Reduction of the National Debt during the Term of Five Years next ensuing the Fourth Day of *April* One thousand eight hundred and forty-seven, by quarterly Instalments or Issues not exceeding Ninety thousand Pounds *per* Quarter, as aforesaid, there shall issue and be paid unto the said Commissioners for the Reduction of the National Debt during the said Term of Five Years a Sum not exceeding Fifteen thousand Pounds *per* Quarter, to be at the Disposal of the said Commissioners of Public Works, as herein-after mentioned, such quarterly Instalments or Issues to become due on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in each Year, the first Instalment thereof to become due and payable on the Fifth Day of *April* One thousand eight hundred and forty-seven.

Treasury may out of the 360,000*l.* per Annum granted by 9 & 10 Vict. c. 80. apply a Sum not exceeding 15,000*l.* per Quarter to be applied for Public Works in Ireland.

III. And be it enacted, That for the Purpose of receiving the said quarterly Instalments the said Commissioners for the Reduction of the National Debt shall continue or cause to be continued the separate Account already opened with them at the Bank of *England*, under the Title of "The Commissioners for the Reduction of the National Debt, on account of the Public Works Loan Fund for *Ireland*," which Account the Governor and Company of the Bank of *England* shall and they are hereby required to continue in their Books accordingly; and the said Commissioners for the Reduction of the National Debt shall continue and keep, or cause to be continued and kept, in their Office, a Book or Books, in which all Monies transferred to the said last-mentioned Account by virtue of this Act, and the said recited Act of the Seventh Year of the Reign of Her present Majesty, shall be kept apart from all other Monies, and such Monies shall be by the same Commissioners held subject to the Disposal of the said Commissioners of Public Works for the several Purposes of the said first-recited Act, and the other Acts amending the same, and of this Act.

A separate Account to be continued at the Bank of England.

IV. And be it enacted, That when the said Commissioners of Her Majesty's Treasury shall have sanctioned any Loan under this Act or any of the above-recited Acts, and the said Commissioners of Public Works shall have ascertained that any Sum of Money is required to be issued on account of such Loan, they shall forthwith certify the Amount of such Issue to the Commissioners for the Reduction of the National Debt for the Time being; and in every such Certificate the Loan in Payment of which such Issue is required, and the Party or Parties to whom such Issue is intended to be made, shall be stated; and upon every such Certificate being produced to the Officer of the said Commissioners for the Reduction of the National Debt, the Comptroller General or Assistant Comptroller, or Chief Clerk acting under the last-named Commissioners, shall upon the Back of such Certificate endorse and sign an Order for the Payment of the Sum mentioned in such Certificate to the Governor and Company of the Bank of *England*, to be by them placed to the Account of the Governor and Company of the Bank of *Ireland*, for the separate Account and Credit of the Paymaster of Civil Services in *Ireland*, on account of the Public Works Loan Fund for *Ireland*, to be by him paid over on the Warrants of the said Commissioners of Public Works: Provided always, that Approval of such Issue by the Commissioners of Her Majesty's Treasury shall appear on such Certificate under the Hand of One of their Secretaries, and that the Amount of such Issue shall not exceed the Sum for the Time being standing in the Names of the said Commissioners for the Reduction of the National Debt, subject to the Disposal of the said Commissioners of Public Works.

Commissioners of Public Works in Ireland to certify Amount of Loans granted by them to Commissioners for Reduction of the National Debt.

Upon Certificate being produced Payment to be made.

Proviso.

V. And be it enacted, That every such Order of the Officer of the said Commissioners for the Reduction of the National Debt before the issuing thereof, shall be entered by the Clerk or other proper Officer, and shall be countersigned by the Actuary or other Check Officer acting under the said Commissioners for the Reduction of the National Debt, and shall be addressed to the Cashiers of the Governor and Company of the Bank of *England;* and such Cashiers, or One of them, shall, upon the Production of every such Order, pay the Sum mentioned therein to the Governor and Company of the Bank of *England;* and the Signature of One of the Cashiers of the said Governor and Company of the Bank of *England* shall be a sufficient Discharge to the said Commissioners for the Reduction of the National Debt.

Order to be entered by the proper Officer, countersigned by the Actuary, and addressed to Cashiers of the Bank of England, who shall pay the same.

VI. And be it enacted, That the Commissioners for the Reduction of the National Debt shall cause to be made up for Examination and Audit an annual Account to the Thirty-first Day of *December* in each Year of the Receipts, Payments, and Balances on the said Account so directed to be kept by them in respect of the said Public Works Loan Fund for *Ireland* as aforesaid, and shall deliver the same to the Commissioners for auditing the Public Accounts.

Commissioners for Reduction of National Debt to furnish an annual Account for Audit.

VII. And be it enacted, That the Governor and Company of the Bank of *Ireland* shall continue the Account already opened in their Books with the Paymaster of the Civil Services of *Ireland* under the Title of "The Paymaster of the Civil Services, on account of the Repayment of Loans for Public Works;" and Monies which shall from Time to Time be repaid in respect of Loans made under this Act, or in respect of the Interest thereof, shall be carried to the Credit of the same Account.

Bank of Ireland to continue Account with Paymaster of Civil Services of Repayments.

VIII. And

Appropriation and Entry of Repayments.

VIII. And be it enacted, That as soon as any Sum of Money shall have been so lodged to the Credit of the said Account of the Paymaster of Civil Services, on account of the Repayment of Loans for Public Works, the said Commissioners of Public Works shall, upon a Notification thereof, cause to be made out and delivered to the said Paymaster of Civil Services a Statement of the proper Appropriation of such Payment, whether for account of Interest or Principal, or how much for each respectively, upon which the said Paymaster of Civil Services shall cause to be prepared accordingly the proper Receipt or Voucher, and send the same to the said Commissioners of Public Works, who shall thereupon cause the Sum or Sums therein mentioned to be entered on the Books of the said Commissioners to the Credit of the Loan on account of which such Payment shall have been made; and such Receipt, when so entered, shall be delivered to the Party or Person on whose Account such Payment shall have been so made, and such Receipt shall be a sufficient Discharge to the Party or Person paying the same.

All Sums paid into the Bank of Ireland to be carried to and made Part of the Consolidated Fund.

IX. And be it enacted, That every Sum of Money which shall be paid into the Bank of *Ireland* to the Account of the Paymaster of Civil Services, on account of the Repayment of Loans for Public Works under this Act, shall from Time to Time, immediately on such Payments being made, be transferred to the Governor and Company of the Bank of *Ireland*, to the Account kept by the Bank of *England* with Her Majesty's Exchequer, and when so transferred shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Powers of recited Acts as to Advances to have the same Force as if re-enacted in this Act.

X. And be it enacted, That all the Enactments contained in the said recited Acts relating to Public Works in *Ireland*, or any of them, shall, except as is herein otherwise provided, extend to this Act, and to all Things done or directed to be done by the said Commissioners of Her Majesty's Treasury, or the said Commissioners of Public Works, or their Secretary for the Time being, or any other Persons or Bodies Corporate, under the Authority of the said recited Acts or this Act, or any of them, in such or the like Manner as if they had been particularly and severally re-enacted in the Body of this Act, or as near thereto as the Difference of the Circumstances will admit, except so far only as the same are amended or altered by any of the said Acts or by this Act.

Act may be amended, &c.

XI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. LXXXVI.

An Act to extend and consolidate the Powers hitherto exercised by the Commissioners of Public Works in *Ireland*, and to appoint additional Commissioners. [26th *August* 1846.]

1 & 2 W. 4. c. 33.

'WHEREAS an Act was passed in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in* Ireland: And whereas by the said Act it is enacted, that it should and might be lawful for the King's most Excellent Majesty, by Warrant or Warrants under the Royal Sign Manual, to nominate Three Persons to be Commissioners for the Execution of the said Act during His Majesty's Pleasure, and to remove any One or more of the same, and in like Manner to nominate another or others in the Room of the Person or Persons so removed, and the said Persons so to be from Time to Time nominated should be and they were thereby constituted and appointed Commissioners for the Execution of the said Act: And whereas an Act was passed in the Session holden in the Sixth and Seventh Years of the

6 & 7 W. 4. c. 108.

Reign of His said late Majesty, intituled *An Act to amend an Act passed in the First and Second Years of the Reign of His present Majesty, for the Extension and Promotion of Public Works in* Ireland: And whereas another Act was passed in the First Year of the Reign of Her present Majesty, intituled

7 W. 4. & 1 Vict. c. 21.

An Act to amend the Acts for the Extension and Promotion of Public Works in Ireland: And whereas another Act was passed in the Session holden in the First and Second Years of the Reign of Her

1 & 2 Vict. c. 88.

present Majesty, intituled *An Act to authorize a further Issue of Exchequer Bills for Public Works and Fisheries, and Employment of the Poor, and to amend the Acts relating thereto:* And whereas another Act was passed in the Session holden in the Second and Third Years of the Reign of Her

2 & 3 Vict. c. 50.

present Majesty, intituled *An Act to amend and extend the Provisions of the Acts for the Extension and Promotion of Public Works in* Ireland, *and for the Recovery of Public Monies advanced for the Use of Counties, Parishes, and other Districts in* Ireland *on the Faith of Grand Jury Presentments and Parochial Assessments:* And whereas another Act was passed in the Fifth Year of the Reign of Her

5 & 6 Vict. c. 9.

present Majesty, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund to a limited Amount for carrying on Public Works and Fisheries, and Employment of the Poor, and to amend the Acts authorizing the Issue of Exchequer Bills for like Purposes:* And whereas another Act was passed in the Session holden in the Sixth and Seventh Years of the Reign of Her present Majesty,

6 & 7 Vict. c. 44.

intituled *An Act to amend the Acts for carrying on Public Works in* Ireland: And whereas another

9 & 10 Vict. c. 1.

Act was passed in the Ninth Year of the Reign of Her present Majesty, intituled *An Act for the further Amendment of the Acts for the Extension and Promotion of Public Works in* Ireland: And

9 & 10 Vict. c. 85.

whereas another Act was passed in the present Session of Parliament, intituled *An Act to authorize the Application of Money to a limited Amount for the Purposes of Loans for carrying on Public Works in* Ireland: And whereas by the said recited Act of the Second and Third Years of the Reign of Her present Majesty it is amongst other things enacted, that in the said Act, and in any other Act passed or which might be thereafter passed, the Expression "Commissioners of Public Works in *Ireland*" should be construed to mean the Commissioners for the Time being appointed under and acting in

execution

'execution of the said first herein-before recited Act of the First and Second Years of the Reign of His 'said late Majesty, and the other Acts amending the same: And whereas Lieutenant Colonel *Harry David* '*Jones*, *Brook Taylor Ottley*, and *John Radcliff*, Esquires, have been appointed and are now the 'Commissioners of Public Works in *Ireland* acting in the Execution of and under the Provisions of the 'said severally recited Acts: And whereas an Act was passed in the Session holden in the Fifth and 'Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the* 5&6 W. 4. c.67. '*Improvement of the Navigation of the River* Shannon: And whereas another Act was passed in the 'Session holden in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act* 2&3 Vict. c.61. '*for the Improvement of the Navigation of the River* Shannon: And whereas the Improvements autho- 'rized to be executed under the said Two last-recited Acts in the River *Shannon* have been considerably 'advanced towards Completion, and the Duties of the Commissioners for the Execution of the said Two 'last-recited Acts may now, with Advantage to the Public Service and Economy to the Resources of the 'Nation, be performed and discharged by the Commissioners of Public Works for the Time being:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Thirtieth Day of *September* One thousand eight hundred and forty-six the Persons heretofore appointed and now being Commissioners for the Execution of the said Two last-recited Acts, or either of them, shall cease to be Commissioners for the Execution of the said Two last-recited Acts, or either of them.

Powers of Commissioners under recited Acts for Improvement of Shannon Navigation to cease.

II. And be it enacted, That from and after the said Thirtieth Day of *September* One thousand eight hundred and forty-six the Commissioners of Public Works in *Ireland* for the Time being shall be the Commissioners for the Execution of the said Two last-recited Acts for the Improvement of the Navigation of the River *Shannon;* and all the Powers, Authorities, and Privileges, Rights, Titles, and Interests, now or heretofore vested in the Commissioners for the Execution of the said Two last-recited Acts, shall vest in and devolve upon and shall be respectively used, exercised, and enjoyed by the Commissioners of Public Works in *Ireland* for the Time being, who shall for the Purposes of the said last-recited Acts be and be deemed to be in the Place and Stead of the Persons heretofore being Commissioners for the Execution of the said Two last-recited Acts.

The Commissioners of Public Works to be Commissioners for the Execution of the said Acts for Improvement of the Shannon.

III. 'And whereas an Act was passed in the Session holden in the Fifth and Sixth Years of the Reign 'of Her present Majesty, intituled *An Act to promote the Drainage of Lands and Improvement of* 5&6 Vict. c.89. '*Navigation and Water Power in connexion with such Drainage, in* Ireland: And whereas the said last- 'mentioned Act has since been amended by an Act of the Eighth and Ninth Years of the Reign of Her 8&9 Vict. c.69. 'present Majesty, and has been further amended by an Act of the Ninth Year of the Reign of Her 9&10 Vict. c. 4. 'present Majesty: And whereas an Act was passed in the Sixth Year of the Reign of Her present 'Majesty, intituled *An Act to regulate the* Irish *Fisheries:* And whereas another Act was passed in the 5&6 Vict. c.106. 'Session holden in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act* 8&9 Vict. c.108. '*for the further Amendment of an Act of the Sixth Year of the Reign of Her present Majesty, for* '*regulating the* Irish *Fisheries:* And whereas an Act was passed in the Ninth Year of the Reign of Her 'present Majesty, intituled *An Act to encourage the Sea Fisheries of* Ireland *by promoting and aiding* 9&10 Vict. c.3. '*with Grants of Public Money the Construction of Piers, Harbours, and other Works:* And whereas 'the Commissioners of Public Works in *Ireland* for the Time being are the Commissioners for the 'Execution of the said severally recited Acts for the Drainage and Improvement of Land, regulating the '*Irish* Fisheries, and encouraging the Sea Fisheries by promoting with Grants the Construction of Piers 'and other Works: And whereas Power is given by certain of said Acts to the Lords Commissioners of 'Her Majesty's Treasury to appoint additional Commissioners to assist the said Commissioners of Public 'Works in the Execution of the said Acts: And whereas by reason of additional Commissioners of 'Public Works being appointed, as herein-after provided, it will be unnecessary that there should be any 'additional Commissioner or Commissioners to assist the said Commissioners of Public Works in the 'Execution of the said recited Acts, or any of them;' be it therefore enacted, That from and after the passing of this Act so much of the said recited Act of the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to promote the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in* Ireland, and of the said recited Acts, or any other Acts amending the same, and also of the said recited Act of the Sixth Year of the Reign of Her present Majesty, intituled *An Act to regulate the* Irish *Fisheries,* and of the said recited Acts, or any other Act amending the same, and also of the said Act of the Ninth Year of the Reign of Her present Majesty, intituled *An Act to encourage the Sea Fisheries of* Ireland *by promoting and aiding with Grants of Public Money the Construction of Piers, Harbours, and other Works,* as authorize the Appointment of additional Commissioners or an additional Commissioner to assist the said Commissioners of Public Works in the Execution of the said Acts, or any of them, be and the same is hereby repealed; and the Person or Persons heretofore appointed as Commissioner or Commissioners to assist the said Commissioners of Public Works in the Execution of the said Acts, or any of them, shall cease to be such Commissioner or Commissioners.

So much of recited Act 5&6 Vict. c.89. and of Acts amending the same, also 5&6 Vict. c. 106. and of Acts amending the same, and also 9&10 Vict. c.3., for the Appointment of additional Commissioners, repealed.

IV. 'And whereas by reason of the Transfer to the Commissioners of Public Works in *Ireland* of the 'Duties heretofore discharged by the Commissioners for the Execution of the said recited Acts for the 'Improvement of the Navigation of the River *Shannon*, as well as the various other Duties by the said 'several recited Acts and otherwise imposed upon the said Commissioners of Public Works, it has been 'found

Power to appoint Two additional Commissioners of Public Works.

'found necessary and it is expedient that Two additional Commissioners of Public Works should be 'appointed for the Execution of the said several recited Acts and this Act;' be it therefore enacted, That it shall and may be lawful for the Queen's most Excellent Majesty, by Warrant or Warrants under the Royal Sign Manual, to nominate and appoint, in addition to the said Persons so as aforesaid appointed and now acting as Commissioners of Public Works, Two Persons, who with the said last-mentioned Commissioners shall be the Commissioners of Public Works in *Ireland* as fully and effectually to all Intents and Purposes as the Commissioners of Public Works in *Ireland* were and existed before the passing of this Act, and shall be the Commissioners for the Execution of the said several Acts hereinbefore recited and of this Act, and also of all other Acts for the Execution of which the Commissioners of Public Works in *Ireland* are Commissioners.

Power to remove Commissioners, and appoint others in their Stead.

V. And be it enacted, That it shall and may be lawful for the Queen's most Excellent Majesty to remove either of the said Commissioners so to be appointed, or any of the Commissioners heretofore appointed under the said first-recited Act, and in like Manner to nominate another or others in the Stead of the Person or Persons so removed, or in the Stead of any of the said Commissioners being removed or dying or resigning: Provided however, that there shall not be at any one Time more than Five Persons Commissioners of Public Works in *Ireland* for the Execution of the said severally recited Acts, and all other Acts for the Execution of which the Commissioners of Public Works shall have been appointed or are the Commissioners.

All Acts executed by any Two of the Commissioners valid.

VI. And be it enacted, That all Acts, Matters, and Things which the Commissioners of Public Works are by any of the Provisions of the said recited Acts or any of them, or this Act, required or authorized to do or execute, shall and may be done and executed by any Two of the Commissioners of Public Works for the Time being, and that the Commissioners of Public Works in *Ireland* for the Time being may hereafter be called, known, and described by the Name of "The Commissioners of Public Works in *Ireland*."

So much of recited Act 1 & 2 W. 4. c. 33. as to Payment of Salaries and Allowances repealed.

VII. And be it enacted, That so much of the said recited Act of the First and Second Years of the Reign of His said late Majesty King *William* the Fourth as authorizes the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being to issue and advance, or cause to be issued and advanced, such Sums of Money in such Manner as therein mentioned, out of any of the Public Monies remaining in Her Majesty's Exchequer in *Dublin*, for the Purpose of paying the Salaries and Allowances, and in defraying all other necessary Charges and Expences in or about the Execution of the said Act, be and the same is hereby repealed.

No Obligation or Contract taken or made liable to Stamp Duty.

VIII. And be it enacted, That no Obligation, Contract, Agreement, Assignment, Deed, Conveyance, or other Instrument whatever taken or made to or by the said Commissioners for the Execution of the said Act of the First and Second Years of the Reign of His late Majesty King *William* the Fourth, for the Extension and Promotion of Public Works in *Ireland*, or any of the Acts amending the same, nor any Affidavit, Deposition, Certificate, Order, or Receipt to be respectively taken or made under or by virtue of the said last-mentioned Acts, or any of them, shall be liable to any Stamp Duty whatever, any thing in any Act or Acts in force in *Ireland* to the contrary in anywise notwithstanding.

The Treasury to fix Salaries, &c., to appoint additional Officers, and to make Rules and Regulations for the Commissioners of Public Works.

IX. And be it enacted, That it shall and may be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, from Time to Time to fix and appoint such Salaries as they may think fit for the said Commissioners of Public Works, and also to appoint such additional and other Officers, Clerks, and Servants, and at such Salaries, as the said Commissioners of the Treasury may think proper and necessary, and from Time to Time to dismiss such Officers, Clerks, and Servants, and to appoint others in their Place and Stead, and also to make such Orders, Rules, and Regulations, and from Time to Time to vary and alter the same, as they the said Commissioners of Her Majesty's Treasury may think necessary and proper for the full and effectual Execution of the Provisions of the said recited Acts and this Act, and of the Discharge of the Duties of the Commissioners of Public Works for the Time being thereunder.

Act may be amended, &c.

X. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

CAP. LXXXVII.

An Act for promoting the voluntary Establishment in Boroughs and certain Cities and Towns in *Ireland* of public Baths and Wash-houses. [26th *August* 1846.]

'WHEREAS it is desirable, for the Health, Comfort, and Welfare of the Inhabitants of Cities and 'Towns in *Ireland*, to encourage the Establishment therein of public Baths and Wash-houses, and 'public open Bathing Places;' be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act may be adopted for any incorporated Borough in *Ireland* which is regulated under an Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of Her present Majesty, to provide for the Regulation of Municipal Corporations in *Ireland*, or any Charter granted in pursuance of the said Act, or any Act passed for the Amendment thereof; and also for any City or Town in *Ireland* in which any Commissioners shall have been or shall be elected under an Act of the Ninth Year of the Reign of His late Majesty King *George* the Fourth,

Act may be adopted in any incorporated Borough in Ireland regulated under 3 & 4 Vict. c. 108.; and

Fourth, intituled *An Act to make Provision for the lighting, cleansing, and watching of Cities, Towns Corporate, and Market Towns in* Ireland, *in certain Cases;* and for any City or Town in *Ireland* in which there shall be Commissioners or Trustees, or other Persons appointed for the Time being, under any local or other Act or Acts, for paving, flagging, lighting, watching, cleansing, or improving such Town, or for any of such Purposes, and in which respectively there shall not be a Town Council elected under the Provisions of the said Act of the Third and Fourth Years of the Reign of Her present Majesty. also in any City or Town in which Commissioners have been elected under 9 G. 4. c. 82.

II. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) Interpretation of Act.

"Town" shall include any Borough in which Commissioners, Trustees, or other Persons have been or shall be elected or appointed under the Provisions of the said Act of the Ninth Year of King *George* the Fourth, or any such local or other Act or Acts as aforesaid, for the Purposes of executing the Provisions or Powers of such Act or Acts, or superintending the Execution of the same, and in which there shall not be a Town Council elected under the Provisions of the said Act of the Third and Fourth Years of the Reign of Her present Majesty:

"Town Rate" shall mean the Rate or Rates authorized in each Case to be levied by any such Commissioners, Trustees, or other such Persons as aforesaid, elected or appointed for any City or Town under the Provisions of the said Act of the Ninth Year of King *George* the Fourth, or any such local or other Act or Acts as aforesaid:

"Town Fund" shall mean the Town Fund, or the Rates or Property vested in and under the Control and Direction of any such Town Commissioners for any such City or Town as last aforesaid, applicable to the Purposes of the said Act of the Ninth Year of King *George* the Fourth, or the said Act of the Reign of Her present Majesty, or any of them, or the Rates, Funds, or Property vested in any such Commissioners, Trustees, or other Persons as aforesaid, under any such local or other Act or Acts as aforesaid, and applicable to the Purposes of such local or other Act or Acts:

"Town Commissioners" shall mean the Commissioners for the Time being elected under the Provisions of the said Act of the Ninth Year of the Reign of His late Majesty King *George* the Fourth, for any such City or Town in *Ireland*, or the Commissioners, Trustees, or other such Persons as aforesaid appointed for the Time being under any such local or other Act or Acts as aforesaid for any such City or Town, for paving, flagging, lighting, watching, or cleansing or improving the same, or for any of such Purposes:

"Clerk" shall mean, as regards an incorporated Borough, the Town Clerk of such Borough, and as regards a City or Town in which there shall be Commissioners, Trustees, or other such Persons as aforesaid under the Provisions of the said Act of the Ninth Year of King *George* the Fourth, or any such local or other Act or Acts as aforesaid, the Clerk appointed by the Town Commissioners:

"Justice" shall mean Justice of the Peace for the County, Riding, Division, Liberty, Borough, or Place where the Matter requiring the Cognizance of Justices shall arise:

"Lands" shall mean Lands, Tenements, and Hereditaments, of whatsoever Nature or Tenure:

Words importing the Masculine Gender shall include the Feminine:

Words of the Plural Number shall include the Singular, and Words of the Singular Number shall include the Plural.

III. And be it enacted, That the Council of any such incorporated Borough as aforesaid, or the Town Commissioners for any such City or Town as aforesaid, in which there shall not be a Town Council, may, if they think fit, determine that this Act shall be adopted for such Borough, or for such City or Town as aforesaid; and then and in such Case such of the Provisions of this Act as are applicable in that Behalf shall thenceforth take effect and come into operation in such Borough, or such City or Town, as the Case may be; and this Act shall be carried into execution in such Borough, or in such City or Town, in accordance with such Provisions, and the Laws for the Time being in force relating to the Municipal Corporation of such Borough, or relating to such City or Town, under the Provisions of the said Act of the Ninth Year of His late Majesty King *George* the Fourth, or of such local or other Act or Acts as aforesaid, as the Case may be. Council of any Borough, or Commissioners for any City or Town, may adopt this Act, if they think fit.

IV. And be it enacted, That the Expences of carrying this Act into execution in any such Borough or such City or Town in which the Council or Town Commissioners respectively shall have resolved to adopt this Act for their Borough or City or Town respectively shall be chargeable upon and paid out of the Borough Fund or Town Fund respectively; and for that Purpose the Council or Town Commissioners may levy with and as Part of the Borough Rate or Town Rate respectively, or by a separate Rate to be assessed, levied, paid, and recovered in like Manner and with the like Powers and Remedies in all respects as the Borough Rate or Town Rate, such Sums of Money as shall be from Time to Time necessary for defraying such Expences, and shall apply the same accordingly, as if the Expence of carrying this Act into execution were an Expence necessarily incurred in carrying into effect the Provisions of the said Act of the Third and Fourth Years of the Reign of Her present Majesty, or the said Act of the Ninth Year of His Majesty King *George* the Fourth, or of such local or other Act or Acts as aforesaid, as the Case may be; and the Income arising from the Baths and Wash-houses and open Bathing Places in any Borough or City or Town shall be paid to the Credit of the Borough Fund or Town Fund thereof; and the Council and Town Commissioners respectively shall keep distinct Accounts of their Receipts, Payments, Credits, Expences of carrying this Act into execution shall be charged upon the Borough Fund or Town Fund, and Income arising carried to the same.

and Liabilities, with reference to the Execution of this Act, to be called "The public Baths and Wash-houses Account."

Town Council and Commissioners to cause separate Accounts to be kept.

V. And be it enacted, That when the Town Council of any such Borough as aforesaid, or the Town Commissioners for any such City or Town as aforesaid, shall have adopted this Act for their Borough, City, or Town respectively, they shall cause their Treasurer, or where there shall be no Treasurer such Person as they shall appoint, to keep a true and regular Account of all Sums of Money expended by them in the Purchase of any Land or Buildings for the Purpose of erecting Baths or Wash-houses thereon, or in the Purchase of any Baths now erected, and of all Sums of Money borrowed by them under the Powers of this Act, and of all Expences incurred by them for or on account of the Purposes of this Act; and the said Account shall be examined, balanced, and audited in like Manner and at the same Time as all other Accounts of Receipts and Payments of such Borough, City, or Town respectively are examined, balanced, and audited; and the said Council or Town Commissioners shall, within One Month after the same shall have been examined and balanced or audited, transmit to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being a true and correct Copy of such Account; and the said Council or Town Commissioners shall also within the Time aforesaid cause a Copy of such Account to be deposited in the Office of the Town Clerk, or of such Person as they shall appoint to execute the Duties of Clerk of such Council or Commissioners, within One Month after the same shall have been audited; and the said Account shall be open to the Inspection of all Inhabitants of such Borough, City, or Town, and Copies thereof shall be delivered to any Inhabitant of such Borough, City, or Town applying for the same, upon Payment of a reasonable Charge for the same, to be fixed by the Town Council or Town Commissioners, as the Case shall be.

Accounts, when audited, to be transmitted to Lord Lieutenant, and a Copy deposited with the Town Clerk, &c., and be open to Inspection.

Incorporation of Town Commissioners for the Purposes of this Act.

VI. And for the more easy Execution of the Purposes of this Act, be it enacted, That the Town Commissioners of every such City or Town as aforesaid shall for the Purposes of this Act be a Body Corporate, with perpetual Succession, which shall not be deemed to be interrupted by any partial or total Vacancy from Time to Time in their Office, by the Name of "The Town Commissioners for public Baths and Wash-houses in the Town of ( ) in the County of ( )," and by that Name may sue and be sued in all Courts, and before all Justices and others, and may have and use a Common Seal, and by that Name may take, hold, and convey any Lands vested in them for the Purposes of this Act.

Councils and Town Commissioners may borrow Money for Purposes of this Act.

VII. And be it enacted, That for carrying this Act into execution in any Borough or City or Town respectively the Council or the Town Commissioners, with the Approval of the Commissioners of Her Majesty's Treasury, may from Time to Time borrow at Interest, on the Security, as the Case may be, of the Borough Fund or of the Town Fund, the Money which may be by them respectively required, and shall apply the Monies so borrowed accordingly.

The Public Works Loan Commissioners acting under 6 & 7 Vict. c. 44. may grant Loans on Security.

VIII. And be it enacted, That the Commissioners acting in the Execution of an Act passed in the Seventh Year of the Reign of Her Majesty, intituled *An Act to amend the Acts for carrying on Public Works in* Ireland, may from Time to Time make to the Council of any such Borough, or the Town Commissioners of any such City, Borough, or Town respectively, for the Purposes of this Act, any Loan under the Provisions of the said Act, or of any Act in force therein recited, upon the Security of a Mortgage of the Borough Fund or the Town Fund, as the Case may be.

Provisions of 8 & 9 Vict. c. 16. respecting borrowing Money, Accountability of Officers, Bye Laws, Damages, and Penalties, incorporated with this Act.

IX. And be it enacted, That the Provisions of the Companies Clauses Consolidation Act, 1845, with respect to the borrowing of Money by any Company on Mortgage, and the Provisions of the same Act with respect to the Accountability of the Officers of the Company, and the Provisions of the same Act with respect to the making of Bye Laws, subject to the Provision herein-after contained, and the Provisions of the same Act with respect to the Recovery of Damages not specially provided for, and Penalties, so far as such Provisions may respectively be applicable to the Purposes of this Act, shall be respectively incorporated with this Act; and the Expressions in such Provisions applicable to the Company and the Directors shall apply, as regards a Borough, to the Council, and as regards any such City or Town as aforesaid, to the Town Commissioners; and all Deeds and Writings which under such Provisions are required or directed to be made or executed under the Common Seal of the Company shall, in the Application of such Provisions to this Act, be deemed to be required or directed to be made or executed, as regards a Borough, under the Common Seal of the Mayor, Aldermen, and Burgesses, and as regards any such City or Town as aforesaid under the Common Seal of the Town Commissioners for public Baths and Wash-houses; and so much of such Provisions as are applicable to the "Secretary of the Company" shall apply to the Clerk; and in such of the said Provisions as relate to the Inspection of Accounts, as regards a Borough, the Burgesses, and as regards any such City or Town as aforesaid, the Persons in each Case qualified to vote at the Election of the respective Town Commissioners, shall have the Privileges of Shareholders.

Councils, &c. with Approval of Treasury, may purchase, &c. Lands for the Purposes of this Act.

X. And be it enacted, That in any such Borough the Council, or in any such City or Town the Town Commissioners, (as the Case may be,) with the Approval of the Commissioners of Her Majesty's Treasury, may from Time to Time appropriate for the Purposes of this Act in the Borough or such City or Town any Lands vested in the Mayor, Aldermen, and Burgesses, or the Town Commissioners respectively; and in any such Borough the Council, and in any such City or Town as aforesaid the Town Commissioners, may from Time to Time contract for the purchasing or renting of any Lands necessary for the Purposes of this Act.

Councils and Town Commissioners may

XI. And be it enacted, That the Council and Town Commissioners respectively may from Time to Time, on any Lands so appropriated, purchased, or rented, or contracted so to be respectively, erect any

any Buildings suitable for public Baths and Wash-houses, and as to such Wash-houses either with or without open drying Grounds, and make any open Bathing Places, and convert any Buildings into public Baths and Wash-houses, and may from Time to Time alter, enlarge, repair, and improve the same respectively, and fit up, furnish, and supply the same respectively with all requisite Furniture, Fittings, and Conveniences.

erect Buildings for public Baths and Wash-houses and open Bathing Places.

XII. And be it enacted, That the Council and Town Commissioners respectively may from Time to Time enter into any Contract with any Persons or Companies for building and making, and for altering, enlarging, repairing, and improving, such public Baths and Wash-houses, and public open Bathing Places, and for supplying the same respectively with Water, and for lighting the same respectively, and for fitting up the same respectively, and for furnishing any Materials and Things, and for executing and doing any other Works and Things necessary for the Purposes of this Act; which Contracts respectively shall specify the several Works and Things to be executed, furnished, and done, and the Prices to be paid for the same, and the Times when the Works and Things are to be executed, furnished, and done, and the Penalties to be suffered in Cases of Nonperformance; and all such Contracts, or true Copies thereof, shall be entered in Books to be kept for that Purpose: Provided always, that no Contract above the Value or Sum of One hundred Pounds shall be entered into by the Council or the Town Commissioners for the Purposes of this Act, unless previous to the making thereof Fourteen Days Notice shall be given in One or more of the public Newspapers published in the County in which the Borough or such City or Town shall be situated, expressing the Intention of entering into such Contract, in order that any Person willing to undertake the same may make Proposals for that Purpose, to be offered to the Council or Town Commissioners at a certain Time and Place in such Notice to be mentioned; but it shall not be incumbent on the Council or Town Commissioners to contract with the Person offering the lowest Price.

Councils and Town Commissioners may enter into Contracts for the Purposes of this Act.

No Contract above 100*l.* to be entered into unless Fourteen Days Notice has been given.

XIII. And be it enacted, That the Council of any such Borough and the Town Commissioners respectively, as the Case may be, may, if they shall think fit, contract for the Purchase or Lease of any Baths and Wash-houses already or hereafter to be built and provided in any such Borough or such City or Town as aforesaid, and appropriate the same to the Purposes of this Act, with such Additions or Alterations as they shall respectively deem necessary; and the Trustees of any public Baths and Wash-houses which have been already or may hereafter be built or provided in any such Borough or such City or Town, by private Subscriptions or otherwise, may, with the Consent of the Council of any such Borough, or with the Consent of the Town Commissioners, as the Case may be, and with the Consent of a Majority of the Committee or other Persons by whom they were appointed Trustees, sell or lease the said Baths and Wash-houses to the said Council or Town Commissioners respectively, or make over to them the Management of such Baths and Wash-houses; and in all such Cases the Baths and Wash-houses so purchased or leased, or of which the Management has been so made over, shall be deemed to be within the Provisions of this Act, as fully as if they had been built or provided by the said Council or Town Commissioners; and the Property therein shall be vested in the Mayor, Aldermen, and Burgesses, in the Case of a Borough, or in the Town Commissioners in the Case of any such City or Town as aforesaid, as herein-before provided.

Council or Town Commissioners may purchase existing Baths, &c. if they think fit.

XIV. And be it enacted, That any Commissioners of Waterworks, Trustees of Waterworks, Water Companies, Canal Companies, Gas Companies, and other Corporations, Bodies, and Persons having the Management of any Waterworks, Canals, Reservoirs, Wells, Springs, and Streams of Water, and Gas Works respectively, may, in their Discretion, grant and furnish Supplies of Water for such public Baths and Wash-houses and open Bathing Places, either without Charge or on such other favourable Terms as they shall think fit.

Power to Water and Gas Companies to supply Water and Gas to Baths, &c.

XV. And be it enacted, That nothing in this Act contained shall render any Member of the Council of any Borough or any Town Commissioner personally, or any of their Lands, Goods, Chattels, or Monies, (other than such Lands, Goods, Chattels, or Monies as may be vested in or under the Management or Control of the Council or Town Commissioners respectively in pursuance of this Act,) liable to the Payment of any Sum of Money as or by way of Compensation or Satisfaction for or in respect of any thing done or suffered in due pursuance of this Act.

Councillors and Town Commissioners not to be personally liable.

XVI. And be it enacted, That every Person who shall feel aggrieved by any Bye Law, Order, Direction, or Appointment of or by the Council or Town Commissioners shall have the like Power of Appeal to the General Quarter Sessions as, under the Provisions of the Companies Clauses Consolidation Act, 1845, incorporated with this Act, he might have if feeling aggrieved by any Determination of any Justice with respect to any Penalty.

Persons may appeal against Orders of Councils and Town Commissioners.

XVII. And be it enacted, That the Council or Town Commissioners respectively, with the Approval of the Commissioners of Her Majesty's Treasury, may from Time to Time make Sale and dispose of any Lands vested in the Mayor, Aldermen, and Burgesses, or in the Town Commissioners respectively, for the Purposes of this Act, and apply the Proceeds in or toward the Purchase of other Lands better adapted for such Purposes, and may, with the like Approval, exchange any Lands so vested, and either with or without paying or receiving any Money for Equality of Exchange, for any other Lands better adapted for such Purposes; and the Mayor, Aldermen, and Burgesses, or the Town Commissioners, may convey the Lands so sold or exchanged accordingly.

Council or Commissioners may make Sale and Exchange of Lands, with Consent of Treasury.

XVIII. And be it enacted, That whenever any public Baths or Wash-houses or open Bathing Places which shall have been for Seven Years or upwards established under the Authority of this Act shall be determined by the Council or by the Town Commissioners respectively to be unnecessary, or too expensive to

When Baths, &c. are considered unnecessary, they

may, with Approval of Treasury, be sold, and Proceeds carried to Borough or Town Fund.

to be kept up, the Council or Town Commissioners, with the Approval of the Commissioners of Her Majesty's Treasury, may sell the same for the best Price that can reasonably be obtained for the same; and the Mayor, Aldermen, and Burgesses, or the Town Commissioners respectively, shall convey the same accordingly; and the Purchase Money shall be paid to such Person as the Council or Town Commissioners shall appoint, and his Receipt shall be a sufficient Discharge for the same; and the net Proceeds of such Sale shall be paid to the Credit of the Borough Fund or of the Town Fund, as the Case may be.

Management to be vested in Councils and Town Commissioners.

XIX. And be it enacted, That the general Management, Regulation, and Control of the public Baths and Wash-houses and open Bathing Places established under this Act shall, subject to the Provisions of this Act, be, as to any Borough, vested in and exercised by the Council, and as to any such City or Town as aforesaid vested in and exercised by the Town Commissioners.

Council and Commissioners may make Bye Laws for regulating the Use of Baths and Wash-houses, &c., and Charges thereat.

XX. And be it enacted, That the Bye Laws which the Council and Town Commissioners respectively may from Time to Time make, alter, repeal, and enforce, shall include such Bye Laws for the Management, Use, and Regulation of the public Baths and Wash-houses and open Bathing Places, and of the Persons resorting thereto respectively, and for determining from Time to Time the Charges for the Use of such Baths and Wash-houses and open Bathing Places respectively, as the Council and Town Commissioners respectively shall think fit; and they respectively may appoint any Penalty not exceeding Five Pounds for any and every Breach, whether by their Officers or Servants or by other Persons, of any Bye Law made by them respectively; and such Bye Laws shall make sufficient Provision for the several Purposes respectively expressed in the Schedule (A.) to this Act: Provided always, that no Bye Law made under the Authority of this Act shall have any Effect until the same shall have received the Approval of One of Her Majesty's Principal Secretaries of State.

Bye Laws to be approved by the Secretary of State.

Copies or Abstracts of Bye Laws to be hung up in every Bath Room, &c.

XXI. And be it enacted, That a printed Copy or sufficient Abstract of the Bye Laws relating to the Use of the Baths and open Bathing Places respectively shall be put up in every Bath Room and open Bathing Place respectively; and a printed Copy or sufficient Abstract of the Bye Laws relating to the Use of the Wash-houses shall be put up in some convenient Place near every Washing Tub or Trough, or every Pair of Washing Tubs or Troughs, in every Wash-house.

Proportion of Baths for the labouring Classes.

XXII. And be it enacted, That the Number of Baths for the labouring Classes in any Building or Buildings under the Management of the same Council or Town Commissioners shall not be less than Twice the Number of the Baths of any higher Class, if but One, or of all the Baths of any higher Classes, if more than One, in the same Building or Buildings.

Charges to be fixed by Councils and Town Commissioners, not exceeding those in Schedule (B.)

XXIII. And be it enacted, That the Council and the Town Commissioners respectively may from Time to Time make such reasonable Charges for the Use of the Baths and Wash-houses and open Bathing Places respectively provided under this Act as they shall think fit, but not exceeding such Charges as are mentioned in the Schedule (B.) annexed to this Act, unless for the Use of any Washing Tub or Trough for more than Two Hours in any One Day, for which any Charges may be made which the Council or Town Commissioners respectively shall deem reasonable.

As to the Recovery of Charges at Wash-houses.

XXIV. And be it enacted, That for the Recovery of the Charges at such Wash-houses the Officers, Servants, and others having the Management thereof may detain the Clothes brought to be washed, or other Goods and Chattels of any Person refusing to pay the Charge to which such Person may be liable, or any Part thereof, till full Payment thereof be made, and, in case such Payment be not made within Seven Days, may sell such Clothes, Goods, and Chattels, or any of them, returning the surplus Proceeds of such Sale, after deducting the unpaid Charge, and the Expences of such Detention and Sale, and the unsold Articles, if any, on demand, to such Person.

Penalty for Officers taking Fees beyond Salaries, or being interested in Contracts;

XXV. And be it enacted, That if any Clerk or other Officer, or any Servant who shall be in anywise employed by any Council or Town Commissioners in pursuance of this Act, shall exact or accept any Fee or Reward whatsoever, for or on account of any thing done or forborne or to be done or forborne in pursuance of this Act, or on any Account whatsoever relative to putting this Act into execution, other than such Salaries, Wages, or Allowances as shall have been appointed by the Council or Town Commissioners, or shall in anywise be concerned or interested in any Bargain or Contract made by the Council or Town Commissioners for or on account of anything done or forborne or to be done or forborne in pursuance of this Act, or on any Account whatsoever relative to the putting of this Act into execution, or if any Person during the Time he holds the Office of Member of the Council or Town Commissioner shall exact or accept any such Fee or Reward, or shall accept or hold any Office or Place of Trust created by virtue of this Act, or be concerned directly or indirectly in any such Bargain or Contract, every such Person so offending shall be incapable of ever serving or being employed under this Act, and shall for every such Offence also forfeit the Sum of Fifty Pounds.

also for Councillors and Commissioners taking Fees, or being interested in Contracts.

Application of Penalties.

XXVI. And be it enacted, That such Part of any Penalty recovered under this Act as shall not be awarded to the Informer shall be paid to the Credit, as regards a Borough, of the Borough Fund, and as regards any such City or Town as aforesaid, of the Town Fund.

Act may be amended, &c.

XXVII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

SCHE-

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Bye Laws to be made in all Cases.

For securing that the Baths and Wash-houses and open Bathing Places shall be under the due Management and Control of the Officers, Servants, or others appointed or employed in that Behalf by the Council or Town Commissioners.

For securing adequate Privacy to Persons using the Baths and Wash-houses and open Bathing Places, and Security against Accidents to Persons using the open Bathing Places.

For securing that Men, and Boys above Eight Years old, shall bathe separately from Women and Girls and Children under Eight Years old.

For preventing Damage, Disturbance, Interruption, and indecent and offensive Language and Behaviour, and Nuisances.

For determining the Duties of the Officers, Servants, and others appointed by the Council or Town Commissioners.

SCHEDULE (B.)

Maximum Charges during the first Seven Years after the Establishments are opened for public Use; and after such Seven Years, except only so long after such Seven Years as higher Charges may be necessary for defraying the current Expences of the Establishments.

Baths for the labouring Classes, supplied with clean Water for every Bather, or for several Children bathing together:

For One Person above Eight Years old, including the Use of One clean Towel:

Cold Bath	One Penny.
Warm Bath	Two-pence.

For several Children, not exceeding Four, including the Use of One clean Towel for every Child:

Cold Bath	Two-pence.
Warm Bath	Four-pence.

Wash-houses for the labouring Classes, supplied with Conveniences for washing and drying Clothes and other Articles:

For the Use by One Person of One Washing Tub or Trough, or One Pair of Washing Tubs or Troughs:

For One Hour only in any One Day	One Penny.
For Two consecutive Hours only in any One Day	Three-pence.

Such Charges to include the Use of the drying Apparatus for drying all the Articles washed. The Time occupied in drying not to be included in the Hour or Two Hours. A Fraction of an Hour exceeding Five Minutes to be reckoned One Hour.

Open Bathing Places, where several Persons bathe in the same Water:

For One Person	One Halfpenny.

CAP. LXXXVIII.

An Act to remove Doubts as to the Legality of certain Assignments of Ecclesiastical Patronage. [26th *August* 1846.]

'WHEREAS by an Act passed in the Fourth Year of the Reign of Her Majesty, intituled *An Act to carry into effect, with certain Modifications, the Fourth Report of the Commissioners of Ecclesiastical Duties and Revenues*, it is enacted, "that it shall not be lawful for any Spiritual Person to sell or assign any Patronage or Presentation belonging to him by virtue of any Dignity or Spiritual Office held by him, and that every such Sale or Assignment shall be null and void to all Intents and Purposes;" and Doubts have been entertained whether or not certain Agreements and Proceedings authorized under the several Acts for the Augmentation of the Maintenance of the Poor Clergy, or under the Church Building Acts, are to be deemed Sales or Assignments prohibited by the first-recited Act; and it is expedient that such Doubts be removed:' Be it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Agreement or other Proceeding touching any Advowson or Patronage, or Right of Presentation or Nomination of any Spiritual Person to any Cure or Benefice, Donative, or Perpetual Curacy, or to serve any Church or Chapel authorized by an Act passed in the First Year of the Reign of King *George* the First, intituled *An Act for making more effectual Her late Majesty's gracious Intentions for augmenting the Maintenance of the Poor Clergy*, or by any Act passed for the Amendment thereof, or by an Act passed in the last Session of Parliament, intituled *An Act for the further Amendment of the Church Building Acts*, or by any Act recited therein, is or shall be deemed a Sale or Assignment such as is prohibited by the first-recited Act; but that every such Agreement or Proceeding already or hereafter to be duly made

3 & 4 Vict. c. 113.

Proceedings under the Augmentation Acts and Church Building Acts to be deemed lawful.

1 G. 1. st. 2. c. 10.

8 & 9 Vict. c. 70.

made and taken under the Provisions of any of the said Acts is and shall be deemed to have been from the Time of the making thereof as good in Law to all Intents and Purposes as if the first-recited Act had not been passed.

Act may be amended, &c.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. LXXXIX.

An Act to continue certain Acts for regulating Turnpike Roads in *Ireland* until the Thirty-first Day of *July* One thousand eight hundred and forty-seven, and to the End of the then Session of Parliament. [26th *August* 1846.]

'WHEREAS certain Acts for making, amending, and repairing the Turnpike Roads in *Ireland* were by an Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of Her present Majesty, amended and continued for a Time therein limited: And whereas, under the Provisions of Four Acts, passed respectively in the Sessions of Parliament holden in the Fifth, and in the Fifth and Sixth, and in the Sixth and Seventh, and in the Seventh and Eighth Years of Her Majesty's Reign, the said Acts, except as therein mentioned, were further continued for a Time therein limited: And whereas, under the Provisions of an Act of the last Session of Parliament, the said Acts are further continued, and will remain in force, until the Thirty-first Day of *July* in the present Year, or if Parliament be then sitting, until the End of the then Session of Parliament: And whereas it is expedient that the several Acts for making, amending, or repairing Turnpike Roads in *Ireland* should be further continued:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That any Act for making, amending, or repairing any Turnpike Road or Roads in *Ireland* which will expire on the said Thirty-first Day of *July* in the present Year, or at or before the End of the present or next ensuing Session of Parliament, shall be and the same is hereby continued as amended by the said recited Act of the Fourth and Fifth Years of Her Majesty's Reign, until the Thirty-first Day of *July* One thousand eight hundred and forty-seven, or if Parliament be then sitting, until the End of the then Session of Parliament.

Expiring Acts for making or repairing Turnpike Roads in Ireland further continued.

Cork and Tralee Turnpike Act, 52 G. 3. c. 138., not continued by this Act, except, &c.

II. Provided always, and be it enacted, That nothing herein contained shall apply or extend to continue an Act passed in the Fifty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for maintaining the Road leading from the City of* Cork *to the Town of* Tralee *in the County of* Kerry, except so far as the said Act repeals any former Act.

CAP. XC.

An Act to prevent the Use of Stills by unlicensed Persons. [26th *August* 1846.]

6 G. 4. c. 81.

'WHEREAS by an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to repeal several Duties payable on Excise Licences in* Great Britain *and* Ireland, *and to impose other Duties in lieu thereof, and to amend the Laws for granting Excise Licences*, a Licence Duty of Ten Shillings is imposed upon every Person in *Scotland* or *Ireland*, not being a Distiller, Rectifier, or Compounder of Spirits, who shall keep or use any Still for carrying on the Trade of a Chemist, or any other Trade or Business requiring the Use of any Still or Stills: And whereas it is expedient to impose One uniform Duty for the United Kingdom:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, in and throughout the United Kingdom of *Great Britain* and *Ireland*, the Duty of Excise following; (that is to say,)

An Excise Duty of 10*s.* to be paid by every Person taking out a Licence for keeping a Still or Retort.

For every Excise Licence to be taken out by every Person, not being a licensed Distiller, Rectifier, or Compounder of Spirits, or Vinegar Maker, who keeps or uses any Still or Retort, the Sum of Ten Shillings:

Licence to be renewed, and the Sum of 10*s.* to be paid annually.

II. And be it enacted, That every such Licence shall be renewed yearly, and the said Sum of Ten Shillings shall be yearly paid, by every Person keeping or using any Still or Retort, so long as any Still or Retort is kept or used as aforesaid; and every such Licence shall be in force until the Fifth Day of *July* in each Year, and shall then expire; and if any Person keeps or uses any Still or Retort without taking out such Licence as by this Act required, or without renewing the same as aforesaid, every Person so offending shall forfeit the Sum of Fifty Pounds; and all Provisions, Clauses, Matters, and Things contained in the said recited Act of the Sixth Year of King *George* the Fourth shall be applied to this Act, and to the several Provisions, Clauses, Matters, and Things in this Act contained, as fully and effectually as if the same had been repeated and re-enacted in the Body of this Act.

Duty to be under the Management of the Commissioners of Excise.

III. And be it enacted, That the Duty by this Act imposed shall be under the Management of the Commissioners of Excise for the Time being, and shall be raised, levied, collected, recovered, paid over, and accounted for in such and the like Manner, and in or by any of the general or special Ways, Means, or Methods by which any other Duties of Excise are or may be raised, levied, collected, recovered, paid over,

over, and accounted for; and all such Licences respectively shall be in such Form as the Commissioners of Excise direct, and shall be granted by the said Commissioners, or their Officers duly authorized to grant Licences under any Law or Laws of Excise.

Stills, &c. found in the Possession of unlicensed Persons to be forfeited.

IV. And be it enacted, That every Still, or Still Head, or Worm of a Still, shall be forfeited which is found in the Custody or Possession of any Person not being a Person known as a regular Maker of Stills, and if in *Scotland* or *Ireland* being a Person licensed in that respect, and such Still, Still Head, or Worm being gauged or marked as there by Law required, and if in *Ireland* being accompanied by Permit on Removal thereof, and such Person not being a licensed Distiller, Rectifier, or Compounder of Spirits, or Vinegar Maker, or a Person licensed to keep and use such Still under this Act: Provided always, that the Commissioners of Excise may permit the keeping and using of any Still or Stills for Experiments in Chemistry, under such Regulations as they think fit; provided also, that the Commissioners of Excise may permit the keeping and using of any Still or Stills by Persons carrying on Trade or otherwise, for the Manufacture of any Articles other than Spirits or Spirit Mixtures, upon every Person who has a Still giving Notice thereof to the nearest Officer of Excise, and conforming to such Regulations as the Commissioners of Excise think fit to direct before beginning to use any Still as last aforesaid.

Commissioners may permit the Use of Stills for Experiments, and by Traders or others, &c. upon giving Notice.

CAP. XCI.

An Act to continue certain Patent Commissions until the Exhibition of the Commissions revoking them. [26th *August* 1846.]

'WHEREAS sundry Persons have been and are in the Exercise of judicial and other Offices and 'Employments within Her Majesty's Colonies and Possessions beyond the Seas, under and by 'virtue of Letters Patent under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, 'determinable at the Pleasure of Her Majesty: And whereas by Law such Offices and Employments 'cease and determine immediately upon the Revocation of such Letters Patent, or the Issue of new 'Letters Patent for the Grant of the same Offices and Employments respectively: And whereas, by 'reason of the Remoteness of divers of such Colonies and Possessions, it hath been found necessary that 'the Judges and others holding and exercising such Offices and Employments under such Letters Patent 'as aforesaid should continue in the Exercise of the Powers and Authorities thereby vested in them 'after the Revocation thereof or the Issue of such new Letters Patent, and until such Revocation or 'Issue of such new Letters Patent should be signified and made known within the said Colonies and 'Possessions, in the same Manner as if the same had not determined:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Powers and Authorities which at any Time before the passing of this Act shall have been vested, or which shall hereafter become vested, in any Person exercising or who shall have exercised any Office or Employment during Her Majesty's Pleasure, within Her Majesty's Colonies and Possessions beyond the Seas, by virtue of any Letters Patent under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, shall be deemed to have continued and to continue in full force and virtue until new Letters Patent under the Great Seal aforesaid shall have been granted for the Revocation of such Letters Patent or the Grant of such Office or Employment, and until the Grant of such new Letters Patent shall have been signified and made known within the Colony or Possession of Her Majesty beyond the Seas to which the same relates, so that the same, if granted after the passing of this Act, be so signified and made known within the said Colony or Possession within Six Calendar Months after the Grant thereof, unless such Colony or Possession be to the Eastward of *Bengal* in the *East Indies*, or to the Westward of *Cape Horn* in *South America*, and in such Case within Nine Calendar Months, and that all Things which shall have been done in the meantime shall be as good and as effectual in Law, and the several Persons exercising or who shall have exercised the said Offices and Employments shall be deemed to have continued and to continue in the meantime entitled to all the Privileges and Emoluments of the same, as fully as if such Letters Patent had not been vacated or made void.

All Powers, &c. vested in Persons acting by virtue of Letters Patent in the Colonies continued till Grant of new Letters Patent shall have been made known in the Colonies to which they relate.

CAP. XCII.

An Act to provide for the Preparation, Audit, and Presentation to Parliament of annual Accounts of the Receipt and Expenditure of the Naval and Military Departments. [26th *August* 1846.]

'WHEREAS by an Act passed in the Second Year of the Reign of His late Majesty King *William* the 'Fourth, intituled *An Act to amend the Laws relating to the Business of the Civil Departments of* 2 & 3 W.4. c.40. '*the Navy, and to make other Regulations for more effectually carrying on the Duties of the said Depart-* '*ments*, Provision was made for the making up, and the laying before Parliament, of an annual Account 'of Naval Receipt and Expenditure, examined and certified by the Commissioners for auditing the 'Public Accounts: And whereas it is expedient to amend the Provisions of the said Act, and to provide 'for the Preparation, Audit, and Presentation to Parliament of Accounts of the Appropriation of the 'Monies annually granted for the Naval and Military Services:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons,

So much of recited Act as

relates to Account of Naval Receipt, &c. repealed. Proviso.

Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said recited Act as relates to the Account of Naval Receipt and Expenditure shall be repealed: Provided always, that nothing in this Act contained shall be construed to affect the Preparation, and the laying before Parliament, of the said Account for the Year ended the Thirty-first Day of *March* One thousand eight hundred and forty-six, in accordance with the Provisions of the before-recited Act.

Accounts of Receipt, &c. for Navy, Army, Commissariat, and Ordnance Services to be annually audited by Commissioners for auditing Public Accounts, and transmitted to the Treasury. If Errors discovered, Accounts to be returned to the respective Offices for Correction.

II. And be it enacted, That on or before the Thirtieth Day of *November* in each Year an Account of the Receipt and Expenditure of the Sums granted for Naval Services for the Year ended on the Thirty-first Day of *March* preceding, and on or before the Thirtieth Day of *April* in each Year similar Accounts of the Receipt and Expenditure of the Sums granted for Army, Commissariat, and Ordnance Services for the Year ended on the Thirty-first Day of *March* of the preceding Year, classed under the several Heads of Service as expressed in the Appropriation Act or Acts for the Year, shall be transmitted by each Department charged with the Preparation of the said Accounts to the Commissioners for auditing the Public Accounts, who shall examine the said Accounts, and certify thereon as to the Correctness of the Sums therein charged, as compared with the Books and Vouchers of the several Departments; and the said Commissioners are hereby required to transmit Copies of the said Accounts, so examined and certified, to the Commissioners of Her Majesty's Treasury: Provided always, that if the Commissioners for auditing the Public Accounts shall discover any Inaccuracies in the said Accounts of Receipt and Expenditure, they shall, if required so to do by the Commissioners of Her Majesty's Treasury, return the said Accounts, accompanied by Statements of the Errors discovered therein, to the respective Departments concerned, for Correction; and amended Accounts shall be prepared, and sent to the Commissioners of Audit, by the said Departments, in lieu of the Accounts returned for Correction; and the said Commissioners shall transmit Copies of such amended Accounts, examined and certified as aforesaid, to the Commissioners of Her Majesty's Treasury.

No Imprests to be charged in said Accounts.

III. And be it enacted, That no Sum shall be charged in the said Accounts which may be of the Nature of an Imprest or Advance of the Expenditure or Application of which an Account is to be subsequently rendered.

Commissioners of Audit to have Access to Books, Orders, and Papers.

IV. And be it enacted, That the Commissioners for auditing the Public Accounts shall be allowed Access to all Books, Orders, and other Papers to which they may desire to make reference in the Progress of their Examination of the Account Books and Vouchers of the several Departments intrusted with the detailed Application of the Sums granted for Navy, Army, Commissariat, and Ordnance Services.

Objections made to Items of Account from Time to Time, when not satisfactorily answered, to be referred by Commissioners of Audit to the Treasury.

V. And be it enacted, That if during the Progress of the Examination by the Audit Office of the Books and Vouchers of the said Departments any Objections shall arise to any Item to be introduced into the Accounts of Receipt and Expenditure to be transmitted to the Commissioners of Audit as aforesaid, such Objections shall, notwithstanding the said Accounts shall not have been so transmitted, be immediately communicated by the said Commissioners to the Departments to which they may relate, and if the same shall not be answered to the Satisfaction of the Commissioners of Audit by the Officers in the said Departments to whom such Objections shall be addressed, the same shall be referred by the said Commissioners of Audit to the Commissioners of Her Majesty's Treasury, who shall determine in what Manner the Item or Items objected to shall be presented to Parliament.

Auditors to append to each Account a Report, to be transmitted to the Treasury.

VI. And be it enacted, That the Commissioners for auditing the Public Accounts shall append to each Account to be transmitted to the Commissioners of Her Majesty's Treasury as aforesaid a Report in which they shall recapitulate the several Heads of the Account under which the Sums expended shall have exceeded the Sums voted, giving under each Head the Explanations with which they may have been furnished of the Causes of Excess, and certifying that such Excesses have been sanctioned by the Commissioners of Her Majesty's Treasury, according to the Provisions of the annual Appropriation Act; and the said Commissioners of Audit shall moreover advert in their Report to any Items in respect of which, although admitted under the Provisions of this Act, their Objections shall remain unsatisfied.

Accounts, and Auditors Reports thereon, to be laid before the House of Commons by the Treasury.

VII. And be it enacted, That the Accounts of Receipt and Expenditure, together with the Reports of the Commissioners of Audit thereon, transmitted to the Commissioners of Her Majesty's Treasury as aforesaid, shall be laid before the House of Commons by the said Commissioners of Her Majesty's Treasury on the Days after mentioned, if Parliament be then sitting, or if not, then in each Case within One Week after Parliament shall be next assembled; (*videlicet*,) the Naval Account of Receipt and Expenditure on or before the Thirty-first Day of *January* next following the Thirtieth Day of *November* herein-before mentioned, and the Army, Commissariat, and Ordnance Accounts of Receipt and Expenditure on or before the First Day of *June* next following the Thirtieth Day of *April* herein-before mentioned.

Commencement of Act.

VIII. And be it enacted, That this Act shall commence and take effect as to the Accounts to be rendered of the Application of the Grants for Naval and Military Services for the Year ending on the Thirty-first Day of *March* One thousand eight hundred and forty-seven.

CAP. XCIII.

An Act for compensating the Families of Persons killed by Accidents. [26th *August* 1846.]

'WHEREAS no Action at Law is now maintainable against a Person who by his wrongful Act, Neglect, or Default may have caused the Death of another Person, and it is oftentimes right and expedient that the Wrongdoer in such Case should be answerable in Damages for the Injury so caused by him:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whensoever the Death of a Person shall be caused by wrongful Act, Neglect, or Default, and the Act, Neglect, or Default is such as would (if Death had not ensued) have entitled the Party injured to maintain an Action and recover Damages in respect thereof, then and in every such Case the Person who would have been liable if Death had not ensued shall be liable to an Action for Damages, notwithstanding the Death of the Person injured, and although the Death shall have been caused under such Circumstances as amount in Law to Felony. An Action to be maintainable against any Person causing Death through Neglect, &c., notwithstanding Death of Person injured.

II. And be it enacted, That every such Action shall be for the Benefit of the Wife, Husband, Parent, and Child of the Person whose Death shall have been so caused, and shall be brought by and in the Name of the Executor or Administrator of the Person deceased; and in every such Action the Jury may give such Damages as they may think proportioned to the Injury resulting from such Death to the Parties respectively for whom and for whose Benefit such Action shall be brought; and the Amount so recovered, after deducting the Costs not recovered from the Defendant, shall be divided amongst the beforementioned Parties in such Shares as the Jury by their Verdict shall find and direct. For whose Benefit Action shall be, and by whom to be brought.

III. Provided always, and be it enacted, That not more than One Action shall lie for and in respect of the same Subject Matter of Complaint, and that every such Action shall be commenced within Twelve Calendar Months after the Death of such deceased Person. Only One Action to lie, and Time of Commencement.

IV. And be it enacted, That in every such Action the Plaintiff on the Record shall be required, together with the Declaration, to deliver to the Defendant or his Attorney a full Particular of the Person or Persons for whom and on whose Behalf such Action shall be brought, and of the Nature of the Claim in respect of which Damages shall be sought to be recovered. Plaintiff to deliver a full Particular of the Person, &c.

V. And be it enacted, That the following Words and Expressions are intended to have the Meanings hereby assigned to them respectively, so far as such Meanings are not excluded by the Context or by the Nature of the Subject Matter; that is to say, Words denoting the Singular Number are to be understood to apply also to a Plurality of Persons or Things; and Words denoting the Masculine Gender are to be understood to apply also to Persons of the Feminine Gender; and the Word "Person" shall apply to Bodies Politic and Corporate; and the Word "Parent" shall include Father and Mother, and Grandfather and Grandmother, and Stepfather and Stepmother; and the Word "Child" shall include Son and Daughter, and Grandson and Granddaughter, and Stepson and Stepdaughter. Construction of Act.

VI. And be it enacted, That this Act shall come into operation from and immediately after the passing thereof, and that nothing therein contained shall apply to that Part of the United Kingdom called *Scotland*. Operation and Extent of Act.

VII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

CAP. XCIV.

An Act to enable the Legislatures of certain *British* Possessions to reduce or repeal certain Duties of Customs. [28th *August* 1846.]

'WHEREAS by an Act passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to regulate the Trade of the* British *Possessions abroad*, certain Duties of Customs set forth in a certain Table in the said Act contained are imposed upon the Importation into any of the *British* Possessions in *America*, or into the Island of *Mauritius*, of the several Articles therein mentioned, not being the Growth, Produce, or Manufacture of the United Kingdom, or of the *British* Possessions therein enumerated, and a certain Duty of Ten Pounds for every One hundred Pounds of the Value thereof is imposed upon the Importation thereinto of certain Sugar refined in Bond in the United Kingdom: And whereas by the said Act it is enacted, that all Laws, Bye Laws, Usages, or Customs which shall be in practice, or endeavoured or pretended to be in force or practice, in any of the *British* Possessions in *America*, which are in anywise repugnant to the said Act, or to any Act of Parliament made or to be made in the United Kingdom, so far as such Act shall relate to and mention the said Possessions, are and shall be null and void to all Intents and Purposes whatsoever: And whereas it is expedient to enable the Legislatures or other proper legislative Authorities in the said *British* Possessions, with the Assent of Her Majesty in Council, to reduce or repeal all or any of such Duties of Customs as aforesaid, so far as the same may be in force in such Possessions respectively:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if and whenever the Legislature or other proper legislative Authority of any of the said *British* Possessions in *America* or the *Mauritius* 8 & 9 Vict. c. 93. Colonial Legislatures may reduce or repeal

all or any of the Duties of Customs imposed by 8 & 9 Vict. c. 93.

make or pass any Act or Ordinance, Acts or Ordinances, reducing or repealing all or any of the said Duties of Customs so imposed as aforesaid by the said recited Act upon any Articles imported into such Possession, and if Her Majesty, by and with the Advice of Her Privy Council, assent to such Act or Ordinance, Acts or Ordinances, such Duties of Customs shall, upon the Proclamation of such Assent in the Colony, or at any Time thereafter which may be fixed by such Act or Ordinance, be so reduced or repealed in such Possession as if such Reduction or Repeal had been effected by an Act or Acts of the Imperial Legislature, any thing in any Act to the contrary thereof notwithstanding.

All Acts and Ordinances to be laid before Parliament.

II. And be it enacted, That all such Acts and Ordinances shall be laid before both Houses of Parliament by One of Her Majesty's Principal Secretaries of State, within Thirty Days after Her Majesty shall have assented thereunto, if Parliament be then sitting, or if not, then within Thirty Days after the next Meeting of Parliament.

CAP. XCV.

An Act for the more easy Recovery of Small Debts and Demands in *England*.

[28th *August* 1846.]

'WHEREAS sundry Acts of Parliament have been passed from Time to Time for the more easy and speedy Recovery of Small Debts within certain Towns, Parishes, and Places in *England:* And
7 & 8 Vict. c. 96. 'whereas by an Act passed in the Eighth Year of the Reign of Her Majesty, intituled *An Act to amend the Laws of Insolvency, Bankruptcy, and Execution,* Arrest upon Final Process in Actions of Debt not exceeding Twenty Pounds was abolished, except as to certain Cases of Fraud and other Misconduct of the Debtors therein mentioned: And whereas by an Act passed in the Ninth Year of the Reign of Her
8&9 Vict. c. 127. said Majesty, intituled *An Act for the better securing the Payment of Small Debts,* further Remedies were given to Judgment Creditors, in respect of Debts not exceeding Twenty Pounds, for the Discovery of the Property of Debtors, and Punishment of Frauds committed by them: And whereas by the last-mentioned Act Her Majesty is enabled, with the Advice of Her Privy Council, to extend the Jurisdiction of certain Courts of Requests and other Courts for the Recovery of Small Debts to all Debts and Demands, and all Damages arising out of any express or implied Agreement, not exceeding Twenty Pounds, and also to enlarge and in certain Cases to contract the District of such Courts, and make certain other Alterations in the Practice of such Courts in manner in the now reciting Act mentioned; and it is expedient that the Provisions of such Acts should be amended, and that One Rule and Manner of proceeding for the Recovery of Small Debts and Demands should prevail throughout *England:* And whereas the County Court is a Court of ancient Jurisdiction having Cognizance of all Pleas of Personal Actions to any Amount by virtue of a Writ of Justicies issued in that Behalf: And whereas the Proceedings in the County Court are dilatory and expensive, and it is expedient to alter and regulate the Manner of proceeding in the said Courts for the Recovery of Small Debts and Demands, and that the Courts established under the recited Acts of Parliament, or such of them as ought to be continued, should be holden after the passing of this Act as Branches of the County Court under the Provisions of this Act, and that Power should be given to Her Majesty to effect these Changes at such Times and in such Manner as may be deemed expedient by Her Majesty, with the Advice of Her Privy Council:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament

Her Majesty may order this Act to be put in execution.

assembled, and by the Authority of the same, That it shall be lawful for Her Majesty, with the Advice of Her Privy Council, from Time to Time to order that this Act shall be put in force in such County or Counties as to Her Majesty, with the Advice aforesaid, from Time to Time shall seem fit; and this Act shall extend to those Counties concerning which any such Order shall have been made, and not otherwise or elsewhere: Provided always, that no Court shall be established under this Act in the City of *London*.

Counties to be divided into Districts.

II. And be it enacted, That it shall be lawful for Her Majesty, with the Advice aforesaid, to divide the whole or Part of any such County, including all Counties of Cities and Counties of Towns, Cities, Boroughs, Towns, Ports, and Places, Liberties, and Franchises therein contained, or thereunto adjoining, into Districts, and to order that the County Court shall be holden for the Recovery of Debts and Demands under this Act in each of such Districts, and from Time to Time to alter such Districts as to Her Majesty with the Advice aforesaid, shall seem fit, and to order from Time to Time that the Number of Districts in and for which the Court shall be holden shall be increased until the whole of such County shall be within the Provisions of this Act, and with the Advice aforesaid to alter the Place of holding any such Court, or to order that the holding of any such Court be discontinued, or to consolidate any Two or more of such Districts, and from Time to Time, with the Advice aforesaid, to declare by what Name and in what Towns and Places the County Court shall be holden in each District; and if it shall appear to Her Majesty that any Part of any County, Liberty, City, Borough, or District may conveniently be declared within the Jurisdiction of the County Court of an adjoining County, it shall be lawful for Her Majesty, with the Advice aforesaid, to order that such Part shall be taken to be within the Jurisdiction of the County Court holden for the Purposes of this Act for such adjoining County in and for such District as Her Majesty shall order, in like Manner as if it were Part of such adjoining County.

Courts held under this Act to have the

III. And be it enacted, That every Court to be holden under this Act shall have all the Jurisdiction and Powers of the County Court for the Recovery of Debts and Demands, as altered by this Act, throughout

throughout the whole District for which it is holden, and there shall be a Judge for each District to be created under this Act, and the County Court may be holden simultaneously in all or any of such Districts; and every Court holden under this Act shall be a Court of Record. same Jurisdiction as County Courts.

IV. And be it enacted, That for all Purposes, except those which shall be within the Jurisdiction of the Courts holden under this Act, the County Court shall be holden as if this Act had not been passed; and all Proceedings commenced in the County Court of any County before the Time when any Court shall be holden under this Act in such County may be continued, executed, and enforced against all Persons liable thereunto, in the same Manner as if they had been commenced under the Authority of this Act. Preserving the Jurisdiction of County Courts.

V. And be it enacted, That it shall be lawful for Her Majesty, with the Advice of Her Privy Council, to order that any Court holden for the Recovery of Small Debts or Demands within the Provisions of any Act cited in either of the Schedules annexed to this Act, and marked (A.) and (B.) respectively, shall be holden as a County Court; and it shall be lawful for Her Majesty, with the Advice aforesaid, to assign a District to every such Court, either greater or less than the District in which the Court holden under the Provisions of any such Act now has Jurisdiction, and to alter the Place of holding any such Court, or to order that any such Court be abolished; and every such Court shall continue to be holden under the Act according to which it is now constituted or regulated until the Time mentioned in any such Order which shall be made with reference to such Court; and from and after the Time mentioned in any such Order the Act or Acts under which such Court is now constituted, so far as the same relate to the Establishment or Jurisdiction or Practice of a Court for the Recovery of Small Debts or Demands, shall be repealed, but not so as to revive any Act thereby repealed; and such Court so ordered to be holden as a County Court shall thenceforth be holden as a County Court under this Act, and in all respects as if it had been originally constituted under the Provisions of this Act. Her Majesty may order any Court under Acts in Schedules (A.) and (B.) to be held as a County Court, and may assign a District to the same.

VI. And be it enacted, That as soon as a Court shall have been established in any District under this Act, and also at the Time mentioned in any such Order which shall have been made as aforesaid for holding any of the Courts mentioned in either of the said Schedules as a County Court under this Act, the several Provisions and Enactments of the said Acts of Parliament of the Eighth and of the Ninth Year of the Reign of Her Majesty, and of every other Act of Parliament heretofore passed, so far as the same respectively relate to or affect the Jurisdiction and Practice of the Court so established or ordered to be holden as a County Court, or give Jurisdiction to any Court or to any Commissioner of the Court of Bankruptcy, with respect to Judgments or Orders obtained in the Court so established or ordered to be holden as a County Court, shall be repealed. When a Court shall be established under this Act, recited Acts and all other Acts, affecting its Jurisdiction repealed.

VII. Provided always, and be it enacted, That all Proceedings in execution of the said Acts or any of them commenced before the passing of this Act, or before the Days severally appointed for the Alteration of the Constitution of the said Courts, shall be as valid to all Intents and Purposes as if this Act had not been passed, or as if the said Courts had not been altered, and may be continued, executed, and enforced against all Persons liable thereto in the same Manner as if they had been commenced under the Authority of this Act. Proceedings under former Acts to be valid.

VIII. And be it enacted, That any Order in Council made for the Purposes of this Act shall be published in the *London Gazette;* and Notice of the Intention of Her Majesty to take into consideration the Propriety of making any such Order shall be published in the *London Gazette* One Calendar Month at least before any such Order shall be made. Orders in Council to be published in the London Gazette.

IX. And be it enacted, That the Lord Chancellor shall appoint as many fit Persons as are needed to be Judges of the County Court under this Act, each of whom shall be a Barrister at Law who shall be of Seven Years standing, or who shall have practised as a Barrister and Special Pleader for at least Seven Years, or a Barrister or Attorney at Law who under the Provisions of any of the Acts cited in the said Schedules (A.) and (B.), or under the Provisions of either of the said Acts of the Eighth Year and of the Ninth Year of the Reign of Her Majesty, shall have been nominated or appointed to preside in or hold any Court constituted or held under any of the Acts cited in either of the said Schedules (A.) and (B.), whether by the Title of Judge or Barrister, or County Clerk, Assessor, or Steward, or Deputy Steward, or by any other Title or Style whatsoever, or a Person filling the Office of Judge of the County Court, or County Clerk, in the same County, at the Time of the passing of this Act: Provided always, that every Attorney at Law who shall be appointed a Judge of the County Court under this Act, and who shall be the Partner of any other Attorney at Law, shall, within Twelve Calendar Months next after entering on the said Office of Judge of the County Court, dissolve such Partnership or vacate the said Office of Judge, and shall not during his Continuance as such Judge enter into any new Partnership; and that no Attorney at Law who shall be appointed a Judge of any County Court under this Act shall be, either by himself or his Partner, employed or act as Town Clerk, or Clerk of the Peace of any County, City, or Borough, or as Clerk to any Bench of Justices, or as Clerk or Secretary to any Board of Guardians or Governors or Directors of the Poor, or of any Vestry or local or parochial Board of Trustees or Commissioners, or of any public Company or Corporation whatsoever, or directly or indirectly concerned as Attorney or Agent for any Party in any Court regulated by this Act, or after the Expiration of the said Term of Twelve Calendar Months, in any other Court of Law or Equity. Appointment and Qualification of Judges. Proviso as to Attorneys acting as Judges under Acts cited in Schedules (A.) and (B.)

X. 'And whereas under the Provisions of the several Acts cited in the Schedule marked (A.) annexed 'to this Act, Barristers have been appointed and now act as salaried Commissioner or as Assessor or 'Assistant to the Commissioners appointed to hold the several Courts of Request constituted or regulated 'by the said several Acts in the Cities of *Bath* and *Bristol* and in the Boroughs of *Liverpool* and '*Manchester*;' Judges at present acting in the Courts of Bath, Bristol, Liverpool, and Manchester en-

titled to the first Appointment under this Act for those Places.

'*Manchester*;' be it enacted, That when any Order shall be made for holding a Court under this Act within the said Cities and Boroughs respectively, Districts shall be constituted which shall comprise at least the whole of the said Cities and Boroughs respectively, and every such Barrister who shall have been on the First Day of *June* in this Year the salaried Commissioner or Assessor or Assistant to the Commissioners appointed to hold the said several Courts of Request, and who shall continue to hold the same Office at the Time when such Order as last aforesaid shall be made respecting their City or Borough respectively, shall be entitled to be appointed the first Judge under this Act of the Court to be holden in and for the said Cities and Boroughs respectively.

Stewards of the Manors of Sheffield and Ecclesall appointed under 48 G. 3. c. 103. to be the first Judges under this Act for those Districts.

XI. 'And whereas an Act was passed in the Forty-eighth Year of the Reign of King *George* the Third, 'intituled *An Act for regulating the Proceedings in the Courts Baron of the Manors of* Sheffield *and* 'Ecclesall *in the County of* York, under the Provisions of which Act *John Parker* Esquire has been 'appointed and is Steward of the Manor of *Sheffield*, and *Daniel Maude* Esquire has been appointed 'and is Steward of the Manor of *Ecclesall*;' be it enacted, That if the said *John Parker* shall continue Steward of the Manor of *Sheffield* when any Order shall be made for holding a Court under this Act within the Liberty of *Hallamshire*, a District shall be constitued which shall comprise at least the whole Liberty of *Hallamshire*, except the Hamlet or Bierlow of *Ecclesall*, and if the said *Daniel Maude* shall continue Steward of the Manor of *Ecclesall* when any Order shall be made for holding a Court under this Act in the Manor of *Ecclesall*, another District shall be constituted under the Provisions of this Act, which shall comprise at least the whole Hamlet or Bierlow of *Ecclesall*; and in such Cases respectively the said *John Parker* shall be entitled to be appointed the First Judge under this Act of the Court to be holden in the District comprising the Liberty of *Hallamshire*, except the Bierlow of *Ecclesall*, and the said *Daniel Maude* shall be entitled to be appointed the first Judge under this Act of the Court to be holden in the District comprising the Bierlow of *Ecclesall*, and the Districts of the said Two Courts shall not be reduced within the said Limits respectively so long as the said *John Parker* and *Daniel Maude* respectively shall continue Judges of the said Courts; and the present Deputy Stewards of the said Two Courts Baron shall be entitled to be appointed the first Clerks of the said Two Courts respectively, or in case of the Consolidation of the said Two Courts, to act jointly as Clerks of the consolidated Court under such Regulations as to the Division of Duties and Emoluments of the Office as shall be made by Order of Court, with reference to the Duties and Emoluments of their Offices in the said Two Courts before such Consolidation, in case of Difference between them; and the said *John Parker* and *Daniel Maude* shall have the same Privilege of holding the said Courts by Deputy which they now have of holding the said Courts Baron by Deputy, provided only that the Appointment of every such Deputy shall be subject to the Approval of One of Her Majesty's Principal Secretaries of State; and the said *John Parker* and *Daniel Maude* shall hold the said Courts in all other respects according to the Provisions of this Act.

The present County Clerk of Middlesex, appointed under 23 G. 2. c. 33., to be the first Judge under this Act, and may continue to appoint a Deputy, subject to Approval of Secretary of State.

XII. 'And whereas the County Court of *Middlesex* is regulated under the Provisions of an Act 'passed in the Twenty-third Year of the Reign of King *George* the Second, intituled *An Act for pre-* 'venting Delays and Expences in the Proceedings in the County Court of Middlesex, *and for the more* 'easy and speedy Recovery of Small Debts in the said County Court, under which the County Clerk 'is empowered to appoint a Deputy to act for him in his said Office of County Clerk: And whereas the 'said County of *Middlesex* within the Jurisdiction of the said Court is so populous that it will be 'expedient that several Districts should be constituted therein under this Act;' be it enacted, That if the present County Clerk of *Middlesex* shall continue County Clerk of *Middlesex* when any Order shall be made for holding a Court under this Act within the Jurisdiction of the said Court, he shall be entitled to be appointed the first Judge under this Act of such of the said Districts as he shall select, and shall hold the said Court in all respects according to the Provisions of this Act, except that he shall be removable from the said Office of Judge only in the same Manner as he is now by Law removable from the Office of County Clerk, and that he shall have Power to hold the Court by his present Deputy, and on Vacancy of the Office of Deputy to appoint a Deputy to hold the said Court for him, provided such Deputy be a Barrister of not less than Three Years standing, and shall be approved by One of Her Majesty's Principal Secretaries of State; and the present Registrar of the said County Court shall be entitled to be the first Clerk of the Court holden in the District so selected by the County Clerk; and all Suits and Proceedings commenced in the County Court of *Middlesex* before the Division of the said County into Districts shall be continued, and may be executed and enforced, as if they had commenced under this Act before the said County Clerk in the District so selected by him.

Present Registrar to be the first Clerk.

Provisions for certain Lords of Manors having Rights of Appointment under the Acts hereby repealed.

XIII. And be it enacted, That whenever any Order shall be made for holding a Court under this Act within the several Towns mentioned in the First Column of the Schedule marked (C.) annexed to this Act, then, upon the next Vacancy which shall happen after the passing of this Act in the several Offices mentioned in the Second Column of the said Schedule (C.) in conjunction with such Courts, the several Lords for the Time being of the Manors and Liberties mentioned in the Third Column of the said Schedule (C.) in conjunction with the said Courts shall be entitled to appoint Persons properly qualified according to the Provisions of this Act, to fill the said Offices respectively, subject nevertheless in each Case to the Approval of One of Her Majesty's Principal Secretaries of State.

Lords of Manors, &c. may surrender Courts, with

XIV. And be it enacted, That it shall be lawful for the Lord of any Hundred, or of any Honor, Manor, or Liberty, having any Court in right thereof in which Debts or Demands may be recovered, to surrender to Her Majesty the Right of holding such Court (for any such Purpose, with the Consent of any Steward or other Officer, if any, having a Freehold Office in such Court,) or upon the next Vacancy in

in any such Freehold Office; and from and after such Surrender such Court shall be discontinued, and the Right of holding such Court shall cease, and all Proceedings commenced in such Court may thereafter be continued, and shall be enforced and executed, as if they had been commenced under the Authority of this Act in a County Court holden for the District in which the Cause of Action arose; but no Person shall be entitled to claim any Compensation under this Act by reason of any such Surrender: Provided always, that the Surrender of the Right of holding any such Court for the Recovery of Debts and Demands shall not be deemed to infer the Surrender or Loss of any other Franchise incident to the Lordship of such Hundred, Honor, Manor, or Liberty, and that the Court thereof may be holden for all other Purposes, if any, incident thereunto, as now by Law it may.

Consent of Persons interested.

XV. And be it declared and enacted, That the Appointment of any Person who at the passing of this Act shall by any of the Titles herein-before specified preside in or hold any Court constituted or held under any of the Acts cited in either of the said Schedules (A.) and (B.), to be the Judge of any County Court, shall not be deemed an Appointment to hold a Public Office or Employment within the Meaning of an Act passed in the Sixth Year of the Reign of Her present Majesty, intituled *An Act for the Amendment of the Law of Bankruptcy*, so as to deprive him of any Compensation to which he may be entitled under the said Act.

Appointments of Judges who have previously officiated in any County Court not subject to 5 & 6 Vict. c. 122.

XVI. And be it enacted, That from Time to Time when any Judge appointed under this Act shall die, resign, or be removed, and the District for which he was appointed shall not be consolidated with any other District, another Judge shall be appointed who shall be a Barrister at Law who shall be of Seven Years standing or who shall have practised as a Barrister and Special Pleader for at least Seven Years, or who shall have been the County Clerk of the same County at the Time of the passing of this Act; and every such Appointment shall be made by the Lord Chancellor, or, where the whole of the District is within the Duchy of *Lancaster*, by the Chancellor of the Duchy of *Lancaster*.

For supplying Vacancies among the Judges of the County Court.

XVII. And be it enacted, That no Judge appointed under this Act shall during his Continuance as such Judge practise as a Barrister within the District for which his Court is holden under this Act, except those Barristers already appointed to preside in or hold the said Courts in *Bath*, *Bristol*, *Liverpool*, *Manchester*, *Sheffield*, *Ecclesall*, and *Middlesex*, and now practising in Chambers as Conveyancing Counsel, who may continue such Practice.

Judges not to practise as Barristers in their Districts, except in certain Cases.

XVIII. And be it enacted, That it shall be lawful for the said Lord Chancellor, or, where the whole of the District is within the Duchy of *Lancaster*, for the Chancellor of the said Duchy, if he shall think fit, to remove for Inability or Misbehaviour any such Judge already appointed or hereafter to be appointed.

Judges of the County Court removable for Inability, &c.

XIX. Provided always, and be it enacted, That it shall be lawful for the Lord Chancellor or Chancellor of the said Duchy, within their several Jurisdictions, to remove any Judge from any District to which he shall have been appointed, for the Purpose of appointing him to any other District in which the Salary of such Judge shall not be less than in the District from which he shall be so removed.

Districts of Judges may be changed.

XX. And be it enacted, That in case of Illness or unavoidable Absence, the Cause whereof shall be entered on the Minutes of the Court, it shall be lawful for the Judge appointed to hold any Court under this Act, or, in case of the Inability of the Judge to make such Appointment, for the Lord Chancellor, or, where the whole of the District is within the Duchy of *Lancaster*, for the Chancellor of the Duchy, to appoint some other Person, who shall be a Judge appointed under this Act, or who shall have practised as a Barrister at Law for at least Three Years, or as an Attorney of One of Her Majesty's Superior Courts of Common Law for Ten Years, but not then residing or practising as an Attorney in the District for which the Court is holden, to act as the Deputy of such Judge during such Illness or unavoidable Absence; and it shall also be lawful for the Judge, with the Approval of the said Lord Chancellor or Chancellor of the Duchy, to appoint a Deputy, who shall be a Judge appointed under this Act, or who shall have practised as a Barrister at Law for at least Three Years, to act for him for any Time or Times not exceeding in the whole Two Calendar Months in any consecutive Period of Twelve Calendar Months; and every Deputy so appointed, during the Time for which he shall be so appointed, shall have all the Powers and Privileges and perform all the Duties of the Judge for whom he shall have been so appointed.

As to the Appointment of a Deputy to a Judge.

XXI. And be it enacted, That every Judge of the County Court whose Name shall be inserted by Her Majesty in any Commission of the Peace for the County, Riding, or Division of a County for which he is appointed Judge of the County Court may and shall act in the Execution of the Office of Justice of the Peace for the said County, Riding, or Division although he may not have such Qualification by Estate or Interest in Lands, Tenements, and Hereditaments as is required by Law in the Case of other Persons being Justices of the Peace for a County, provided that he be not disqualified by Law to act as a Justice of the Peace for any other Cause or upon any other Occasion than in respect of the Want of such an Estate or Interest as aforesaid.

Judges may act as Justices if in the Commission of the Peace.

XXII. And be it enacted, That the Judges and other Officers to be appointed under this Act shall be authorized and required to perform all such Duties in or relating to any Causes or Matters depending in the High Court of Chancery, or before any Judge thereof, or before the Lord Chancellor in the Exercise of any Authority belonging to him, necessary or proper to be done in their respective Districts, as the Lord Chancellor shall from Time to Time by any General Order direct, and for this Purpose, and subject to the General Rules and Orders of the said Court, shall have and exercise all such Authorities as may be duly exercised by the Commissioners or other Officers of the said Court by whom such Duties are now usually performed, and shall be entitled to receive the same Fees and Sums of Money as are now payable in respect thereof, to be accounted for and applied by them as the other Fees authorized by this Act

Judges, &c. appointed under this Act authorized to perform certain Duties relating to Matters depending in the Court of Chancery.

to

to be received are directed to be accounted for and applied: Provided always, that the future Amount of such Fees shall continue subject to the same Authority for revising the same to which it is now subject.

Treasury to appoint Treasurers of Courts holden under this Act.

XXIII. And be it enacted, That the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* shall appoint so many Persons as they shall think fit to be Treasurers of the Courts holden under this Act, and may remove any such Treasurer, if they shall see Occasion so to do, and appoint another Person in his Room; and every such Treasurer shall be paid by Salary in such Manner and to such Amount as the said Commissioners from Time to Time shall order; and the Salary of every such Treasurer shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*: Provided always, that the Person appointed or acting as Treasurer before the passing of this Act to any Court holden under any Act cited in either of the said Schedules (A.) and (B.), if not disqualified under this Act, shall be entitled to be the first Treasurer of the same Court respectively, when holden as a County Court under this Act, in every Case in which a separate Treasurer shall be appointed exclusively for such Court, and shall in such Case continue to exercise his Office, subject to the Power of Removal provided in this Act.

Appointment of Clerks vested in Judges, subject to Approval of Lord Chancellor.

XXIV. And be it enacted, That for every Court under the Authority of this Act there shall be a Clerk, who shall be an Attorney of One of Her Majesty's Superior Courts of Common Law, and whom the Judge shall be empowered to appoint, subject to the Approval of the Lord Chancellor, and, in case of Inability or Misbehaviour, to remove, subject to the like Approval; and, until otherwise directed by Her Majesty, with the Advice of Her Privy Council, every such Clerk shall be paid by Fees as herein-after provided; and in Cases requiring the same such Assistant Clerks as may be necessary shall be provided and paid by the Clerk of the Court.

In populous Districts Lord Chancellor may direct Two Clerks to be appointed.

XXV. And be it enacted, That it shall be lawful for the Lord Chancellor, in populous Districts in which it shall appear to him expedient, to direct that Two Persons shall be appointed to execute jointly the Office of Clerk, under such Regulations as to the Division of the Duties and Emoluments of the said Office as shall be from Time to Time made by Order of Court in case of Difference between them, each of such Persons being qualified as is herein-before provided in the Case of a single Clerk; and where under the Provisions of any Act cited in either of the said Schedules (A.) and (B.) more than One Clerk is now acting in and for the Court holden under such Act, the same Number of Clerks shall be continued, unless it shall seem expedient to the Lord Chancellor to order that such Number be reduced.

In case of Illness, &c. of Clerk a Deputy may be appointed.

XXVI. And be it enacted, That it shall be lawful for the Clerk of any such Court with the Approval of the Judge, or, in case of Inability of the Clerk to make such Appointment, for the Judge, to appoint from Time to Time a Deputy, qualified to be appointed Clerk of the said Court, to act for the Clerk of the said Court at any Time when he shall be prevented by Illness or unavoidable Absence from acting in such Office, and to remove such Deputy at his Pleasure; and such Deputy while acting under such Appointment shall have the like Powers and Privileges, and be subject to the like Provisions, Duties, and Penalties for Misbehaviour, as if he were the Clerk of the said Court for the Time being.

Duties of Clerks.

XXVII. And be it enacted, That the Clerk of each Court, with such Assistant Clerks as aforesaid in Cases requiring the same, shall issue all Summonses, Warrants, Precepts, and Writs of Execution, and register all Orders and Judgments of the said Court, and keep an Account of all Proceedings of the Court, and shall take charge of and keep an Account of all Court Fees and Fines payable or paid into Court, and of all Monies paid into and out of Court, and shall enter an Account of all such Fees, Fines, and Monies in a Book belonging to the Court, to be kept by him for that Purpose, and shall from Time to Time, at such Times as shall be directed by Order of the Court, submit his Accounts to be audited or settled by the Treasurer.

Offices of Clerk, Treasurer, and Bailiff not to be conjoined.

XXVIII. And be it enacted, That it shall not be lawful for the Clerk of any Court holden under this Act, or the Partner of any such Clerk, or any Person in the Service or Employment of such Clerk or his Partner, to act as Treasurer or High Bailiff of the Court; or for the Treasurer, his Partner or Clerk, or any Person in the Service or Employment of such Treasurer or his Partner, to act as Clerk or High Bailiff; or for the High Bailiff, his Partner or Clerk, or any Person in the Service or Employment of such High Bailiff or his Partner, to act as Clerk or Treasurer of the Court.

Officers not to act as Attornies in the Court.

XXIX. And be it enacted, That no Clerk, Treasurer, High Bailiff, or other Officer of the Court shall, either by himself or his Partner, be directly or indirectly engaged as Attorney or Agent for any Party in any Proceeding in the said Court.

Penalty of 50*l.* on Nonobservance of the Two previous Enactments.

XXX. And be it enacted, That every Person who, being the Clerk of any such Court, or the Partner of such Clerk, or a Person in the Service or Employment of any such Clerk or of his Partner, shall accept the Office of Treasurer or High Bailiff of such Court, or who, being the Treasurer of any such Court, or the Partner of any such Treasurer, or a Person in the Service or Employment of any such Treasurer or of his Partner, shall accept the Office of Clerk or High Bailiff in the Execution of this Act, or who being the High Bailiff of such Court, or the Partner of any such High Bailiff, or a Person in the Service or Employment of any such High Bailiff or of his Partner, shall accept the Office of Clerk or Treasurer in the Execution of this Act, and also every Clerk, Treasurer, High Bailiff, or other Officer of any such Court who shall be, by himself or his Partner, or in any way, directly or indirectly, concerned as Attorney or Agent for any Party in any Proceeding in the said Court, shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same in any of Her Majesty's Superior Courts of Record, by Action of Debt or on the Case.

XXXI. And

Appointment of Bailiffs.

XXXI. And be it enacted, That for every such Court there shall be One or more High Bailiffs, whom the Judge shall be empowered by Order of Court to appoint, and, in case of Inability or Misbehaviour, to remove by a like Order; and every such High Bailiff shall be empowered, subject to the Restrictions herein-after contained, by any Writing under his Hand to appoint a sufficient Number of able and fit Persons, not exceeding such Number as shall be from Time to Time allowed by the Judge, to be Bailiffs, to assist the said High Bailiff, and at his Pleasure to dismiss all or any of them, and appoint others in their Stead; and every Bailiff so appointed may also be suspended or dismissed by the Judge.

Provision for the High Bailiffs of Westminster and Southwark.

'XXXII. Provided always, and be it enacted, That, until Parliament shall otherwise direct, the High Bailiff of *Westminster* shall have the Execution of all Process issuing out of any of the said Courts the Jurisdiction of which shall include the City and Liberty of *Westminster* or any Part thereof, and shall be deemed the High Bailiff of such Courts; and the High Bailiff of *Southwark* shall have the Execution of all Process issuing out of any of the said Courts the Jurisdiction of which shall include the Borough of *Southwark* or any Part thereof, and shall be deemed the High Bailiff of such last-mentioned Courts, and no other High Bailiff shall be appointed for such Courts.

Duties of the High Bailiffs, &c.

XXXIII. And be it enacted, That the said High Bailiffs or One of them shall attend every Sitting of the Court, for such Time as shall be required by the Judge, unless when their Absence shall be allowed for reasonable Cause by the Judge, and shall, by themselves or by the Bailiffs appointed to assist them as aforesaid, serve all the Summonses and Orders, and execute all the Warrants, Precepts, and Writs, issued out of the Court; and the said High Bailiffs and Bailiffs shall in the Execution of their Duties conform to all such general Rules as shall be from Time to Time made for regulating the Proceedings of the Court, as herein-after provided, and, subject thereunto, to the Order and Direction of the Judge; and the said High Bailiffs shall be entitled to receive all Fees and Sums of Money allowed by this Act in the Name of Fees payable to the Bailiff, out of which they shall provide for the Execution of the Duties for which such Fees are allowed, and for the Payment of the Bailiffs and Officers appointed to assist them, according to such Scale of Remuneration as shall be from Time to Time approved by the Judge; and every such High Bailiff shall be responsible for all the Acts and Defaults of himself and of the Bailiffs appointed to assist him, in like Manner as the Sheriff of any County in *England* is responsible for the Acts and Defaults of himself and his Officers.

Provision respecting Clerks and High Bailiffs of Courts under Acts cited in Schedules (A.) and (B.)

XXXIV. Provided always, and be it enacted, That the Persons holding the Offices or performing the Duties of Clerks and High Bailiffs in any Court holden under any Act cited in either of the said Schedules (A.) and (B.) on the First Day of *June* in this Year, and who shall continue respectively to hold the same Offices or to perform the same Duties at the Time when such Act shall be repealed under the Provisions of this Act, whether or not qualified as herein-before provided, shall be entitled, if not disqualified under this Act, to be the first Clerks and High Bailiffs of the same Court when holding as a County Court under this Act, and shall continue to execute their several Offices, subject to the Power of Removal provided in this Act, except that the Clerks and High Bailiffs already appointed to any Court named in the said Schedule (A.) shall be removable only for such Cause as would have warranted their Removal under the Acts according to which their Court is now holden; and where, under the Provisions of any of the said Acts, more than One Clerk was on the said First Day of *June*, and shall be, when such Act shall be repealed, under the Provisions of this Act, acting in and for any of the said Courts, or in and for any District or Division of any Court, the same Persons shall jointly execute the Office of Clerk of the same Courts as aforesaid, under such Regulations as to the Division of the Duties and Emoluments of the said Office as shall be from Time to Time made by Order of Court, in case of Difference between them: Provided always, that if the Clerk of any Court cited in the said Schedule (A.) shall, within One Calendar Month next after the Repeal of the Act under which it is now holden, decline to accept the Office of Clerk to the same Court as holden under this Act, it shall be lawful to the Commissioners of Her Majesty's Treasury, if they shall think fit, to take into consideration the special Circumstances of each Case, and to award such Compensation to be paid to such Clerk as under the Circumstances they shall think reasonable, in the Manner herein provided in the Case of Persons whose Emoluments will be diminished or taken away by this Act.

Provision respecting the Officers of the Two Courts at Bristol.

XXXV. 'And whereas the Jurisdiction of the Court of Conscience in the City of *Bristol*, under the 'Provisions of an Act passed in the First Year of the Reign of Her Majesty, and cited in the Schedule '(A.) to this Act annexed, extends to the Recovery of Debts and Demands not exceeding Forty Shillings; 'and the Jurisdiction of the Court of Requests in the said City, under the Provisions of an Act passed in 'the Fifty-sixth Year of the Reign of King *George* the Third, and also cited in the said Schedule (A.), 'extends to the Recovery of Debts and Demands above Forty Shillings and not exceeding Fifteen 'Pounds;' be it enacted, That in case the Persons now holding the Offices of Registrar and Clerk and Deputy Registrar of the said Court of Conscience shall continue to hold the same Offices respectively when a Court shall be established in the said City of *Bristol* under the Provisions of this Act, they shall be entitled to hold the Office and execute the Duties of Clerks of any such Court in all Causes and Matters relating to Debts, Claims, and Demands not exceeding Forty Shillings, under such Regulations as to the Division of the Duties and Emoluments of the said Office as shall be from Time to Time made by Order of Court, in case of Difference between them; and in case the Person now holding the Office of Clerk of the said Court of Requests shall continue to hold the same Office at the Time when such Court shall be established, he shall be entitled to hold the Office and execute the Duties of Clerk of any such Court in all Causes and Matters relating to Debts, Claims, and Demands exceeding Forty Shillings; and

the said Persons severally shall be removable only for such Cause as would have warranted their Removal under the several Acts according to which the said Courts are now holden.

Treasurers, Clerks, and High Bailiffs to give Security.

XXXVI. And be it enacted, That the Treasurer, Clerk, and High Bailiff of every Court holden under this Act who may receive any Monies in the Execution of his Duty shall give Security, for such Sum and in such Manner and Form as the Commissioners of Her Majesty's Treasury from Time to Time shall order, for the due Performance of their several Offices, and for the due accounting for and Payment of all Monies received by them under this Act (or which they may become liable to pay for any Misbehaviour in their Office).

Fees to be taken according to Schedule (D.), and Tables to be exhibited in conspicuous Places.

XXXVII. And be it enacted, That there shall be payable on every Proceeding in the Courts holden under this Act, to the Judges, Clerks, and High Bailiffs of the several Courts, such Fees as are set down in the Schedule marked (D.) to this Act annexed, or which shall be set down in any Schedule of Fees reduced or altered under the Power herein-after contained for that Purpose, and none other; and a Table of such Fees shall be put up in some conspicuous Place in the Court House and in the Clerk's Office; and the Fees on every Proceeding shall be paid in the first Instance by the Plaintiff or Party on whose Behalf such Proceeding is to be had, on or before such Proceeding, and in default Payment thereof shall be enforced by Order of the Judge by such Ways and Means as any Debt or Damage ordered to be paid by the Court can be recovered; and the Fees upon Executions shall be paid into Court at the Time of the Issue of the Warrant of Execution, and shall be paid by the Clerk of the Court to the Bailiff upon the Return of the Warrant of Execution, and not before: Provided always, that it shall be lawful for One of Her Majesty's Principal Secretaries of State, with the Consent of the Commissioners of Her Majesty's Treasury, to lessen the Amount of the Fees to be taken in the Courts holden under this Act in such Manner as to him shall seem fit, and again to increase such Fees, so that the Scale of Fees given in the Schedule to this Act be not in any Case surpassed; and in every Court holden under this Act in which the Fees allowed to be taken by the Judges, Clerks, or Bailiffs of the Court shall appear to be more than sufficient, it shall be lawful for the said Secretary of State to order that a certain Part only of their Fees shall be paid to them respectively, not exceeding, in the Case of Judges and Clerks, the Sums herein-after mentioned as the greatest Salaries to be by them respectively received; and in such Case, and so long as such Direction shall be in force, the Amount of the Residue of the Fees shall be accounted for and paid to the Treasurer of the Court, and shall form Part of the General Fund of the Court; but no such Order shall be made to reduce the Fees of any of the Judges, Clerks, and Officers of any Court mentioned in the said Schedule (A.) (so long as they shall be paid by Fees) below the average Amount of their Fees or Emoluments during the Seven Years next before the passing of this Act, with a reasonable Increase for any Increase of Business which they may severally have to perform by reason of this Act.

Fees may be reduced.

Appropriation of surplus Fees.

Compensation for Persons whose Rights or Emoluments will be diminished.

XXXVIII. And be it enacted, That every Person who is entitled to any Franchise, Right of Appointment, or Office, under any of the Acts under which any Court mentioned in the said Schedule (A.) is holden, and every Person who shall have been entitled to any Fees or Salary for his Services in the Execution of any of the same Acts, or for the Issue of any Writs to the Sheriff out of the High Court of Chancery, and also every Person who is entitled to any Franchise or Right of Appointment to hold Office in any Court in any District in which the County Court had not Jurisdiction before the passing of this Act, and in which District a Court shall be established under the Provisions of this Act, and also every Person holding any Office in any such last-mentioned Court whose Franchise or Right of Appointment or Office shall be affected, abolished, or taken away, or whose Emoluments shall be diminished or taken away under the Operation of this Act, shall be entitled to make a Claim for Compensation to the Commissioners of Her Majesty's Treasury within Six Calendar Months after the passing of this Act, or after the Alteration of such Court; and it shall be lawful for the said Commissioners, in such Manner as they shall think proper, to inquire what was the Nature of the Franchise or Right of Appointment, and what was the Tenure of any such Office, and what were the lawful Fees and Emoluments in respect of which such Compensation should be allowed; and the Commissioners in each Case shall award such gross or yearly Sum and for such Time as they shall think just to be awarded upon consideration of the special Circumstances of each Case; and all such Compensations shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*: Provided always, that if any Person holding any Office in any of the said Courts shall be appointed after the passing of this Act to any public Office or Employment, the Payment of the Compensation awarded to him under this Act, so long as he shall continue to receive the Salary or Emoluments of such Office or Employment, shall be suspended if the Amount of such Salary or Emoluments is greater than the Amount of such Compensation, or if not, shall be diminished by the Amount of such Salary or Emoluments: Provided also, that nothing in this Act contained shall be deemed to entitle any Person to Compensation for the Loss or Diminution of the Profits of any Office to which he shall have been appointed under any Act containing a Provision, either that he is not to be entitled to Compensation for the Loss or Diminution of the Profits of his Office, or that such Act should cease on or within a limited Time after the passing of any general Act for the Recovery of Small Debts, or under the Provisions of either of the said Acts of the Eighth Year of Her Majesty and of the Ninth Year of Her Majesty.

Officers of Courts may be paid by Salaries instead of Fees.

XXXIX. And be it enacted, That it shall be lawful for Her Majesty, with the Advice of Her Privy Council, to order that the Judges, Clerks, Bailiffs, and Officers of the Courts holden under this Act, or any of them, shall be paid by Salaries instead of Fees, or in any Manner other than is provided by this Act;

Act; and if Her Majesty shall be pleased, with the Advice aforesaid, to make such Order, or to order that any such Court shall be abolished, or that the District for which any such Court is holden shall be consolidated with any other District, or if any Act shall be passed whereby it shall be provided that the said Courts or any of them shall be abolished, or otherwise constituted than is provided by this Act, no such Clerk or Bailiff, nor any Judge, County Clerk, Treasurer, or other Officer of any such Court, shall be entitled to any Compensation on account of ceasing to hold his Office, or to receive the Fees allowed by this Act, or on account of his Emoluments being affected by such Abolition or Alteration, unless he shall have presided or acted as Judge, Assessor, County Clerk, Treasurer, Clerk, Bailiff, or other Officer, before the passing of this Act, in any of the Courts mentioned in the Schedule (A.) to this Act annexed, in which Case he shall be entitled to Compensation for the Loss of his Fees or Emoluments, in like Manner and subject to the same Regulations as he would have been entitled thereto under the Provisions herein contained in case he had been deprived of any Fees or Emoluments by reason of the passing of this Act; and in such Case all Sums payable in the Name of Fees to such Officers of the Court as shall be paid by Salaries shall be paid from Time to Time to the Treasurer of the Court, who shall pay the said several Salaries out of the Proceeds of such Fees, and the Surplus shall form Part of the General Fund of the Court; and whenever the net Amount of the Fees shall not be sufficient to pay the said several Salaries, the Deficiency shall be made good and paid out of the Consolidated Fund of *Great Britain* and *Ireland*.

If Court abolished, no Compensation allowed, except in certain Cases.

XL. And be it enacted, That the greatest Salaries to be received in any Case by the Judges and Clerks of the Courts holden under this Act shall be Twelve hundred Pounds by a Judge and Six hundred Pounds by a Clerk, exclusive of all Salaries to his Clerks employed in the Business of the Court, and other Expences incidental to his Office, unless in the Case of any Judge or Clerk of any such Court acting in the same Capacity before the passing of this Act in any Court mentioned in the said Schedule (A.), whose Salaries shall not be limited to any Sum less than the average Amount of the Fees and Emoluments of their respective Offices during the Seven Years next before the passing of this Act: Provided always, that it shall be lawful for the Commissioners of Her Majesty's Treasury to allow in each Case such Sum as they shall in each Case deem reasonable to defray travelling Expences, with reference to the Size and Circumstances of each District.

Limiting Amount of Salaries to be paid under this Act.

XLI. And be it enacted, That the Clerk of every Court holden under this Act, from Time to Time as often as he shall be required so to do by the Treasurer or Judge of the Court, and in such Form as the Treasurer or Judge shall require, shall deliver to the Treasurer a full Account in Writing of the Fees received in that Court under the Authority of this Act, and a like Account of all Fines levied by the Court, and of the Expences of levying the same, and shall pay over to the Treasurer, quarterly or oftener in every Year, by Order of the Court, the Monies remaining in his Hands over and above his own Fees, and such Balance as he shall be allowed by Order of the Court to retain for the current Expenditure of the Court.

Fees and Fines to be accounted for to Treasurer.

XLII. And be it enacted, That the Treasurer of every Court holden under this Act shall from Time to Time, quarterly or oftener, as shall be directed by Order of the Court, audit and settle the Accounts of the Clerk and other Officers of the Court, and shall receive the Balance of the various Monies which such Clerk and other Officers shall have received under this Act, and shall pay over to the Judge of the Court the Amount of his Fees, and make all such other Payments as it shall be requisite to make thereout in accordance with the Provisions of this Act, and shall from Time to Time pay the Balance remaining in his Hands, or so much thereof as he shall be directed to pay, into such Bank, or otherwise as shall be directed by the Commissioners of Her Majesty's Treasury.

Clerk's Accounts to be audited and settled by Treasurers.

XLIII. And be it enacted, That the Treasurer of every Court holden under this Act shall once in every Year, and oftener if required, on such Day as the Commissioners of Her Majesty's Treasury from Time to Time shall appoint, render to the Commissioners for auditing the Public Accounts of *Great Britain* a true Account in Writing of all Monies received and of all Monies disbursed by him on account of every Court holden under this Act of which he is Treasurer, during the Period comprised in such Account, in such Form, and with such Particulars of Receipt and Disbursement, or otherwise, as the said Commissioners of Audit shall from Time to Time require.

Treasurer of the Court to render Accounts to Audit Board.

XLIV. And be it enacted, That the Commissioners of Her Majesty's Treasury shall from Time to Time make such Rules as to them shall seem meet for securing the Balances and other Sums of Money in the Hands of any Officers of every Court holden under this Act, and for the due accounting for and Application of all such Balances and other Sums of Money.

Commissioners of Treasury to direct how Balances shall be applied.

XLV. And be it enacted, That the Accounts to be kept by the several Treasurers on account of the said Courts shall be examined and audited by the Commissioners for auditing the Public Accounts of *Great Britain*, under the Powers vested in them under an Act of the Twenty-fifth Year of the Reign of King *George* the Third, intituled *An Act for the better examining and auditing the Public Accounts of this Kingdom*, and under any Act now in force, or otherwise howsoever, except so far as the same are varied by this Act.

Accounts of Treasurers to be audited under Powers of 25 G. 3. c. 52.

XLVI. And be it enacted, That the Clerk of every such Court shall once in every Year, and oftener if required, on such Day as shall be appointed by the Commissioners of Her Majesty's Treasury, make out and send to the said Commissioners of Audit an Account of all Sums paid over by him to the Treasurer of the Court, including all unclaimed Balances carried to the Account of the General Fund, as herein-after provided; and every such Account, duly vouched by Receipts given under the Hand of the

Clerk to send to Commissioners of Audit an Account of all Sums paid by him to Treasurer.

the Treasurer, shall be a Voucher to charge the Treasurer in his Account before the said Commissioners of Audit.

Accounts when audited to be sent to Treasury.

XLVII. And be it enacted, That it shall not be necessary to declare the Accounts of the said Treasurers before the Chancellor of the Exchequer, but the said Commissioners of Audit shall transmit a Statement of every Account examined and audited by them under the Authority of this Act to the Lord High Treasurer, or the Commissioners of Her Majesty's Treasury for the Time being, who, having considered such Statement, shall return the same to the Commissioners of Audit, together with his or their Warrant, directing them to make up and pass the Account, either conformably to the Statement, or with such Variations as he or they may deem just and reasonable; and the Account having been made up pursuant to such Directions, and signed by Two or more of the said Commissioners for auditing the Public Accounts, shall remain deposited in the Audit Office, and shall have the same Force and Validity, and be as efficient in Law for all Purposes whatsoever, as if the same had been declared according to the usual Course by the Chancellor of the Exchequer; and the said Commissioners shall thereupon, as soon as conveniently may be, cause such or the like Certificate thereof, in the Nature of a Quietus, to be made out and delivered, as is now practised by them with regard to declared Accounts, and which shall be equally valid and effectual to discharge the Accountants, and to all other Intents and Purposes.

Treasurers, with Approval of Secretary of State, to provide Court Houses, Offices, &c.

XLVIII. And be it enacted, That the Treasurer of any Court holden under this Act for which a Court House and Offices, with necessary Appurtenances, shall not have been already provided, or where such Court House and Offices are inconvenient or insufficient, shall, as soon as conveniently may be, with the Approval of One of Her Majesty's Principal Secretaries of State, build, purchase, hire, or otherwise provide Messuages and Lands, with all necessary Appurtenances, fit for holding the Court therein, and for the Offices necessary for carrying on the Business of the said Court, or, instead of providing separate Buildings, may, with the like Approval, contract with any Person, being the Owner of or having the Control and Management of any County or Town Hall or other Building, for the Use and Occupation thereof, or of so much thereof as may be needed for the Purposes of this Act, and subject to such annual Rent, and to such Conditions as to the Repairs, Alterations, or Improvements of such Hall or Building, as may be agreed upon; and all Lands, Messuages, and other Real and Personal Estates and Effects belonging to the Court shall vest in the Treasurer for the Time being, and in his Successors in that Office, in trust for the Purposes of this Act.

Where Common Gaols are inconvenient, Prisons belonging to Courts under Acts cited in Schedules (A.) and (B.) may be used.

5 & 6 Vict. c. 98.

XLIX. And be it enacted, That it shall be lawful for any Court holden under this Act, with the Approval of One of Her Majesty's Principal Secretaries of State, to use as a Prison for the Purposes of this Act any Prison now belonging to any Court holden under any of the Acts cited in the said Schedules (A.) and (B.), in all Cases where it shall appear to the said Secretary of State that the Common Gaol or House of Correction of the County, District, or Place in which the Court is established is inconveniently situated, or is not applicable for the Use of the said Courts; and whenever any such Prison shall be so allowed to be used it shall be deemed One of the Common Gaols of the County for which it shall be used, as if it had been provided, after Presentment of the Insufficiency of One Common Gaol for such County, under the Provisions of an Act passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act to amend the Laws concerning Prisons*, or where such Prison shall be situated within a Borough having a separate Court of Sessions of the Peace, it shall be deemed a House of Correction for such Borough.

Power for purchasing Land.

L. And be it declared and enacted, That the Provisions of the Lands Clauses Consolidation Act, 1845, shall apply to the Purchase of Lands by the Treasurer of any such Court for the Purposes of this Act, except so much thereof as relates to the Purchase and taking of Lands otherwise than by Agreement; and in construing the said Act the Treasurer acting with the Approval of One of Her Majesty's Principal Secretaries of State shall be deemed the Promoter of the Undertaking for which such Lands are required.

Treasurer empowered to borrow Money for the Purposes of this Act.

LI. And be it enacted, That for the Purpose of defraying the Expences of building, purchasing, or providing any Messuages and Lands for the Purposes aforesaid, it shall be lawful for the said Treasurer to borrow and take up at Interest so much Money as he shall find to be necessary, the Amount thereof, and the Rate of Interest in each Case being first allowed by the said Commissioners of Her Majesty's Treasury; and the Treasurer may enter into and execute such Securities as may be required, and the Securities so entered into shall be binding on him and his Successors in the Office of Treasurer for securing Repayment of the Monies borrowed, with Interest for the same, out of the General Fund herein-after mentioned, and shall enter in a Book belonging to the Court, to be kept by him for that Purpose, the Names of the several Persons by whom any Money shall be advanced for the Purpose aforesaid, in the Order in which the same shall be advanced, and the Monies so borrowed shall be paid off in the same Order.

A General Fund to be raised for paying off Money borrowed.

LII. And be it enacted, That for raising a Fund for providing a Court House and Offices, and for paying off any Monies which may be borrowed as aforesaid, and the Interest due in respect thereof, the Clerk of every Court holden under the Authority of this Act, in which and while it shall be necessary to raise such Fund, shall demand and receive from the Plaintiff in any Suit brought in that Court the Sum of Sixpence when the Debt or Damage claimed shall exceed Twenty Shillings and shall not exceed Forty Shillings, and for every Claim exceeding Forty Shillings One Twentieth Part thereof, neglecting any Sum less than Sixpence in estimating such Twentieth Part, or such other Sum in either Case, not exceeding

exceeding the Rates herein-before mentioned, as One of Her Majesty's Principal Secretaries of State, with the Consent of the Commissioners of Her Majesty's Treasury, from Time to Time shall order, which Sum, if not paid in the first instance by the Plaintiff upon Suit brought in the Court, may be deducted from the Sum recovered for the Plaintiff, and shall be considered as Costs in the Cause; and the Clerk of the Court shall keep an Account of all Monies so paid to him, and shall pay over the Amount from Time to Time to the Treasurer of the Court, and the Amount thereof shall accumulate, to form a Fund to be called "The General Fund of the County Court of at ," and shall be applied in the first place toward paying the Interest of the several Sums so borrowed, and in the second place toward paying the Rent and other Expences necessarily incurred in holding the Court, and in the third place toward paying off the several Principal Sums borrowed, in the Order in which they were borrowed, and in the fourth place toward defraying the other Expences herein charged on the said General Fund, in such Manner as the Judge, with the Approval of One of Her Majesty's Principal Secretaries of State, shall direct; and the Surplus which shall from Time to Time accumulate, after providing for all the said Expences, shall be paid over to the Credit of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; subject nevertheless, to any Charge which may arise from any future Deficiency of the same Fund.

Property of Courts in Schedules (A.) and (B.) to vest in the Treasurer of the County Court.

LIII. And be it enacted, That, as soon as a Court shall have been established in any District under this Act, all Messuages, Lands, and Tenements, and all Real Estates and Effects, vested in or belonging to the Commissioners, Clerks, Treasurers, Trustees, or other Officers of any of the Courts mentioned in the said Schedules (A.) and (B.), which were holden in trust for the Purposes of such Court, shall vest in or belong to the Treasurer of the County Court for the Time being, and his Successors in the said Office, in trust for the Purposes of this Act, for the like Estate and Interest, and subject to all the Covenants, Conditions, and Agreements on which the same were respectively holden; and the said Commissioners, Clerks, Treasurers, Trustees, and other Officers, their Heirs, Executors, and Administrators, shall be freed and discharged from all such Covenants, Conditions, and Agreements, and from the Consequences of their being unable to fulfil any Covenants or Agreements into which any of them may have lawfully entered in execution of the Provisions of any of the said Acts, on or before the Repeal of such Act, with respect to their Estate or Interest in such Messuages, Lands, Tenements, Real and Personal Estates and Effects, in consequence of the vesting thereof in the said Treasurer; and all Monies and Securities for Money, and other Property and Effects of any Kind whatsoever, in the Hands of the Commissioners, Clerks, Treasurers, Trustees, or other Officers of any such Court, shall be paid, transferred, and delivered to the said Treasurer, or to such Person as he shall appoint to receive the same, and shall be applied in discharging all Claims and Demands to which the same were liable in the Hands of such Commissioners, Clerks, Treasurers, Trustees, or other Officers, and the Residue thereof shall be applied to the same Purposes to which the General Fund is applicable.

Provisions for outstanding Liabilities.

LIV. And be it enacted, That it shall be lawful for the Treasurer of the County Court, with the Approval of the Commissioners of Her Majesty's Treasury, and upon the Certificate of the Expediency thereof under the Hand of the Judge, to sell and dispose of all Messuages, Lands, and Tenements which may be vested in him under the Provisions of this Act which shall not be needed for the Purposes of this Act, or which the Treasurers shall think ought to be sold for the Purpose of better enabling him to discharge any just Debts on account of any Court of which the Constitution shall be altered under this Act, or to provide other and more convenient Buildings for holding a County Court; and the Proceeds of all such Sales, and also all Monies and Securities for Money which shall be paid, transferred, or delivered to him on account of any such Court as aforesaid, shall be applied towards discharging such Debts; and in every Case in which at the Time of the Alteration of the Constitution of the Court there shall be any just Debts owing on account of any such Court, or any Salaries or Annuities legally or equitably chargeable upon or payable out of the Fees of such Court, or out of any Fund to which such Fees are payable, over and above what may be discharged by the Monies and Effects so paid, transferred, or delivered to the Treasurer on account of such Court, and over and above the Proceeds of the Sale of any such Messuages, Lands, and Tenements, in case the same or any Part thereof shall be sold, such Debts, Salaries, and Annuities shall be treated as if they were Debts which had been incurred for the Purpose of providing a Court House for holding the County Court for the District in which the Place is included where such Court was holden, and shall be liquidated out of the General Fund herein-before mentioned, if the same shall be sufficient for that Purpose, and any Deficiency therein shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Clerks to have the Charge of the Court Houses, &c., and to appoint and dismiss Servants, &c.

LV. And be it enacted, That the Clerk of every Court shall have the Care of the Court House and Offices of the Court, and shall appoint and have Power to dismiss the necessary Servants for taking charge of such Court House and Offices, at such Salaries as shall be from Time to Time authorized by the Judge, with the Consent of the Commissioners of Her Majesty's Treasury; and the Clerk of the Court, under the Direction of the said Commissioners, and subject to such Regulations as they may require to be enforced, shall make all necessary Contracts or otherwise provide for repairing and furnishing, and for cleaning, lighting, and warming, the said Court House and Offices, and for supplying the said Court and Offices with Law and Office Books and Stationery, and for defraying all other necessary Expences not otherwise provided for incident to the holding of the said Court, and the Charge of the Court House and Offices, and Expences thereby incurred, shall be paid out of the General Fund of the Court: Provided always, that the Treasurer or Clerk of any Court, or the Partner of any such

Treasurer

Treasurer or Clerk, or any Person in the Service or Employment of any such Treasurer or Clerk, shall not be directly or indirectly concerned or interested in any such Contract, or in supplying any Articles for the Use of the said Courts and Offices: Provided also, that no Payment for any such Charge shall be allowed in the Clerk's Accounts until allowed under the Hand of the Judge.

Judge to hold the Court where Her Majesty shall direct.

LVI. And be it enacted, That the Judge of each District shall attend and hold the County Court at each Place where Her Majesty shall have ordered that the County Court shall be holden within his District at such Times as he shall appoint for that Purpose, so that a Court shall be holden in every such Place once at least in every Calendar Month, or such other Interval as One of Her Majesty's Principal Secretaries of State shall in each Case order; and Notice of the Days on which the Court will be holden shall be put up in some conspicuous Place in the Court House and in the Office of the Clerk of the Court, and no other Notice thereof shall be needed; and whenever any Day so appointed for holding the Court shall be altered, Notice of such intended Alteration, and of the Time when it will take effect, shall be put up in some conspicuous Place in the Court House and in the Clerk's Office.

Notices for holding Courts to be put up in a conspicuous Place.

Process of the Court to be under Seal.

LVII. And be it enacted, That for every Court holden under this Act there shall be made a Seal of the Court, and all Summonses and other Process issuing out of the said Court shall be sealed or stamped with the Seal of the Court; and every Person who shall forge the Seal or any Process of the Court, or who shall serve or enforce any such forged Process, knowing the same to be forged, or deliver or cause to be delivered to any Person any Paper falsely purporting to be a Copy of any Summons or other Process of the said Court, knowing the same to be false, or who shall act or profess to act under any false Colour or Pretence of the Process of the said Court, shall be guilty of Felony.

Jurisdiction of the Court.

LVIII. And be it enacted, That all Pleas of Personal Actions, where the Debt or Damage claimed is not more than Twenty Pounds, whether on Balance of Account or otherwise, may be holden in the County Court, without Writ; and all such Actions brought in the said Court shall be heard and determined in a summary Way in a Court constituted under this Act, and according to the Provisions of this Act: Provided always, that the Court shall not have cognizance of any Action of Ejectment, or in which the Title to any corporeal or incorporeal Hereditaments, or to any Toll, Fair, Market, or Franchise, shall be in question, or in which the Validity of any Demise, Bequest, or Limitation under any Will or Settlement may be disputed, or for any malicious Prosecution, or for any Libel or Slander, or for Criminal Conversation, or for Seduction, or Breach of Promise of Marriage.

Suits to be by Plaint.

LIX. And be it enacted, That, on the Application of any Person desirous to bring a Suit under this Act, the Clerk of the Court shall enter in a Book to be kept for this Purpose in his Office a Plaint in Writing, stating the Names and the last known Places of Abode of the Parties, and the Substance of the Action intended to be brought, every one of which Plaints shall be numbered in every Year according to the Order in which it shall be entered; and thereupon a Summons, stating the Substance of the Action, and bearing the Number of the Plaint on the Margin thereof shall be issued under the Seal of the Court according to such Form, and be served on the Defendant so many Days before the Day on which the Court shall be holden at which the Cause is to be tried, as shall be directed by the Rules made for regulating the Practice of the Court, as herein-after provided; and Delivery of such Summons to the Defendant, or in such other Manner as shall be specified in the Rules of Practice, shall be deemed good Service; and no Misnomer or inaccurate Description of any Person or Place in any such Plaint or Summons shall vitiate the same, so that the Person or Place be therein described so as to be commonly known.

Summons may issue, though Cause of Action may not arise in the District.

LX. And be it enacted, That such Summons may issue in any District in which the Defendant or One of the Defendants shall dwell or carry on his Business at the Time of the Action brought; or, by Leave of the Court for the District in which the Defendant or One of the Defendants shall have dwelt or carried on his Business, at some Time within Six Calendar Months next before the Time of the Action brought, or in which the Cause of Action arose, such Summons may issue in either of such last-mentioned Courts.

Processes out of District of Court may be served by Bailiff of any other Court.

LXI. And be it enacted, That any Summons or other Process which under this Act shall be required to be served out of the District of the Court from which the same shall have issued may be served by the Bailiff of any Court holden under this Act in any Part of *England*, and such Service shall be as valid as if the same had been made by the Bailiff of the Court out of which such Summons or other Process shall have issued within the Jurisdiction of the Court for which he acts.

Proof of Service of Process out of the District, or in the Absence of the Bailiff.

LXII. And be it enacted, That Service of any Summons or other Process of the Court which shall require to be served out of the District of the Court may be proved by Affidavit, purporting to be sworn before any Judge of a County Court, or before a Master Extraordinary in Chancery, or any Person now authorized by Law to take Affidavits; and the Fee for taking such Affidavit shall not be more than One Shilling, and shall be Costs in the Cause; and in every Case of the unavoidable Absence of the Bailiff by whom any Summons or other Process of the Court shall have been served the Service of such Summons or other Process may be proved, if the Judge shall think fit, in the same Manner as a Summons served out of the District of the Court, but without additional Charge to either of the Parties to the Suit.

Demands not to be divided for the Purpose of bringing Two or more Suits.

LXIII. And be it enacted, That it shall not be lawful for any Plaintiff to divide any Cause of Action for the Purpose of bringing Two or more Suits in any of the said Courts, but any Plaintiff having Cause of Action for more than Twenty Pounds, for which a Plaint might be entered under this Act if not for more than Twenty Pounds, may abandon the Excess, and thereupon the Plaintiff shall, on proving his Case, recover to an Amount not exceeding Twenty Pounds; and the Judgment of the Court upon such Plaint

Plaint shall be in full Discharge of all Demands in respect of such Cause of Action, and Entry of the Judgment shall be made accordingly.

Minors may sue for Wages.

LXIV. And be it enacted, That it shall be lawful for any Person under the Age of Twenty-one Years to prosecute any Suit in any Court holden under this Act for any Sum of Money not greater than Twenty Pounds which may be due to him for Wages or Piecework, or for Work as a Servant, in the same Manner as if he were of full Age.

Cases of Partnership and Intestacy.

LXV. And be it enacted, That the Jurisdiction of the County Court under this Act shall extend to the Recovery of any Demand, not exceeding the Sum of Twenty Pounds, which is the whole or Part of the unliquidated Balance of a Partnership Account, or the Amount or Part of the Amount of a distributive Share under an Intestacy, or of any Legacy under a Will.

Executors may sue and be sued.

LXVI. And be it enacted, That it shall be lawful for any Executor or Administrator to sue and be sued in any Court holden under this Act in like Manner as if he were a Party in his own Right and Judgment, and Execution shall be such as in the like Case would be given or issued in any Superior Court.

No Privilege allowed.

LXVII. And be it enacted, That no Privilege, except as herein-after excepted, shall be allowed to any Person to exempt him from the Jurisdiction of any Court holden under this Act.

One of several Persons liable may be sued.

LXVIII. And be it enacted, That where any Plaintiff shall have any Demand recoverable under this Act against Two or more Persons jointly answerable, it shall be sufficient if any of such Persons be served with Process, and Judgment may be obtained and Execution issued against the Person or Persons so served, notwithstanding that others jointly liable may not have been served or sued, or may not be within the Jurisdiction of the Court; and every such Person against whom Judgment shall have been obtained under this Act, and who shall have satisfied such Judgment, shall be entitled to demand and recover in the County Court under this Act Contribution from any other Person jointly liable with him.

Judge alone to determine all Questions unless a Jury be summoned.

LXIX. And be it enacted, That the Judge of the County Court shall be the sole Judge in all Actions brought in the said Court, and shall determine all Questions as well of Fact as of Law, unless a Jury shall be summoned as herein-after mentioned; and no Suitors shall in any Case be summoned to hold or have any Jurisdiction in any Court holden under this Act.

Actions may be tried by a Jury when Parties require it.

LXX. And be it enacted, That in all Actions where the Amount claimed shall exceed Five Pounds it shall be lawful for the Plaintiff or Defendant to require a Jury to be summoned to try the said Action; and in all Actions where the Amount claimed shall not exceed Five Pounds it shall be lawful for the Judge, in his Discretion, on the Application of either of the Parties, to order that such Action be tried by a Jury; and in every Case such Jury shall be summoned according to the Provisions herein-after contained: Provided always, that the Party requiring a Jury to be summoned shall give to the Clerk of the Court, or leave at his Office, such Notice thereof as shall be directed by the Rules made for regulating the Practice of the Court as herein-after provided; and the said Clerk shall cause Notice of such Demand of a Jury, made either by the Plaintiff or Defendant, to be communicated to the other Party to the said Action, either by Post, or by causing the same to be delivered at his usual Place of Abode or Business; but it shall not be necessary for either Party to prove on the Trial that such Notice was communicated to the other Party by the Clerk.

Party requiring Jury to make a Deposit.

LXXI. And be it enacted, That every Party requiring any Jury to be summoned shall at the Time of giving the said Notice, and before he shall be entitled to have such Jury summoned, pay to the Clerk of the Court the Sum of Five Shillings for Payment of the Jury, and such Sum shall be considered as Costs in the Cause, unless otherwise ordered by the Judge.

Who shall be Jurors.

LXXII. And be it enacted, That the Sheriff of every County, and the High Bailiffs of *Westminster* and *Southwark*, shall cause to be delivered to the Clerk of the Court a List of Persons qualified and liable to serve as Jurors in the Courts of Assize and Nisi Prius for their County, City, and Borough respectively, within Fourteen Days from the Receipt of the Jury Book from the Clerk of the Peace of the County or other Officer, each List containing only the Names of Persons residing within the Jurisdiction of the Court, for which List the said Sheriffs and High Bailiffs shall be entitled to receive out of the General Fund of the Court a Fee after the Rate of Two-pence for every Folio of Seventy-two Words; and whenever a Jury shall be required the Clerk of the Court shall cause so many of the Persons named in the List as shall be needed in the Opinion of the Judge to be summoned to attend the Court at a Time and Place to be mentioned in the Summons, and shall administer or cause to be administered to such of them as shall be impannelled to try any Cause or Causes an Oath to give true Verdicts according to the Evidence; and the Persons so summoned shall attend at the Court at the Time mentioned in the Summons, and in default of Attendance shall forfeit such Sum of Money as the Judge shall direct, not being more than Five Pounds for each Default; and the Delivery of such Summons to the Person whose Attendance is required on such Jury, or Delivery thereof to his Wife or Servant, or any Inmate at his usual Place of Abode, Trading, or Dealing, shall be deemed good Service: Provided always, that no Person shall be summoned or compelled to serve on such Jury more than Twice within One Year, or who shall have been summoned and shall have attended upon any Jury at the Assizes, or any Court of Nisi Prius, or at the Central Criminal Court for the same County, within Six Calendar Months next before the Delivery of such Summons.

Number of the Jury.

LXXIII. And be it enacted, That whenever there are any Jury Trials Five Jurymen shall be impannelled and sworn, as Occasion shall require, to give their Verdicts in the Causes which shall be brought before

before them in the said Court, and being once sworn shall not need to be re-sworn in each Trial; and either of the Parties to any such Cause shall be entitled to his lawful Challenge against all or any of the said Jurors in like Manner as he would be entitled in any Superior Court; and the Jurymen so sworn shall be required to give an unanimous Verdict.

Proceedings on hearing the Plaint.

LXXIV. And be it enacted, That on the Day in that Behalf named in the Summons the Plaintiff shall appear, and thereupon the Defendant shall be required to appear to answer such Plaint; and on Answer being made in Court the Judge shall proceed in a summary Way to try the Cause, and give Judgment, without further Pleading or formal Joinder of Issue.

No Evidence to be given that is not in Summons.

LXXV. And be it enacted, That no Evidence shall be given by the Plaintiff on the Trial of any such Cause as aforesaid of any Demand or Cause of Action, except such as shall be stated in the Summons hereby directed to be issued.

Notices to be given to the Clerk of special Defences, who shall communicate the same to the Plaintiff.

LXXVI. And be it enacted, That no Defendant in any Court holden under this Act shall be allowed to set off any Debt or Demand claimed or recoverable by him from the Plaintiff, or to set up by way of Defence and to claim and have the Benefit of Infancy, Coverture, or any Statute of Limitations, or of his Discharge under any Statute relating to Bankrupts, or any Act for Relief of Insolvent Debtors, without the Consent of the Plaintiff, unless such Notice thereof as shall be directed by the Rules made for regulating the Practice of the Court shall have been given to the Clerk of the Court; and in every Case in which the Practice of the Court shall require such Notice to be given the Clerk of the Court shall, as soon as conveniently may be, after receiving such Notice, communicate the same to the Plaintiff by the Post, or by causing the same to be delivered at his usual Place of Abode or Business; but it shall not be necessary for the Defendant to prove on the Trial that such Notice was communicated to the Plaintiff by the Clerk.

Suits may be settled by Arbitration.

LXXVII. And be it enacted, That the Judge may in any Case, with the Consent of both Parties to the Suit, order the same, with or without other Matters within the Jurisdiction of the Court in dispute between such Parties, to be referred to Arbitration, to such Person or Persons, and in such Manner, and on such Terms as he shall think reasonable and just; and such Reference shall not be revocable by either Party except by Consent of the Judge; and the Award of the Arbitrator or Arbitrators or Umpire shall be entered as the Judgment in the Cause, and shall be as binding and effectual to all Intents as if given by the Judge; provided that the Judge may, if he think fit, on Application to him at the first Court held after the Expiration of One Week after the Entry of such Award, set aside any such Award so given as aforesaid, or may, with the Consent of both Parties aforesaid, revoke the Reference, or order another Reference to be made in the Manner aforesaid.

Forms of Procedure in Courts to be framed by the Judges.

LXXVIII. And be it enacted, That Five of the Judges of the Superior Courts of Common Law at *Westminster*, including the Lord Chief Justice of the Court of Queen's Bench, the Lord Chief Justice of the Court of Common Pleas, and the Lord Chief Baron of the Court of Exchequer, or One of the said Chiefs at the least, shall have Power to make and issue all the general Rules for regulating the Practice and Proceedings of the County Courts holden under this Act, and also to frame Forms for every Proceeding in the said Courts for which they shall think it necessary that a Form be provided, and also for keeping all Books, Entries, and Accounts to be kept by the Clerks of the said Courts, and from Time to Time to alter any such Rule or Form; and the Rules so made, and the Forms so framed, shall be observed and used in all the Courts holden under this Act; and in any Case not expressly provided for herein, or by the said Rules, the general Principles of Practice in the Superior Courts of Common Law may be adopted and applied, at the Discretion of the Judges, to Actions and Proceedings in their several Courts.

Proceedings if Plaintiff does not appear or prove his Case.

LXXIX. And be it enacted, That if upon the Day of the Return of any Summons, or at any Continuation or Adjournment of the said Court, or of the Cause for which the said Summons shall have been issued, the Plaintiff shall not appear, the Cause shall be struck out; and if he shall appear, but shall not make Proof of his Demand to the Satisfaction of the Court, it shall be lawful for the Judge to nonsuit the Plaintiff, or to give Judgment for the Defendant, and in either Case, where the Defendant shall appear and shall not admit the Demand, to award to the Defendant, by way of Costs and Satisfaction for his Trouble and Attendance, such Sum as the Judge in his Discretion shall think fit, and such Sum shall be recoverable from the Plaintiff by such Ways and Means as any Debt or Damage ordered to be paid by the same Court can be recovered: Provided always, that if the Plaintiff shall not appear when called upon, and the Defendant, or some one duly authorized on his Behalf, shall appear, and admit the Cause of Action to the full Amount claimed, and pay the Fees payable in the first instance by the Plaintiff, the Court, if it shall think fit, may proceed to give Judgment as if the Plaintiff had appeared.

Proceedings if the Defendant does not appear.

LXXX. And be it enacted, That if on the Day so named in the Summons, or at any Continuation or Adjournment of the Court or Cause in which the Summons was issued, the Defendant shall not appear, or sufficiently excuse his Absence, or shall neglect to answer when called in Court, the Judge, upon due Proof of Service of the Summons, may proceed to the Hearing or Trial of the Cause on the Part of the Plaintiff only, and the Judgment thereupon shall be as valid as if both Parties had attended: Provided always, that the Judge in any such Case, at the same or any subsequent Court, may set aside any Judgment so given in the Absence of the Defendant, and the Execution thereupon, and may grant a new Trial of the Cause, upon such Terms, if any, as to Payment of Costs, giving Security for Debt or Costs, or such other Terms as he may think fit, on sufficient Cause shown to him for that Purpose.

Judge may grant Time.

LXXXI. And be it enacted, That the Judge may in any Case make Orders for granting Time to the Plaintiff or Defendant to proceed in the Prosecution or Defence of the Suit, and also may from Time to Time

Time adjourn any Court, or the Hearing or further Hearing of any Cause, in such Manner as to the Judge may seem fit.

Defendant may pay Money into Court.

LXXXII. And be it enacted, That it shall be lawful for the Defendant in any Action brought under this Act, within such Time as shall be directed by the Rules made for regulating the Practice of the Court, to pay into Court such Sum of Money as he shall think a full Satisfaction for the Demand of the Plaintiff, together with the Costs incurred by the Plaintiff up to the Time of such Payment; and Notice of such Payment shall be communicated by the Clerk of the Court to the Plaintiff by Post, or by causing the same to be delivered at his usual Place of Abode or Business; and the said Sum of Money shall be paid to the Plaintiff; but if he shall elect to proceed, and if the Plaintiff shall recover no further Sum in the Action than shall have been so paid into Court, the Plaintiff shall pay to the Defendant the Costs incurred by him in the said Action after such Payment; and such Costs shall be settled by the Court, and an Order shall thereupon be made by the Court for the Payment of such Costs by the Plaintiff.

Notice of such Payment to be given to Plaintiff.

Parties and others may be examined.

LXXXIII. And be it enacted, That on the Hearing or Trial of any Action or on any other Proceeding under this Act the Parties thereto, their Wives and all other Persons, may be examined, either on behalf of the Plaintiff or Defendant, upon Oath, or solemn Affirmation in those Cases in which Persons are by Law allowed to make Affirmation instead of taking an Oath, to be administered by the proper Officer of the Court.

False Evidence deemed Perjury.

LXXXIV. And be it enacted, That every Person who in any Examination upon Oath or solemn Affirmation before any Judge of the County Court shall wilfully and corruptly give false Evidence shall be deemed guilty of Perjury.

Summonses to Witnesses.

LXXXV. And be it enacted, That either of the Parties to the Suit or any other Proceeding under this Act may obtain, at the Office of the Clerk of the Court, Summonses to Witnesses, to be served by One of the Bailiffs of the Court, with or without a Clause requiring the Production of Books, Deeds, Papers, and Writings in their Possession or Control, and in any such Summons any Number of Names may be inserted.

Penalty on Witnesses neglecting Summons.

LXXXVI. And be it enacted, That every Person on whom any such Summons shall have been served, either personally or in such other Manner as shall be directed by the general Rules or Practice of the Courts, and to whom at the same Time Payment or a Tender of Payment of his Expences shall have been made on such Scale of Allowance as shall be from Time to Time settled by the general Rules of Practice of the Court, and who shall refuse or neglect, without sufficient Cause, to appear, or to produce any Books, Papers, or Writings required by such Summons to be produced, and also every Person present in Court who shall be required to give Evidence, and who shall refuse to be sworn and give Evidence, shall forfeit and pay such Fine, not exceeding Ten Pounds, as the Judge shall set on him; and the whole or any Part of such Fine, in the Discretion of the Judge, after deducting the Costs, shall be applicable toward indemnifying the Party injured by such Refusal or Neglect, and the Remainder thereof shall form Part of the General Fund of the Court in which the Fine was imposed.

Fines how to be enforced and accounted for.

LXXXVII. And be it enacted, That Payment of any Fine imposed by any Court under the Authority of this Act may be enforced upon the Order of the Judge in like Manner as Payment of any Debt adjudged in the said Court, and shall be accounted for as herein provided.

Costs to abide the Event of the Action.

LXXXVIII. And be it enacted, That all the Costs of any Action or Proceeding in the Court, not herein otherwise provided for, shall be paid by or apportioned between the Parties in such Manner as the Judge shall think fit, and in default of any special Direction shall abide the Event of the Action, and Execution may issue for the Recovery of any such Costs in like Manner as for any Debt adjudged in the said Court.

Judgments how far final.

LXXXIX. And be it enacted, That every Order and Judgment of any Court holden under this Act, except as herein provided, shall be final and conclusive between the Parties, but the Judge shall have Power to nonsuit the Plaintiff in every Case in which satisfactory Proof shall not be given to him entitling either the Plaintiff or Defendant to the Judgment of the Court, and shall also in every Case whatever have the Power, if he shall think fit, to order a new Trial to be had upon such Terms as he shall think reasonable, and in the meantime to stay the Proceedings.

No Actions to be removed into Superior Courts but on certain Conditions.

XC. And be it enacted, That no Plaint entered in any Court holden under this Act shall be removed or removable from the said Court into any of Her Majesty's Superior Courts of Record by any Writ or Process, unless the Debt or Damage claimed shall exceed Five Pounds, and then only by Leave of a Judge of One of the said Superior Courts, in Cases which shall appear to the Judge fit to be tried in One of the Superior Courts, and upon such Terms as to Payment of Costs, giving Security for Debt or Costs, or such other Terms as he shall think fit.

Who may appear for any Party in the Superior Courts.

XCI. And be it enacted, That no Person shall be entitled to appear for any other Party to any Proceeding in any of the said Courts unless he be an Attorney of One of Her Majesty's Superior Courts of Record, or a Barrister at Law instructed by such Attorney on behalf of the Party, or, by Leave of the Judge, any other Person allowed by the Judge to appear instead of such Party; but no Barrister, Attorney, or other Person, except by Leave of the Judge, shall be entitled to be heard to argue any Question as Counsel for any other Person in any Proceeding in any Court holden under this Act; and no Person, not being an Attorney admitted to One of Her Majesty's Superior Courts of Record, shall be entitled to have or recover any Sum of Money for appearing or acting on behalf of any other Person in the said Court; and no Attorney shall be entitled to have or recover therefore any Sum of Money, unless the Debt or Damage claimed shall be more than Forty Shillings, or to have or recover more than Ten Shillings for

his Fees and Costs, unless the Debt or Damage claimed shall be more than Five Pounds, or more than Fifteen Shillings in any Case within the summary Jurisdiction given by this Act; and in no Case shall any Fee exceeding One Pound Three Shillings and Sixpence be allowed for employing a Barrister as Counsel in the Cause; and the Expence of employing a Barrister or an Attorney, either by Plaintiff or Defendant, shall not be allowed on Taxation of Costs in the Case of a Plaintiff where less than Five Pounds is recovered, or in the Case of a Defendant where less than Five Pounds is claimed, or in any Case unless by Order of the Judge.

Court may make Orders for Payment by Instalments.

XCII. And be it enacted, That the Judge may make Orders concerning the Time or Times and by what Instalments any Debt or Damages or Costs for which Judgment shall be obtained in the said Court shall be paid, and all such Monies shall be paid into Court, unless the Judge shall otherwise direct.

Cross Judgments.

XCIII. And be it enacted, That if there shall be cross Judgments between the Parties Execution shall be taken out by that Party only who shall have obtained Judgment for the larger Sum, and for so much only as shall remain after deducting the smaller Sum, and Satisfaction for the Remainder shall be entered, as well as Satisfaction on the Judgment for the smaller Sum, and if both Sums shall be equal Satisfaction shall be entered upon both Judgments.

Court may award Execution against Goods.

XCIV. And be it enacted, That whenever the Judge shall have made an Order for the Payment of Money, the Amount shall be recoverable, in case of Default or Failure of Payment thereof forthwith, or at the Time or Times and in the Manner thereby directed, by Execution against the Goods and Chattels of the Party against whom such Order shall be made; and the Clerk of the said Court, at the Request of the Party prosecuting such Order, shall issue under the Seal of the Court a Writ of Fieri facias as a Warrant of Execution to the High Bailiff of the Court, who by such Warrant shall be empowered to levy, or cause to be levied, by Distress and Sale of the Goods and Chattels of such Party such Sum of Money as shall be so ordered, wheresoever they may be found within the District of the Court, whether within Liberties or without, and also the Costs of the Execution; and all Constables and other Peace Officers within their several Jurisdictions shall aid in the Execution of every such Warrant.

Execution not to issue till after Default in Payment of some Instalment, &c.

XCV. And be it enacted, That if the Judge shall have made any Order for Payment of any Sum of Money by Instalments, Execution upon such Order shall not issue against the Party until after Default in Payment of some Instalment according to such Order, and Execution or successive Executions may then issue for the whole of the said Sum of Money and Costs then remaining unpaid, or for such Portion thereof as the Judge shall order, either at the Time of making the original Order, or at any subsequent Time, under the Seal of the Court.

What Goods may be taken in Execution.

XCVI. And be it enacted, That every Bailiff or Officer executing any Process of Execution issuing out of the said County Court against the Goods and Chattels of any Person may by virtue thereof seize and take any of the Goods and Chattels of such Person (excepting the Wearing Apparel and Bedding of such Person or his Family, and the Tools and Implements of his Trade to the Value of Five Pounds, which shall to that Extent be protected from such Seizure), and may also seize and take any Money or Bank Notes (whether of the Bank of *England* or of any other Bank), and any Cheques, Bills of Exchange, Promissory Notes, Bonds, Specialties, or Securities for Money, belonging to any such Person against whom any such Execution shall have issued as aforesaid.

Securities seized to be held by High Bailiff.

XCVII. And be it enacted, That the High Bailiff shall hold any Cheques, Bills of Exchange, Promissory Notes, Bonds, Specialties, or other Securities for Money which shall have been so seized or taken as aforesaid, as a Security or Securities for the Amount directed to be levied by such Execution, or so much thereof as shall not have been otherwise levied or raised for the Benefit of the Plaintiff; and the Plaintiff may sue in the Name of the Defendant, or in the Name of any Person in whose Name the Defendant might have sued, for the Recovery of the Sum or Sums secured or made payable thereby, when the Time of Payment thereof shall have arrived.

Parties having obtained an unsatisfied Judgment may obtain a Summons on Charge of Fraud.

XCVIII. And be it enacted, That it shall be lawful for any Party who has obtained any unsatisfied Judgment or Order in any Court held by virtue of this Act, or under any Act repealed by this Act, for the Payment of any Debt or Damages or Costs, to obtain a Summons from any County Court within the Limits of which any other Party shall then dwell or carry on his Business, such Summons to be in such Form as shall be directed by the Rules made for regulating the Practice of the County Courts as herein provided, and to be served personally upon the Person to whom it is directed, requiring him to appear at such Time as shall be directed by the said Rules to answer such Things as are named in such Summons; and if he shall appear in pursuance of such Summons he may be examined upon Oath touching his Estate and Effects, and the Manner and Circumstances under which he contracted the Debt or incurred the Damages or Liability which is the Subject of the Action in which Judgment has been obtained against him, and as to the Means and Expectation he then had, and as to the Property and Means he still hath, of discharging the said Debt or Damages or Liability, and as to the Disposal he may have made of any Property; and the Person obtaining such Summons as aforesaid, and all other Witnesses whom the Judge shall think requisite, may be examined upon Oath touching the Inquiries authorized to be made as aforesaid; and the Costs of such Summons and of all Proceedings thereon shall be deemed Costs in the Cause.

Commitment for Frauds, &c.

XCIX. And be it enacted, That if the Party so summoned shall not attend as required by such Summons, and shall not allege a sufficient Excuse for not attending, or shall, if attending, refuse to be sworn, or to disclose any of the Things aforesaid, or if he shall not make answer touching the same to the Satisfaction

faction of such Judge, or if it shall appear to such Judge, either by the Examination of the Party or by any other Evidence, that such Party, if a Defendant, in incurring the Debt or Liability which is the Subject of the Action in which Judgment has been obtained has obtained Credit from the Plaintiff under false Pretences, or by means of Fraud or Breach of Trust, or has wilfully contracted such Debt or Liability without having had at the same Time a reasonable Expectation of being able to pay or discharge the same, or shall have made or caused to be made any Gift, Delivery, or Transfer of any Property, or shall have charged, removed, or concealed the same, with Intent to defraud his Creditors or any of them, or if it shall appear to the Satisfaction of the Judge of the said Court that the Party so summoned has then, or has had since the Judgment obtained against him, sufficient Means and Ability to pay the Debt or Damages or Costs so recovered against him, either altogether, or by any Instalment or Instalments which the Court in which the Judgment was obtained shall have ordered, and if he shall refuse or neglect to pay the same as shall have been so ordered, or as shall be ordered pursuant to the Power herein-after provided, it shall be lawful for such Judge, if he shall think fit, to order that any such Party may be committed to the Common Gaol or House of Correction of the County, District, or Place in which the Party summoned is resident, or to any Prison which shall be provided as the Prison of the Court, for any Period not exceeding Forty Days.

Power of Judge to rescind or alter Orders.

C. And be it enacted, That it shall be lawful for the Judge of any Court before whom such Summons shall be heard, if he shall think fit, whether or not he shall make any Order for the Committal of the Defendant, to rescind or alter any Order that shall have been previously made against any Defendant so summoned before him for the Payment, by Instalments or otherwise, of any Debt or Damages recovered, and to make any further or other Order, either for the Payment of the whole of such Debt or Damages and Costs forthwith, or by any Instalments, or in any other Manner as such Judge may think reasonable and just.

Power to examine and commit at Hearing of the Cause.

CI. And be it enacted, That in every Case where the Defendant in any Suit brought in any County Court shall have been personally served with the Summons to appear or shall personally appear at the Trial of the same, the Judge at the Hearing of the Cause, or at any Adjournment thereof if Judgment shall be given against the Defendant, shall have the same Power and Authority of examining the Defendant and the Plaintiff and other Parties touching the several Things herein-before mentioned, and of committing the Defendant to Prison, and of making an Order, as he might have and exercise under the Provisions herein-before contained in case the Plaintiff had obtained a Summons for that Purpose after the Judgment obtained as herein-before mentioned.

Mode of issuing and executing Warrants of Commitment.

CII. And be it enacted, That whenever any Order of Commitment shall have been made as aforesaid the Clerk of the said Court shall issue under the Seal of the Court a Warrant of Commitment, directed to One of the Bailiffs of any County Court, who by such Warrant shall be empowered to take the Body of the Person against whom such Order shall be made; and all Constables and other Peace Officers within their several Jurisdictions shall aid in the Execution of every such Warrant; and the Gaoler or Keeper of every Gaol, House of Correction, and Prison mentioned in any such Order shall be bound to receive and keep the Defendant therein until discharged under the Provisions of this Act, or otherwise by due Course of Law; and no Protection, Order, or Certificate granted by any Court of Bankruptcy, or for the Relief of Insolvent Debtors, shall be available to discharge any Defendant from any Commitment under such last-mentioned Order.

Imprisonment not to operate as a Satisfaction for the Debt, &c.

CIII. And be it enacted, That no Imprisonment under this Act shall in anywise operate as a Satisfaction or Extinguishment of the Debt or other Cause of Action on which a Judgment has been obtained, or protect the Defendant from being anew summoned, and imprisoned for any new Fraud or other Default rendering him liable to be imprisoned under this Act, or deprive the Plaintiff of any Right to take out Execution against the Goods and Chattels of the Defendant, in the same Manner as if such Imprisonment had not taken place.

How Execution may be had out of the Jurisdiction of the Court.

CIV. And be it enacted, That in all Cases where a Warrant of Execution shall have issued against the Goods and Chattels of any Party, or an Order for his Commitment shall have been made under this Act, and such Party, or his Goods and Chattels, shall be out of the Jurisdiction of the Court, it shall be lawful for the High Bailiff of the Court to send such Warrant of Execution or of Commitment to the Clerk of any other Court constituted under this Act, within the Jurisdiction of which such Party, or his Goods and Chattels, shall then be or be believed to be, with a Warrant thereto annexed, under the Hand of the High Bailiff and Seal of the Court from which the original Warrant issued, requiring Execution of the same, and the Clerk of the Court to which the same shall be sent shall seal or stamp the same with the Seal of his Court, and issue the same to the High Bailiff of his Court, and thereupon such last-mentioned High Bailiff shall be authorized and required to act in all respects as if the original Warrant of Execution or Commitment had been directed to him by the Court of which he is the High Bailiff, and shall, within such Time as shall be specified in the Rules of Practice, return to the High Bailiff of the Court from which the same originally issued, what he shall have done in the Execution of such Process, and in case a Levy shall have been made shall, within such Time as shall be specified in the Rules of Practice, pay over all Monies received in pursuance of the Warrant to the High Bailiff of the Court from which the same shall have originally issued, retaining the Fees for Execution of the Process; and where any Order of Commitment shall have been made, and the Person apprehended, he shall be forthwith conveyed, in Custody of the Bailiff or Officer apprehending him, to the Gaol or House of Correction or other Prison of the Court within the Jurisdiction of which he shall have been apprehended, and kept therein for the Time men-

tioned in the Warrant of Commitment, unless sooner discharged under the Provisions of this Act; and all Constables and other Peace Officers shall be aiding and assisting within their respective Districts in the Execution of such Warrant.

Power to Judge to suspend Execution in certain Cases.

CV. And be it enacted, That if it shall at any Time appear to the Satisfaction of the Judge, by the Oath or Affirmation of any Person, or otherwise, that any Defendant is unable, from Sickness or other sufficient Cause, to pay and discharge the Debt or Damages recovered against him, or any Instalment thereof ordered to be paid as aforesaid, it shall be lawful for the Judge, in his Discretion, to suspend or stay any Judgment, Order, or Execution given, made, or issued in such Action, for such Time and on such Terms as the Judge shall think fit, and so from Time to Time until it shall appear by the like Proof as aforesaid that such temporary Cause of Disability has ceased.

Regulating the Sale of Goods taken in Execution.

CVI. And be it enacted, That no Sale of any Goods which shall be taken in Execution as aforesaid shall be until after the End of Five Days at least next following the Day on which such Goods shall have been so taken, unless such Goods be of a perishable Nature, or upon the Request in Writing of the Party whose Goods shall have been taken; and until such Sale the Goods shall be deposited by the Bailiff in some fit Place, or they may remain in the Custody of a fit Person approved by the High Bailiff, to be put in possession by the Bailiff; and it shall be lawful for the High Bailiff, from Time to Time as he shall think proper, to appoint such and so many Persons for keeping Possession, and so many Sworn Brokers and Appraisers for the Purpose of selling or valuing any Goods, Chattels, or Effects taken in Execution under this Act, as shall appear to him to be necessary, and to direct Security to be taken from each of them, for such Sum and in such Manner as he shall think fit, for the faithful Performance of their Duties without Injury or Oppression; and the Judge or High Bailiff may dismiss any Person, Broker, or Appraiser so appointed; and no Goods taken in Execution under this Act shall be sold for the Purpose of satisfying the Warrant of Execution except by One of the Brokers or Appraisers so appointed; and the Brokers or Appraisers so appointed shall be entitled to have, out of the Produce of the Goods so distrained or sold, Sixpence in the Pound on the Value of the Goods for the Appraisement thereof, whether by One Broker or more, over and above the Stamp Duty, and for Advertisements, Catalogues, Sale and Commission, and Delivery of Goods, One Shilling in the Pound on the net Produce of the Sale.

As to the Liability of Goods taken in Execution under 8 Anne, c. 17.

CVII. And be it enacted, That so much of an Act passed in the Eighth Year of the Reign of Queen *Anne*, intituled *An Act for the better Security of Rents, and to prevent Frauds committed by Tenants*, as relates to the Liability of Goods taken by virtue of any Execution, shall not be deemed to apply to Goods taken in Execution under the Process of any Court holden under this Act; but the Landlord of any Tenement in which any such Goods shall be so taken shall be entitled, by any Writing under his Hand or under the Hand of his Agent, to be delivered to the Bailiff or Officer making the Levy, which Writing shall state the Terms of holding, and the Rent payable for the same, to claim any Rent in arrear then due to him, not exceeding the Rent of Four Weeks where the Tenement is let by the Week, and not exceeding the Rent accruing due in Two Terms of Payment where the Tenement is let for any other Term less than a Year, and not exceeding in any Case the Rent accruing due in One Year; and in case of any such Claim being so made the Bailiff or Officer making the Levy shall distrain as well for the Amount of the Rent so claimed, and the Costs of such additional Distress, as for the Amount of Money and Costs for which the Warrant of Execution issued under this Act, and shall not proceed to sell the same or any Part thereof within Five Days next after such Distress taken; and if any Replevin be made of the Goods so taken, such of the Goods shall be sold under the Execution as shall satisfy the Money and Costs for which the Warrant of Execution issued, and the Costs of the Sale; and the Overplus of such Sale (if any), and also the Residue of the Goods, shall be returned as in other Cases of Distress for Rent, and Replevin thereof; and for every such additional Distress for Rent in arrear the High Bailiff of the Court shall be entitled to have as the Costs of the Distress, instead of the Fees allowed by this Act for making such Distress, and keeping Possession thereof, the Fees allowed by an Act passed in the Fifty-seventh Year of the Reign of King *George* the Third, intituled *An Act to regulate the Costs of Distresses levied for Payment of small Rents.*

Landlords may claim certain Rents in arrear.

Bailiffs making Levies may distrain for Rent and Costs.

In case of Replevins.

57 G. 3. c. 93.

No Execution shall be stayed by Writ of Error.

CVIII. And be it enacted, That no Judgment or Execution shall be stayed, delayed, or reversed upon or by any Writ of Error, or Supersedeas thereon, to be sued for the reversing of any Judgment given in any Court holden under the Provisions of this Act.

Execution to be superseded on Payment of Debt and Costs.

CIX. And be it enacted, That in or upon every Warrant of Execution issued against the Goods and Chattels of any Person whomsoever the Clerk of the Court shall cause to be inserted or endorsed the Sum of Money and Costs adjudged, with the Sums allowed by this Act as increased Costs for the Execution of such Warrant; and if the Party against whom such Execution shall be issued shall, before an actual Sale of the Goods and Chattels, pay or cause to be paid or tendered unto the Clerk of the Court out of which such Warrant of Execution has issued, or to the Bailiff holding the Warrant of Execution, such Sum of Money and Costs as aforesaid, or such Part thereof as the Person entitled thereto shall agree to accept in full of his Debt or Damages and Costs, together with the Fees herein directed to be paid, the Execution shall be superseded, and the Goods and Chattels of the said Party shall be discharged and set at liberty.

Debtor to be discharged from Custody upon Payment of Debt and Costs.

CX. And be it enacted, That any Person imprisoned under this Act who shall have paid or satisfied the Debt or Demand, or the Instalments thereof payable, and Costs remaining due at the Time of the Order of Imprisonment being made, together with the Costs of obtaining such Order, and all subsequent Costs,

Costs, shall be discharged out of Custody, upon the Certificate of such Payment or Satisfaction, signed by the Clerk of the Court, by Leave of the Judge of the Court in which the Order of Imprisonment was made.

Minutes of Proceedings to be kept.

CXI. And be it enacted, that the Clerk of every Court holden under this Act shall cause a Note of all Plaints and Summonses, and of all Orders, and of all Judgments and Executions, and Returns thereto, and of all Fines, and of all other Proceedings of the Court, to be fairly entered from Time to Time in a Book belonging to the Court, which shall be kept at the Office of the Court; and such Entries in the said Book, or a Copy thereof bearing the Seal of the Court, and purporting to be signed and certified as a true Copy by the Clerk of the Court, shall at all Times be admitted in all Courts and Places whatsoever as Evidence of such Entries, and of the Proceeding referred to by such Entry or Entries, and of the Regularity of such Proceeding, without any further Proof.

Suitors Money unclaimed in Six Years to go to General Fund.

CXII. And be it enacted, That the Clerk or Clerks of every such Court shall in the Month of *March* in each Year make out a correct List of all Sums of Money belonging to Suitors in the Court which shall have been paid into Court, and which shall have remained unclaimed for Five Years before the First Day of the Month of *January* then last past, specifying the Names of the Parties for whom or on whose Account the same were so paid into Court; and a Copy of such List shall be put up and remain during Court Hours in some conspicuous Part of the Court House, and at all Times in the Clerk's Office, and all Sums of Money which shall have been paid into any such Court, to the Use of any Suitor or Suitors thereof, and which shall have remained unclaimed for the Period of Six Years before the passing of this Act, and which are now in the Hands of any Commissioner, Trustee, Judge, or Officer of such Court, or otherwise held in trust for such Suitors, and all further Sums of Money which shall hereafter be paid into any such Court, to the Use of any Suitor or Suitors thereof, shall, if unclaimed for the Period of Six Years after the same shall have been so paid into Court, be applicable as Part of the General Fund of the Court, and shall be carried to the Account of such Fund, and no Person shall be entitled to claim any Sum which shall have remained unclaimed for Six Years; but no Time during which the Person entitled to claim such Sum shall have been an Infant or Feme Covert, or of unsound Mind, or beyond the Seas, shall be taken into account in estimating the said Period of Six Years.

Power of Committal for Contempt.

CXIII. And be it enacted, That if any Person shall wilfully insult the Judge or any Juror, or any Bailiff, Clerk, or Officer of the said Court, for the Time being, during his Sitting or Attendance in Court, or in going to or returning from the Court, or shall wilfully interrupt the Proceedings of the Court, or otherwise misbehave in Court, it shall be lawful for any Bailiff or Officer of the Court, with or without the Assistance of any other Person, by the Order of the Judge, to take such Offender into Custody, and detain him until the rising of the Court; and the Judge shall be empowered, if he shall think fit, by a Warrant under his Hand, and sealed with the Seal of the Court, to commit any such Offender to any Prison to which he has Power to commit Offenders under this Act for any Time not exceeding Seven Days, or to impose upon any such Offender a Fine not exceeding Five Pounds for every such Offence, and in default of Payment thereof to commit the Offender to any such Prison as aforesaid for any Time not exceeding Seven Days, unless the said Fine be sooner paid.

Penalty for assaulting Bailiffs, or rescuing Goods taken in Execution.

CXIV. And be it enacted, That if any Officer or Bailiff of any Court holden under this Act shall be assaulted while in the Execution of his Duty, or if any Rescue shall be made or attempted to be made of any Goods levied under Process of the Court, the Person so offending shall be liable to a Fine not exceeding Five Pounds, to be recovered by Order of the Court, or before a Justice of the Peace as hereinafter provided; and it shall be lawful for the Bailiff of the Court or any Peace Officer in any such Case to take the Offender into Custody (with or without Warrant), and bring him before such Court or Justice accordingly.

Bailiffs made answerable for Escapes, and Neglect to levy Execution.

CXV. And be it enacted, That in case any Bailiff of the said Court who shall be employed to levy any Execution against Goods and Chattels shall, by Neglect, or Connivance or Omission, lose the Opportunity of levying any such Execution, then upon Complaint of the Party aggrieved by reason of such Neglect, Connivance, or Omission, (and the Fact alleged being proved to the Satisfaction of the Court on the Oath of any credible Witness,) the Judge shall order such Bailiff to pay such Damages as it shall appear that the Plaintiff has sustained thereby, not exceeding in any Case the Sum of Money for which the said Execution issued, and the Bailiff shall be liable thereto; and upon Demand made thereof, and on his Refusal so to pay and satisfy the same, Payment thereof shall be enforced by such Ways and Means as are herein provided for enforcing a Judgment recovered in the said Court.

Remedies against, and Penalties on, Bailiffs and other Officers for Misconduct.

CXVI. And be it enacted, That if any Clerk, Bailiff, or Officer of the Court, acting under Colour or Pretence of the Process of the said Court, shall be charged with Extortion or Misconduct, or with not duly paying or accounting for any Money levied by him under the Authority of this Act, it shall be lawful for the Judge to inquire into such Matter in a summary Way, and for that Purpose to summon and enforce the Attendance of all necessary Parties in like Manner as the Attendance of Witnesses in any Case may be enforced, and to make such Order thereupon for the Repayment of any Money extorted, or for the due Payment of any Money so levied as aforesaid, and for the Payment of such Damages and Costs, as he shall think just; and also, if he shall think fit, to impose such Fine upon the Clerk, Bailiff, or Officer, not exceeding Ten Pounds for each Offence, as he shall deem adequate; and in default of Payment of any Money so ordered to be paid Payment of the same may be enforced by such Ways and Means as are herein provided for enforcing a Judgment recovered in the said Court.

Penalty on Officers taking wrong Fees.

CXVII. And be it enacted, That every Treasurer, Clerk, Bailiff, or other Officer employed in putting this Act or any of the Powers thereof in execution, who shall wilfully and corruptly exact, take, or accept any

any Fee or Reward whatsoever, other than and except such Fees as are or shall be appointed and allowed respectively as aforesaid, for or on account of any thing done or to be done by virtue of this Act, or on any Account whatsoever relative to putting this Act into execution, shall, upon Proof thereof before the said Court, and in the Case of a Clerk, Treasurer, or High Bailiff on Allowance of the Finding of the Court by the Lord Chancellor, be for ever incapable of serving or being employed under this Act in any Office of Profit or Emolument, and shall also be liable for Damages as herein provided.

Claims as to Goods taken in Execution to be adjudicated in Court.

CXVIII. And be it enacted, That if any Claim shall be made to or in respect of any Goods or Chattels taken in Execution under the Process of any Court holden under this Act, or in respect of the Proceeds or Value thereof, by any Landlord for Rent, or by any Person not being the Party against whom such Process has issued, it shall be lawful for the Clerk of the Court, upon Application of the Officer, charged with the Execution of such Process, as well before as after any Action brought against such Officer, to issue a Summons calling before the said Court as well the Party issuing such Process as the Party making such Claim, and thereupon any Action which shall have been brought in any of Her Majesty's Superior Courts of Record, or in any local or inferior Court, in respect of such Claim, shall be stayed, and the Court in which such Action shall have been brought, or any Judge thereof, on Proof of the Issue of such Summons, and that the Goods and Chattels were so taken in Execution, may order the Party bringing such Action to pay the Costs of all Proceedings had upon such Action after the Issue of such Summons out of the County Court; and the Judge of the County Court shall adjudicate upon such Claim, and make such Order between the Parties in respect thereof, and of the Costs of the Proceedings, as to him shall seem fit, and such Order shall be enforced in like Manner as any Order made in any Suit brought in such Court.

Actions of Replevin may be brought without Writ.

CXIX. And be it declared and enacted, That all Actions of Replevin in Cases of Distress for Rent in arrear or Damage faisant which shall be brought in the County Court shall be brought without Writ in a Court held under this Act.

Plaints where to be entered.

CXX. And be it enacted, That in every such Action of Replevin the Plaint shall be entered in the Court holden under this Act for the District wherein the Distress was taken.

How Actions of Replevin may be removed.

CXXI. And be it enacted, That in case either Party to any such Action of Replevin shall declare to the Court in which such Action shall be brought that the Title to any corporeal or incorporeal Hereditament, or to any Toll, Market, Fair, or Franchise, is in question, or that the Rent or Damage in respect of which the Distress shall have been taken is more than the Sum of Twenty Pounds, and shall become bound, with Two sufficient Sureties, to be approved by the Clerk of the Court, in such Sums as to the Judge shall seem reasonable, regard being had to the Nature of the Claim, and the alleged Value or Amount of the Property in dispute, or of the Rent or Damage, to prosecute the Suit with Effect and without Delay, and to prove before the Court by which such Suit shall be tried that such Title as aforesaid is in dispute between the Parties, or that there was Ground for believing that the said Rent or Damage was more than Twenty Pounds, then, and not otherwise, the Action may be removed before any Court competent to try the same in such Manner as hath been accustomed.

Possession of small Tenements may be recovered by Plaint in County Court.

CXXII. And be it enacted, That when and so soon as the Term and Interest of the Tenant of any House, Land, or other corporeal Hereditament, where the Value of the Premises or the Rent payable in respect of such Tenancy did not exceed the Sum of Fifty Pounds by the Year, and upon which no Fine shall have been paid, shall have ended, or shall have been duly determined by a legal Notice to quit, and such Tenant, or if such Tenant do not actually occupy the Premises, or occupy only a Part thereof, any Person by whom the same or any Part thereof shall be then actually occupied, shall neglect or refuse to quit and deliver up Possession of the Premises, or of such Part thereof respectively, it shall be lawful for the Landlord or his Agent to enter a Plaint in the County Court to be holden under this Act, and thereupon a Summons shall issue to the Person so neglecting or refusing; and if the Tenant or Occupier shall not thereupon appear at the Time and Place appointed, and show cause to the contrary, and shall still neglect or refuse to deliver up Possession of the Premises, or of such Part thereof of which he is then in possession, to the said Landlord or his Agent, it shall be lawful for such Landlord or Agent to give to the Court Proof of the holding, and of the End or other Determination of the Tenancy, with the Time or Manner thereof, and, where the Title of the Landlord has accrued since the letting of the Premises, the Right by which he claims the Possession; and upon Proof of Service of the Summons, and of the Neglect or Refusal of the Tenant or Occupier, as the Case may be, it shall be lawful for the Judge to issue a Warrant under the Seal of the Court to any Bailiff of the Court, requiring and authorizing him within a Period to be therein named, not less than Seven or more than Ten clear Days from the Date of such Warrant, to give Possession of the Premises to such Landlord or Agent; and such Warrant shall be a sufficient Warrant to the said Bailiff to enter upon the Premises, with such Assistants as he shall deem necessary, and to give Possession accordingly: Provided always, that Entry upon any such Warrant shall not be made on a *Sunday*, *Good Friday*, or *Christmas Day*, or at any Time except between the Hours of Nine in the Morning and Four in the Afternoon: Provided also, that nothing herein contained shall be deemed to protect any Person by whom any such Warrant shall be sued out of the County Court from any Action which may be brought against him by any such Tenant or Occupier for or in respect of such Entry and taking possession where such Person had not, at the Time of suing out the same as aforesaid, lawful Right to the Possession of the same Premises.

If Tenant, &c. neglect to appear, or refuse to give Possession, Judge may, on Proof of Service of Summons, issue Warrant to enforce the same.

The Manner in which such

CXXIII. And be it enacted, That such Summons as last aforesaid may be served either personally or by leaving the same with some Person being in and apparently residing at the Place of Abode of the Person

son or Persons so holding over as aforesaid; provided that if the Person or Persons so holding over, or any or either of them, cannot be found, and the Place of Abode of such Person or Persons shall either not be known, or Admission thereto cannot be obtained for serving such Summons, the posting of the said Summons on some conspicuous Part of the Premises so held over shall be deemed to be good Service upon such Person or Persons respectively. Summons shall be served.

CXXIV. And be it enacted, That it shall not be lawful to bring any Action or Prosecution against the Judge or against the Clerk of the Court by whom such Warrant as aforesaid shall have been issued, or against any Bailiff or other Person by whom such Warrant may be executed or Summons affixed, for issuing such Warrant, or executing the same respectively, or affixing such Summons, by reason that the Person by whom the same shall be sued out had not lawful Right to the Possession of the Premises. Judges, Clerks, Bailiffs, or other Officers not liable to Actions on account of Proceedings taken.

CXXV. And be it enacted, That where the Landlord at the Time of applying for such Warrant as aforesaid had lawful Right to the Possession of the Premises, or of the Part thereof so held over as aforesaid, neither the said Landlord nor his Agent, nor any other Person acting in his Behalf, shall be deemed to be a Trespasser by reason merely of any Irregularity or Informality in the Mode of proceeding for obtaining Possession under the Authority of this Act, but the Party aggrieved may, if he think fit, bring an Action on the Case for such Irregularity or Informality, in which the Damage alleged to be sustained thereby shall be specially laid, and may recover full Satisfaction for such special Damage, with Costs of Suit; provided that if the special Damage so laid be not proved, the Defendant shall be entitled to a Verdict, and that if proved, but assessed by the Jury at any Sum not exceeding Five Shillings, the Plaintiff shall recover no more Costs than Damages, unless the Judge before whom the Trial shall have been holden shall certify that in his Opinion full Costs ought to be allowed. Where Landlord has a lawful Title, he shall not be deemed a Trespasser by reason of Irregularity.

CXXVI. And be it enacted, That in every Case in which the Person by whom any such Warrant shall be sued out of the County Court had not at the Time of suing out the same lawful Right to the Possession of the Premises, the suing out of any such Warrant as last aforesaid shall be deemed a Trespass by him against the Tenant or Occupier of the Premises, although no Entry shall be made by virtue of the Warrant; and in case any such Tenant or Occupier will become bound, with Two sufficient Sureties, to be approved by the Clerk of the Court, in such Sum as to the Judge shall seem reasonable, regard being had to the Value of the Premises, and to the probable Cost of such Action, to sue the Person by whom such Warrant was sued out with Effect and without Delay, and to pay all the Costs of the Proceeding in such Action in case a Verdict shall pass for the Defendant, or the Plaintiff shall discontinue or not prosecute his Action or become nonsuit therein, Execution upon the Warrant shall be stayed until Judgment shall have been given in such Action of Trespass; and if upon the Trial of such Action of Trespass a Verdict shall pass for the Plaintiff, such Verdict and Judgment thereupon shall supersede the said Warrant. How Execution of Warrant of Possession may be stayed.

CXXVII. And be it enacted, That every Bond given on the Removal of any Action out of the County Court, or upon staying the Execution of any such Warrant of Possession as aforesaid, or on moving for a new Trial, or to set aside a Verdict, Judgment, or Nonsuit, shall be made to the other Party to the Action at the Costs of such other Party, and shall be approved by the Judge, and attested under the Seal of the Court; and if the Bond so taken be forfeited, or if, upon the Proceeding for securing which such Bond was given, the Judge before whom such Proceeding shall be had shall not certify upon the Record in Court that the Condition of the Bond hath been fulfilled, the Party to whom the Bond shall have been so made may bring an Action of Debt, and recover thereon: Provided always, that the Court in which such Action as last aforesaid shall be brought may by a Rule of Court give such Relief to the Parties liable upon such Bond as may be agreeable to Justice and Reason, and such Rule shall have the Nature and Effect of a Defeasance to such Bond. Proceedings on the Bond for staying Warrant of Possession, &c.

CXXVIII. And be it enacted, That all Actions and Proceedings which before the passing of this Act might have been brought in any of Her Majesty's Superior Courts of Record where the Plaintiff dwells more than Twenty Miles from the Defendant, or where the Cause of Action did not arise wholly or in some material Point within the Jurisdiction of the Court within which the Defendant dwells or carries on his Business at the Time of the Action brought, or where any Officer of the County Court shall be a Party, except in respect of any Claim to any Goods and Chattels taken in Execution of the Process of the Court, or the Proceeds or Value thereof, may be brought and determined in any such Superior Court, at the Election of the Party suing or proceeding, as if this Act had not been passed. Concurrent Jurisdiction with Superior Courts.

CXXIX. And be it enacted, That if any Action shall be commenced after the passing of this Act in any of Her Majesty's Superior Courts of Record, for any Cause other than those lastly herein-before specified, for which a Plaint might have been entered in any Court holden under this Act, and a Verdict shall be found for the Plaintiff for a Sum less than Twenty Pounds, if the said Action is founded on Contract, or less than Five Pounds if it be founded on Tort, the said Plaintiff shall have Judgment to recover such Sum only, and no Costs; and if a Verdict shall not be found for the Plaintiff the Defendant shall be entitled to his Costs as between Attorney and Client, unless in either Case the Judge who shall try the Cause shall certify on the Back of the Record that the Action was fit to be brought in such Superior Court. As to Actions brought for small Debts in Superior Courts.

CXXX. And be it enacted, That all Penalties, Fines, and Forfeitures by this Act inflicted or authorized to be imposed (the Manner of recovering and applying whereof is not hereby otherwise particularly directed) Penalties and Costs to be recovered before

a Justice, and levied by Distress.

directed) shall, upon Proof before any Justice of the Peace having Jurisdiction within the County or Place where the Offender shall reside or be, or the Offence shall be committed, either by the Confession of the Party offending, or by the Oath of any credible Witness, be levied, with the Costs attending the Summons and Conviction, by Distress and Sale of the Goods and Chattels of the Party offending, by Warrant under the Hand of any such Justice; and the Overplus (if any), after such Penalties, Fines, and Forfeitures, and the Charges of such Distress and Sale, are deducted, shall be returned, upon demand, unto the Owner of such Goods and Chattels.

In default of Security, Offender may be detained till Return of Warrant of Distress.

CXXXI. And be it enacted, That if any such Penalties, Fines, and Forfeitures respectively shall not be paid forthwith upon Conviction, it shall be lawful for such Justice to order the Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless such Offender shall give sufficient Security to the Satisfaction of such Justice for his Appearance before him on such Day as shall be appointed for the Return of such Warrant of Distress, such Day not being more than Eight Days from the Time of taking any such Security, which Security such Justice shall be empowered to take by way of Recognizance or otherwise, as to him shall seem fit.

In default of Distress, Offender may be committed.

CXXXII. And be it enacted, That if upon Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Justice, either by Confession of the Offender or otherwise, that he hath not within the Jurisdiction of such Justice sufficient Goods and Chattels whereon to levy all such Penalties, Forfeitures, Costs, and Charges, such Justice may, at his Discretion, without issuing any Warrant of Distress, commit the Offender to the Common Gaol or House of Correction for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

Penalties not otherwise applied, to be paid into the General Fund.

CXXXIII. And be it enacted, That the Monies arising from any such Penalties, Forfeitures, and Fines as aforesaid, when paid and levied, shall (if not by this Act directed to be otherwise applied) be from Time to Time paid to the Clerk of the Court, and shall be applied in aid of the General Fund thereof.

Justices may proceed by Summons in the Recovery of Penalties.

CXXXIV. And be it enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable before a Justice of the Peace, it shall be lawful for such Justice to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited before him; and all such Proceedings by Summons without Information in Writing shall be as valid and effectual to all Intents and Purposes as if an Information in Writing had been exhibited.

Form of Conviction.

CXXXV. And be it enacted, That in all Cases where any Conviction shall be had for any Offence committed against this Act the Form of Conviction may be in the Words or to the Effect following; (that is to say,)

'BE it remembered, That on this Day of in the Year of our
'Lord *A.B.* is convicted before of Her Majesty's Justices of the
'Peace for the [*or* before a Judge appointed under an Act passed in the
'Year of the Reign of Her Majesty Queen Victoria, intituled, *here insert the Title of this Act,*] of having
'[*state the Offence*]; and I [*or* we] the said do adjudge the said to
'forfeit and pay for the same the Sum of or to be committed to for the
'Space of . Given under Hand and Seal the Day and Year aforesaid.'

Proceedings not invalid, &c.

CXXXVI. And be it enacted, That no Order, Verdict, or Judgment, or other Proceeding, made concerning any of the Matters aforesaid, shall be quashed or vacated for Want of Form.

Distress not unlawful for Want of Form.

CXXXVII. And be it enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall the Party distraining be deemed a Trespasser from the Beginning on account of any Irregularity which shall afterwards be committed by the Party so distraining, but the Person aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

Limitation of Actions for Proceedings in execution of this Act.

CXXXVIII. And for the Protection of Persons acting in the Execution of this Act, be it enacted, That all Actions and Prosecutions to be commenced against any Person for any thing done in pursuance of this Act shall be laid and tried in the County where the Fact was committed, and shall be commenced within Three Calendar Months after the Fact committed, and not afterwards, or otherwise; and Notice in Writing of such Action, and of the Cause thereof, shall be given to the Defendant One Calendar Month at least before the Commencement of the Action; and no Plaintiff shall recover in any such Action if Tender of sufficient Amends shall have been made before such Action brought, or if after Action brought a sufficient Sum of Money shall have been paid into Court, with Costs, by or on behalf of the Defendant.

Provision for the Protection of Officers of the Court.

CXXXIX. And be it enacted, That if any Person shall bring any Suit in any of Her Majesty's Superior Courts of Record in respect of any Grievance committed by any Clerk, Bailiff, or Officer of any Court holden under this Act, under Colour or Pretence of the Process of the said Court, and the Jury upon

upon the Trial of the Action shall not find greater Damages for the Plaintiff than the Sum of Twenty Pounds, no Costs shall be awarded to the Plaintiff in such Action unless the Judge shall certify in Court upon the Back of the Record that the Action was fit to be brought in such Superior Court.

Act not to affect Rights of Universities of Oxford or Cambridge;

CXL. Provided always, and be it enacted, That nothing in this Act contained shall be construed to alter or affect the Rights or Privileges of the Chancellor, Masters, and Scholars of the Universities of *Oxford* or *Cambridge* respectively as by Law possessed, or the Jurisdiction of the Courts of the Chancellors or Vice Chancellors of the said Universities, as holden under the respective Charters of the said Universities, or otherwise.

nor the Courts of the Wardens of the Stannaries.

CXLI. Provided always, and be it declared and enacted, That nothing in this Act contained shall be construed to affect the Courts of the Lord Warden or of the Vice Warden of the Stannaries of *Cornwall*; but this Provision shall not be deemed to prevent the Establishment of any Court under this Act within the said Stannaries, or to limit or affect the Jurisdiction of any Court so established under this Act.

Interpretation of Act.

CXLII. And be it enacted, That in construing this Act all things directed or authorized to be done by or with respect to the Lord Chancellor shall and may be done by or with respect to a Lord Keeper or the First Commissioner for the Custody of the Great Seal of the United Kingdom of *Great Britain* and *Ireland*; and all things directed or authorized to be done by or with respect to the Commissioners of Her Majesty's Treasury shall and may be done by and with respect to Three or more of the said Commissioners or the Lord High Treasurer; and the Word "Person" shall be understood to mean a Body Politic, Corporate, or Collegiate, as well as Individual; and every Word importing the Singular Number shall, where necessary to give full Effect to the Enactments herein contained, be understood to mean several Persons or Things as well as one Person or Thing; and every Word importing the Masculine Gender shall, where necessary, be understood to mean a Female as well as a Male; and the Words "County Court" shall be understood to mean any Court holden under this Act; and the Term "Landlord" shall be understood to mean the Person entitled to the immediate Reversion of the Lands, or, if the Property be holden in Joint Tenancy, Coparcenary, or Tenancy in Common, shall be understood to mean any one of the Persons entitled to such Reversion; and the Word "Clerk" shall be understood to mean "Chief Clerk" or "Registrar;" and the Words "Attorney at Law" shall be understood to include a Solicitor in any Court of Equity; and the Word "Agent" shall be understood to mean any Person usually employed by the Landlord in the letting of Lands, or in the Collection of the Rents thereof, or specially authorized to act in any particular Matter by Writing under the Hand of such Landlord; and the Word "Bailiff" shall be understood to include High Bailiff; unless in any of these Cases there be something in the Context inconsistent with such Meaning.

Act may be amended, &c.

CXLIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

Acts for the more easy and speedy Recovery of Small Debts within the Towns, Parishes, and Places under written, and other Parishes and Places adjacent; that is to say,

Ashton-under-Lyne	48 Geo. 3. c. xcviii.
Bath	45 Geo. 3. c. lxvii.
Beverley	46 Geo. 3. c. cxxxv.
Birmingham	47 Geo. 3. c. xiv.
Blackheath	47 Geo. 3. c. iv.
Bolingbroke and Horncastle	47 Geo. 3. Sess. 2. c. lxxviii.
Boston	47 Geo. 3. Sess. 2. c. i.
Bradford	47 Geo. 3. Sess. 2. c. xxxix.
Bristol	56 Geo. 3. c. lxxvi.
Bristol	7 Will. 4. & 1 Vict. c. lxxxiv.
Brixton	46 Geo. 3. c. lxxxviii.
Broseley	22 Geo. 3. c. xxxvii.
Canterbury	25 Geo. 2. c. xlv.
Chippenham	5 Geo. 3. c. ix.
Cirencester	32 Geo. 3. c. lxxvii.
Codsheath	48 Geo. 3. c. l.
Deal	26 Geo. 3. c. xviii.
Derby	6 Geo. 3. c. xx.
Doncaster	4 Geo. 3. c. xl.
Dovor	24 Geo. 3. c. viii.
Ecclesall	48 Geo. 3. c. ciii.
Elloe	47 Geo. 3. c. xxxvii.
Ely, Isle of	18 Geo. 3. c. xxxvi.

Exeter	13 Geo. 3. c. xxvii.
Faversham	25 Geo. 3. c. vii.
Folkestone	26 Geo. 3. c. xcviii.
Gloucester	1 Will. & Mary, c. xviii.
Gravesend	47 Geo. 3. Sess. 2. c. xl.
Grimsby, Great	46 Geo. 3. c. xxxvii.
Hagnaby	18 Geo. 3. c. xxxiv.
Halesowen	47 Geo. 3. c. xxxvi.
Ipswich	47 Geo. 3. Sess. 2. c. lxxix.
Kidderminster	12 Geo. 3. c. lxvi.
King's Lynn	10 Geo. 3. c. xx.
Kingston-upon-Hull	48 Geo. 3. c. cix.
Kirkby in Kendal	4 Geo. 3. c. xli.
Lincoln	24 Geo. 2. c. xvi.
Liverpool	6 & 7 Will. 4. c. cxxxv.
Manchester	48 Geo. 3. c. xliii.
Margate	47 Geo. 3. Sess. 2. c. vii.
Middlesex	23 Geo. 2. c. xxxiii.
Newcastle-upon-Tyne	1 Will. & Mary, c. xvii.
Norwich	12 & 13 Will. 3. c. vii.
Old Swinford	17 Geo. 3. c. xix.
Pontefract Honor	2 & 3 Vict. c. lxxxv.
Poulton	10 Geo. 3. c. xxi.
Rochester	48 Geo. 3. c. li.
Saint Albans	25 Geo. 2. c. xxxviii.
Saint Briavels	5 & 6 Vict. c. lxxxiii.
Sandwich	47 Geo. 3. c. xxxv.
Sheffield	48 Geo. 3. c. ciii.
Shrewsbury	23 Geo. 3. c. lxxiii.
Southwark and East Brixton	4 Geo. 4. c. cxxiii.
Stockport	46 Geo. 3. c. cxiv.
Tower Hamlets	2 Will. 4. c. lxv.
Westbury	48 Geo. 3. c. lxxxviii.
Westminster	24 Geo. 2. c. xlii.
Wight, Isle of	46 Geo. 3. c. lxvi.
Wolverhampton	48 Geo. 3. c. cx.
Wraggoe	19 Geo. 3. c. xliii.
Yarmouth, Great	31 Geo. 2. c. xxiv.

SCHEDULE (B.)

Acts for the more easy and speedy Recovery of Small Debts within the Towns, Parishes, and Places under written, and other Parishes and Places adjacent thereto; (that is to say,)

Aberford	2 & 3 Vict. c. lxxxvi. 3 Vict. c. xxxiii.
Ashby-de-la-Zouch	1 Vict. c. xv.
Barnsley	1 & 2 Vict. c. xc.
Belper	2 & 3 Vict. c. xcviii.
Blackburn	4 & 5 Vict. c. lxvii.
Blackheath	6 & 7 Will. 4. c. cxx. 1 & 2 Vict. c. lxxxix.
Bolton	3 Vict. c. xviii.
Brighton	3 Vict. c. x.
Burnley	4 & 5 Vict. c. lxxxiii.
Bury	2 & 3 Vict. c. ci.
Chesterfield	2 & 3 Vict. c. civ.
Crediton	8 & 9 Vict. c. lxxix.
East Retford	4 & 5 Vict. c. lxxxvii.
Eckington	2 & 3 Vict. c. ciii.
Exeter	4 & 5 Vict. c. lxxiii.
Gainsburgh	4 & 5 Vict. c. lxxxvi.
Glossop	2 & 3 Vict. c. lxxxviii.
Grantham	2 & 3 Vict. c. lxxxix.
Halifax	2 & 3 Vict. c. cvi.
Hatfield	4 & 5 Vict. c. lxxiv.

Hinckley	7 Will. 4. c. viii.
Hyde	3 & 4 Will. 4. c. cxix.
Kingsnorton	4 & 5 Vict. c. lxxv.
Launceston	4 & 5 Vict. c. lxxvi.
Leicester	6 & 7 Will. 4. c. cxxiii. 7 Will. 4. c. vii.
Loughborough	7 Will. 4. c. ix.
Newark	4 & 5 Vict. c. lxxix.
New Sarum	4 & 5 Vict. c. lxxxiv.
New Sleaford	4 & 5 Vict. c. lxxxv.
Newton Abbott	3 Vict. c. xxv.
Nottingham	2 & 3 Vict. c. cv.
Oakham	1 Vict. c. xxxvi.
Prestbury Division of the Hundred of Macclesfield	6 Will. 4. c. xiii.
Prestwich-cum-Oldham	2 & 3 Vict. c. c.
Roborough	7 Will. 4. c. lxii.
Rochdale	2 & 3 Vict. c. xc.
Rotherham	2 & 3 Vict. c. lxxxvii.
Saint Helen's	4 & 5 Vict. c. lxxxii.
Staffordshire Potteries	4 & 5 Vict. c. lxxxi.
Tavistock	3 Vict. c. lxviii.
Totnes	4 & 5 Vict. c. lxxx.
Warrington	2 & 3 Vict. c. xci.
Westminster	6 & 7 Will. 4. c. cxxxvii.
Wigan	4 & 5 Vict. c. lxxviii.
Wirksworth	2 & 3 Vict. c. cii.

SCHEDULE (C.)

Town.	Officer of the Court.	Person to whom the next Appointment is to belong.
Ashton-under-Lyne	Clerk of the Court to be holden at Ashton.	Lord of the Manor of Ashton-under-Lyne.
Birmingham	High Bailiff of the Court to be holden at Birmingham.	Lord of the Manor of Birmingham.
Cirencester	Clerk of the Court to be holden at Cirencester.	Lord of the Manor and Seven Hundreds of Cirencester.
Kidderminster	Clerk of the Court to be holden at Kidderminster.	Lord of the Manor of the Borough of Kidderminster.
Stourbridge	Clerk of the Court to be holden at Stourbridge.	Lord of the Manor of Old Swinford or Amblecoat, to whom, on the Day before the passing of this Act, the next Turn belongs to appoint the Clerk or Beadle of the Court of Requests for the Parish of Old Swinford.
St. Albans	High Bailiff of the Court to be holden at Watford.	Lord of the Hundred of Cashio.
Sheffield	Judge of the Court to be holden at Sheffield.	Lord of the Manor of Sheffield.
	Clerk of the Court to be holden at Sheffield.	Lord of the Manor of Ecclesall.
Stockport	Clerk of the Court to be holden Stockport.	Lord of the Manor and Barony of Stockport.

SCHEDULE (D.)

	AMOUNT OF DEMAND.					
	Not exceeding 20s.	Exceeding 20s. and not exceeding 40s.	Exceeding 40s. and not exceeding £5.	Exceeding £5. and not exceeding £10.	Exceeding £10.	
					Founded on Contract.	Founded on Tort.
JUDGE'S FEES.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Every Summons	0 3	0 6	1 0	2 0	3 0	3 0
Every Hearing without a Jury	1 0	1 6	2 6	7 6	10 0	15 0
Every Hearing or Trial with a Jury	2 0	3 0	5 0	10 0	15 0	20 0
Every Order or Judgment or Application for an Order	0 3	0 6	1 0	2 0	3 0	3 0
CLERK'S FEES.						
Entering every Plaint and issuing the Summons thereon	0 3	0 6	1 0	2 0	3 0	3 6
Every Subpœna, when required	0 3	0 6	0 9	1 0	1 6	1 6
Every Hearing, Trial, or Nonsuit without a Jury	0 4	0 6	1 0	1 6	2 0	3 6
Adjournment of any Cause	0 3	0 4	0 6	1 0	2 0	2 0
Entering and giving Notice of Special Defence	0 3	0 6	1 0	1 6	2 0	2 0
Swearing every Witness for Plaintiff or Defendant	0 2	0 2	0 3	0 4	0 6	1 0
Entering and drawing up every Judgment and Order, and Copy thereof	0 3	0 6	1 0	1 6	2 6	3 0
Payment of Money in or out of Court, whether or not by Instalments at different Times, including Notice thereof, and taking Receipt	0 2	0 4	0 6	—	—	—
Paying Money into Court, and entering same in Books, and Notice thereof, or of Sum in full Satisfaction having been paid into Court, each Instalment or Payment	—	—	—	0 6	0 8	1 0
Payment of Money out of Court, and taking Receipt, exclusive of Stamp	—	—	—	0 9	1 0	1 6
Every Search in the Books	0 2	0 2	0 4	0 6	1 0	1 0
Issuing every Warrant, Attachment, or Execution	0 6	0 6	1 0	1 6	2 6	3 0
Supersedeas of Execution, or Certificate of Payment, or Withdrawal of Cause	0 3	0 6	0 6	1 0	1 6	2 0
Warrant of Commitment for an Insult or Misbehaviour in Court	1 0	1 0	1 0	1 0	1 0	1 0
Entering and giving Notice of Jury being required	0 6	0 9	1 0	1 6	2 0	2 6
Issuing Summons for Jury	0 6	0 9	1 0	1 6	2 0	2 6
Swearing Jury	0 6	0 8	0 10	1 0	1 6	1 6
Every Hearing, Trial, or Nonsuit with a Jury	1 0	1 6	2 0	3 0	5 0	7 6
Taking Recognizance or Security for Costs	—	—	—	2 0	2 6	3 0
Inquiring into Sufficiency of Sureties proposed, and taking Bond on Removal of Plaint, or Grant of new Trial, or other Occasion	2 6	2 6	2 6	2 6	2 6	2 6
Taxing Costs	—	—	—	1 0	2 0	3 0

N.B.—Where the Plaintiff recovers less than his Claim so as to reduce the Scale of Costs, the Plaintiff to pay the Difference.

HIGH BAILIFF'S FEES.	Not exceeding 20s.	Exceeding 20s. and not exceeding 40s.	Exceeding 40s. and not exceeding £5.	Exceeding £5, and not exceeding £10.	Exceeding £10. Founded on Contract.	Exceeding £10. Founded on Tort.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Calling every Cause - - -	0 2	0 3	0 4	0 6	1 0	1 6
Affidavit of Service of Summons out of the Jurisdiction - - -	0 2	0 3	0 6	1 0	1 6	2 0
Serving every Summons, Order, or Subpœna within One Mile of Court House - - -	0 3	0 4	0 6	0 10	1 0	1 6
If above 1 Mile, then extra for every other Mile - - -	0 2	0 2	0 3	0 4	0 4	—
Execution of every Warrant, Precept, or Attachment against the Goods or Body within One Mile of the Court House - - - -	1 6	2 6	3 6	4 0	5 0	7 0
If above 1 Mile, then extra for every other Mile - - -	0 3	0 3	0 4	0 6	0 6	0 6
If Two Officers be necessary in the Judgment of the Court, then extra, within 1 Mile of the Court House -	1 0	1 6	2 0	2 0	2 6	3 0
If above 1 Mile, then extra for every other Mile - - -	0 3	0 3	0 4	0 6	0 6	0 6
Keeping Possession of Goods till Sale, per Day, not exceeding 5 Days -	1 0	1 6	2 0	2 0	2 6	3 0
Carrying every Delinquent to Prison, including all Expences and Assistants, per Mile - - - - -	1 0	1 0	1 0	1 0	1 0	1 0
Issuing Warrant to Clerk of another Court - - - -	1 0	1 6	2 0	2 6	3 0	3 6

N.B.—The several Fees payable on Proceedings in Replevin to be regulated on the same Scale by the Amount distrained for, and on Proceedings for the Recovery of Tenements by the yearly Rent or Value of the Tenement sought to be recovered.

CAP. XCVI.

An Act for the more speedy Removal of certain Nuisances, and to enable the Privy Council to make Regulations for the Prevention of contagious and epidemic Diseases until the Thirty-first Day of *August* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament. [28th *August* 1846.]

'WHEREAS it is highly expedient for the Purpose of preserving the Health of divers of Her 'Majesty's Subjects that better Provision should be made for the Removal of certain Nuisances 'likely to promote or increase Disease:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for any Town Council or other like Body having Jurisdiction within any Corporate Town, Borough, City, or Place, or any Trustees or Commissioners or other like Officers acting under the Provisions of any Act of Parliament for the Drainage, Paving, or Cleansing, or managing or directing the Police, in any Town, Borough, City, or Place, or for any of the above Purposes, or for Commissioners acting under the Provisions of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to make Provision for lighting, cleansing, and watching Cities, Towns Corporate, and Market Towns in* Ireland, *in certain Cases*, or in case there shall be no such Town Council or other like Body, or no such Trustees or Commissioners having Jurisdiction or acting as aforesaid, in any Town, Borough, City, or Place, then it shall be lawful for the Guardians of the Poor, upon receiving a Certificate in Writing in the Form contained in Schedule (A.) to this Act annexed, or to the like Effect, signed by Two duly qualified Medical Practitioners, of the filthy and unwholesome Condition of any Dwelling House or other Building, or of the Accumulation of any offensive or noxious Matter, Refuse, Dung, or Offal, or of the Existence of any foul or offensive Drain, Privy, or Cesspool, to lay a Complaint before any Two Justices of the Peace; and such Justices, upon the Production of such Certificate as aforesaid, shall forthwith summon, in the Form contained in Schedule (B.) to this Act annexed, or to the like Effect, the

Certain public Officers, on Receipt of the Certificate of Two Medical Men, may complain of the Existence of Nuisances. 9 G. 4. c. 82.

The Justices to whom the Complaint is made

required to summon Parties complained against.

the Owner or Occupier of the Premises described in such Certificate to appear before them or some other Justices to answer the Matters of Complaint alleged in such Certificate, and if such Owner or Occupier shall not appear at the Time and Place named in such Summons, or having appeared shall not show sufficient Cause to the contrary, or if there is no Owner or Occupier, or if it appears that no Owner or Occupier can be found, and upon Proof that a Copy of the said Summons was left on the Premises in the Summons mentioned, then in either of the Cases aforesaid such Justices, upon Proof to their Satisfaction of the Existence of the Nuisance in the said Certificate described, shall forthwith make an Order in Writing under their Hands and Seals in the Form contained in Schedule (C.) to this Act annexed, or to the like Effect, for the cleansing, whitewashing, or purifying of any such Dwelling House or other Building, or for the Removal or Abatement of the Nuisance in the said Certificate described, within the Period and in the Manner in the said Order to be prescribed (such Period not being more than Two clear Days, of which *Sunday* shall not be one, after Notice of the making of the said Order has been given in pursuance of the Provisions of this Act); and such Order, or a true Copy of the same, shall be forthwith served upon the Owner or Occupier respectively of the Premises or Place mentioned in such Order, or if there be no such Owner or Occupier, or if such Owner or Occupier cannot be served, then such Order or a true Copy thereof shall be forthwith affixed upon some Part of such Premises or Place as aforesaid; and if the Dwelling House or other Building in the said Order mentioned shall not be cleansed, whitewashed, or purified, or if the Nuisance in the said Order described shall not be removed or abated, within the Period and in the Manner in the said Order mentioned, it shall be lawful for the Persons who made the Complaint, and who shall be authorized by the said Justices so to do, by themselves, their Servants, and others, to enter any Dwelling House or other Building or Place in the said Order mentioned, to cleanse, whitewash, or purify such Dwelling House or other Building, or to remove or abate the Nuisance in the said Order described; and if any Person shall wilfully obstruct any Person acting under the Authority and in pursuance of any Order made under the Provisions of this Act he shall be liable to a Penalty not exceeding Ten Pounds nor less than Two Pounds for every such Offence.

The Order or a Copy to be served or affixed to the Premises.

If the Order be not obeyed, the Parties complaining may enter on the Premises and remove the Nuisance.

Costs and Expences incurred by the Parties complaining may be recovered from the Owner or Occupier of the Premises on which the Nuisance existed.

II. And be it enacted, That it shall be lawful for the Persons who shall have made such Complaint as aforesaid to take Proceedings to recover, from the Owner or Occupier of any Dwelling House or other Building or Place in any such Order as aforesaid mentioned, the Costs and Expences incurred by them in obtaining such Order or in removing or abating any Nuisance, and otherwise carrying such Order into effect; and any Two Justices, upon the Application of such Persons so complaining, shall summon such Owner or Occupier to appear before them at a Time and Place to be named in such Summons; and upon the Appearance of such Owner or Occupier, or in his Absence upon Proof of due Service of the Summons, such Justices, upon Proof that such Costs and Expences as aforesaid have been incurred by the said Persons so complaining, shall (unless they shall think fit to excuse the Party so charged on the Ground of Poverty or other special Circumstances) order such Owner or Occupier to pay the Amount thereof to the said Persons so complaining, together with the Costs attending such Summons and Hearing; and if the same shall not be paid by the Parties liable to pay the same within Seven Days after Demand, the Amount may be recovered by Distress of the Goods of the Parties liable as aforesaid; and the Justices by whom the same shall have been ordered to be paid, or any Two other Justices, on Application, shall issue their Warrant accordingly.

Certain Public Officers in Scotland, on Receipt of the Certificate of Two Medical Men, may complain of the Existence of Nuisances in Scotland. 8 & 9 Vict. c. 83.

III. And be it enacted, That it shall be lawful for the Magistrates and Councillors or other like Body having Jurisdiction within any Burgh, Town, City, or Place in *Scotland*, or any Trustees or Commissioners acting under the Provisions of any Act of Parliament for the Drainage, Paving, or Cleansing, or managing or directing the Police, in any Burgh, Town, City, or Place in *Scotland*, or for any of the above Purposes, or in case there shall be no such Magistrates or Councillors or other like Body, or no such Trustees or Commissioners having Jurisdiction or acting as aforesaid, in any Burgh, Town, City, or Place, then it shall be lawful for the Parochial Board for the Management of the Poor in *Scotland* established under the Provisions of an Act of Parliament passed in the Session held in the Eighth and Ninth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act for the Amendment and better Administration of the Laws relating to the Relief of the Poor in* Scotland, upon receiving a Certificate in Writing in the Form aforesaid, or to the like Effect, signed by Two duly qualified Medical Practitioners, of the filthy and unwholesome Condition of any Dwelling House or other Building, or of the Accumulation of any offensive or noxious Matter, Refuse, Dung, or Offal, or of the Existence of any foul or offensive Drain, Privy, or Cesspool, to lay a Complaint in Writing before the Sheriff or any Two Justices of the Peace; and such Sheriff or Justices, upon the Production of such Certificate as aforesaid, shall forthwith order the Owner or Occupier of the Premises described in such Certificate to appear at a Time and Place to be named in such Order, to answer the Matters of Complaint alleged in such Certificate, and every such Order shall be served upon the Owner or Occupier of the Premises described in such Certificate, either in Person or by leaving or affixing a Copy of the same at or upon the Premises, and either upon Appearance or failing to appear of such Owner or Occupier, or if there be no Owner or Occupier, or if it appear that no Owner or Occupier can be found, then in either of such Cases it shall be lawful for the Sheriff or Justices to proceed to the hearing of the Complaint, and upon Proof to their Satisfaction of the Existence of the Nuisance in the Certificate described, either by the Confession of the Party so complained against, or upon Proof by legal Evidence, and without any written Pleadings or Record of Evidence, they shall forthwith make an Order in Writing in the Form aforesaid or to the like Effect, under

The Sheriff or Justices to whom the Complaint is made required to order the Attendance of the Parties complained against.

under his or their Hands or Seals, requiring such Owner or Occupier to cleanse, whitewash, or purify any such Dwelling House or other Building, or to remove or abate the Nuisance in the Certificate described, within the Period and in the Manner in the said Order to be prescribed (such Period being not more than Two clear Days, of which *Sunday* shall not be One, after Notice of the making of the said Order has been given in pursuance of the Provisions of this Act); and such Order, or a true Copy of the same, shall be forthwith served upon the Owner or Occupier respectively of the Premises or Place mentioned in such Order, or if there be no such Owner or Occupier, or if such Owner or Occupier cannot be served, then such Order, or a true Copy thereof, shall be forthwith affixed upon some Part of such Premises or Place as aforesaid; and if the Dwelling House or other Building in the said Order mentioned shall not be cleansed, whitewashed, or purified, or if the Nuisance in the said Order described shall not be removed or abated, within the Period and in the Manner in the said Order mentioned, it shall be lawful for the Persons who made the Complaint, and who shall be authorized by the said Sheriff or Justices so to do, by themselves, their Servants and others, to enter any Dwelling House or other Building or Place in the said Order mentioned, to cleanse, whitewash, or purify such Dwelling House or other Building, or to remove or abate the Nuisance, in the said Order described; and if any Person shall wilfully obstruct any Person acting under the Authority and in pursuance of any Order made under the Provisions of this Act, he shall be liable to a Penalty not exceeding Ten Pounds nor less than Two Pounds for every such Offence.

The Order or a Copy thereof to be served or affixed to the Premises.

If the Order be not obeyed the Parties complaining may enter on the Premises and remove the Nuisance.

IV. And be it enacted, That it shall be lawful for the Persons who shall have made such Complaint as aforesaid to take Proceedings to recover from the Owner or Occupier of any Dwelling House or other Building or Place in any such Order as aforesaid mentioned the Costs and Expences incurred by them in obtaining such Order, or in removing or abating any Nuisance, and otherwise carrying such Order into effect; and any Sheriff or Two Justices, upon the Application of such Persons so complaining, shall issue an Order requiring such Owner or Occupier to appear before him or them at a Time and Place to be named in such Order, and upon the Appearance of such Owner or Occupier, or in his Absence upon Proof of due Service of the Order, such Sheriff or Justices, upon Proof that such Costs and Expences as aforesaid have been incurred by the said Persons so complaining, shall (unless he or they shall think fit to excuse the Party so charged, on the Ground of Poverty or other special Circumstances,) order such Owner or Occupier to pay the Amount thereof to the said Persons so complaining, together with the Costs attending such Order and Hearing, and if the same shall not be paid by the Parties liable to pay the same within Seven Days after Demand, the Amount may be recovered by Poinding and Sale of the Goods of the Parties liable as aforesaid, and the Sheriff or Justices by whom the same shall have been ordered to be paid, or any Two other Justices, on Application, shall issue their Warrant accordingly.

Costs and Expences incurred by the Parties complaining may be recovered from the Owner or Occupier of the Premises on which the Nuisance existed.

V. 'And whereas Cases may occur where Cities, Towns, or Places may be threatened with or affected 'by formidable contagious or epidemic Diseases, and it may be impossible to establish Rules for the 'Prevention thereof by the Authority of Parliament with sufficient Promptitude to meet the Exigency of 'each Case, and it is therefore expedient to enable the Lords of Her Majesty's most Honourable 'Privy Council to issue Orders in *England* and *Scotland*, and the Lord Lieutenant and Privy Council 'of *Ireland* to issue Orders in *Ireland*, from Time to Time for that Purpose;' be it therefore enacted, That if any City, Town, Burgh, or Place shall hereafter be threatened with or affected by such formidable contagious or epidemic Diseases, it shall be lawful in *England* and *Scotland* for the Lords and others of Her Majesty's most Honourable Privy Council, or any Three or more of them, (of whom the Lord President of the Council or One of Her Majesty's Principal Secretaries of State for the Time being shall always be One,) or in *Ireland* for the Lord Lieutenant and Privy Council of *Ireland*, by any Order or Orders to be by them from Time to Time made, to establish, and again from Time to Time by any such Order or Orders to revoke, renew, alter, and vary, all such Rules and Regulations, or to substitute any such new Rules and Regulations, as to them may appear necessary or expedient for the Prevention, as far as may be possible, of any such contagious or epidemic Diseases, or for the Relief of any Persons suffering under or likely to be affected by any such Diseases, and for the safe and speedy Interment of any Person who may die of any such Diseases.

Privy Council, &c. in England and Ireland, empowered to issue Orders at any Time to prevent the spreading of contagious or epidemic Diseases.

VI. And be it enacted, That every such Order as aforesaid relating to *England* or *Scotland* shall be certified under the Hand of One of the Clerks in ordinary of Her Majesty's Privy Council in *England*, and every such Order relating to *Ireland* shall be certified under the Hand of one of the Clerks of the Privy Council thereof, and that the Publication of any such Order for *England* or *Scotland* in the *London Gazette*, or for *Ireland* in the *Dublin Gazette*, shall for all Intents and Purposes be taken, admitted, and received in all Courts, and by and before all Judges, Justices, Magistrates, Sheriffs, and others, as good and sufficient Evidence of the making and of the Date and Contents of any such Order.

Orders to be certified by Clerks of the Privy Council, and when published, received as Evidence.

VII. And be it enacted, That any Person who shall or may violate or wilfully and knowingly infringe the Provisions of any such Order, or who shall or may refuse or wilfully neglect or omit to act in obedience to or in conformity with any such Order, or who shall resist, oppose, or obstruct the lawful Execution thereof, shall for every such Offence incur and become liable to a Penalty not exceeding Five Pounds nor less than One Pound, to be recovered in the Manner herein-after mentioned.

Penalty for Violation of Orders.

VIII. And be it enacted, That any Penalty imposed by this Act for any Offence committed in *England* or *Ireland* may be recovered by any Person who may sue for the same before any Two Justices, and it shall be lawful for any Two Justices, in all Cases where any Information shall be laid before them on Oath of any Offence against the Provisions of this Act, and they are hereby required to issue their

Proceedings in case of Information, &c. in England or Ireland.

their Summons to any Person whom they may have reason to suppose capable of giving any material Evidence on the hearing of such Information, requiring every such Person to appear and give Evidence at a Time and Place to be specified in such Summons; and if any Person so summoned shall not appear before such Justices at the Time and Place so specified in the said Summons, or shall not offer any reasonable Excuse for such Default to the Satisfaction of the said Justices, or appearing shall not submit to be examined as a Witness, then and in every such Case it shall be lawful for the said Justices and they are hereby authorized (Proof on Oath, in the Case of any Person not appearing to such Summons, having been first made before such Justices of the due Service of such Summons on such Person by delivering the same to him or by leaving the same at his usual Place of Abode), by Warrant under the Hands and Seals of such Justices, to commit any such Person so making default as aforesaid to some Gaol or House of Correction within the Jurisdiction of the said Justices for any Time not exceeding Fourteen Days, or until such Person shall submit to be examined and give Evidence.

Justices empowered to levy Penalties by Distress, &c.

In case Offender hath not Goods, &c. Justices may commit.

IX. And be it enacted, That all Justices in *England* or *Ireland* shall and are hereby empowered, on the Conviction of any Person before them for any such Offence as aforesaid, in default of Payment of any such Penalty as aforesaid, to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Offender by Warrant under the Hands and Seals of such Justices, together with the reasonable Costs of such Distress and Sale; and in case it shall appear to the Satisfaction of such Justices, either by the Confession of the Offender or by the Oath of One or more credible Witness or Witnesses, that such Offender hath not Goods and Chattels within the Jurisdiction of such Justices sufficient whereon to levy any such Costs and Charges, such Justices may, without issuing any Warrant of Distress, commit such Offender to any such Gaol or House of Correction as aforesaid for any Time not exceeding Fourteen Days, unless such Penalty, Costs, and Charges be sooner paid, in such Manner as if a Warrant of Distress had issued, and a Return of *nulla bona* made thereon, in which Case also it shall be lawful for such Justices to commit any such Offender for such Term of Fourteen Days, or for any shorter Period, to any such Prison as aforesaid.

Recovery of Penalties in Scotland. Sheriff or Justices empowered to determine Complaints.

X. And be it enacted, That with regard to the Proceedings for the Recovery of Penalties in *Scotland*, any such Penalties imposed by this Act may be recovered by the Procurator Fiscal of the Court, or any Person or Persons who shall sue for the same, before any Sheriff or Two Justices of the Peace; and it shall be lawful for the Sheriff or Justices before whom any Complaint for the Recovery of any Penalties may be brought to proceed in a summary Way, and to grant Warrant for bringing the Parties complained upon immediately before them, and, on Proof on Oath by One or more credible Witnesses or other legal Evidence, forthwith to determine and give Judgment in such Complaint, without any written Pleadings or Record of Evidence, and to grant Warrant for the Recovery of all Penalties and Expences decerned for, failing Payment within Eight Days after Conviction, by Poinding and Imprisonment for a Period at the Discretion of the Sheriff or Justices not exceeding Fourteen Days.

Application of Penalties.

XI. And be it enacted, That all Penalties imposed by the Authority of this Act shall be applied in or towards the Relief of the Poor of the Parish or Place in which any Offence as aforesaid may have been committed.

Orders of Council to be laid before Parliament.

XII. And be it enacted, That every Order which may be so made as aforesaid by the Lords of Her Majesty's Privy Council, or by any Three or more of them, or by the Lord Lieutenant and Privy Council of *Ireland*, shall be forthwith laid before both Houses of Parliament, if Parliament shall be then sitting; and that such Orders as shall be so made when Parliament shall not be sitting shall be laid before both Houses of Parliament within Fourteen Days next after the Commencement of the first Session which shall ensue upon the Date of any such Order.

Justices may order Payment of Monies expended for the Purposes of this Act.

XIII. And be it enacted, That all and every Expence which may be reasonably and properly incurred in carrying into effect any of the Provisions of this Act relating to the cleansing of Houses, or to the Removal of Nuisances, and not recovered from Owners or Occupiers under the Provisions herein-before contained, or to any Proceedings had or taken in pursuance of any Order issued under the Authority of this Act for Prevention of any formidable contagious or epidemic Diseases, shall be retained or defrayed out of the Rates or Monies raised or contributed for the Relief of the Poor of the Parish or Extra-parochial Place maintaining its own Poor in which the same shall be so incurred, and in other Extra-parochial Places out of the Poor's Rate of the Parish nearest adjoining; and it shall be lawful for any Two Justices and they are hereby required to order and direct, from Time to Time as Occasion may require, the Treasurer of the Guardians, or other Officer of the Union or Parish, or the Overseer of the Parish in which any such Expence shall have been so incurred as aforesaid, to pay such Sums as may be expressed in such Order out of any Monies which may come into his Hands by virtue of his Office; and in case any such Treasurer, other Officer, or Overseer on whom any such Order shall be made shall neglect or refuse to pay the said Money so named in such Order for the Space of Twenty Days, it shall be lawful to recover the same by Distress and Sale of his or their Goods and Chattels, together with the Costs thereof, by Warrant under the Hand and Seal of any Two Justices authorized to make such Order for Payment.

Definition of the Word "Owner."

XIV. And be it enacted, That for the Purposes of this Act, and in order to prevent any Dispute touching the Word "Owner," the Person receiving the Rents of any Property from the Occupier thereof, on his own Account, or as Trustee or Agent for any other Person, shall be deemed the Owner of the same for all such Purposes.

XV. Pro-

XV. Provided always, and be it enacted, That nothing in this Act contained shall extend or apply to any Place in which a Medical Officer of Health and an Inspector of Nuisances has been or may hereafter be appointed under any local Act passed in the present Session of Parliament. Act not to extend to certain Places.

XVI. And be it enacted, That no Order or any other Proceeding or Thing done or transacted relative to the Execution of this Act shall be quashed or vacated for Want of Form, nor shall the same be removed by Certiorari or otherwise into any of the Superior Courts. Proceedings not to be quashed for Want of Form.

XVII. And be it enacted, That in this Act the following Words and Expressions shall have the Meaning hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) the Words "Justice or Justices" shall mean Justice or Justices of the Peace respectively acting for the County, City, Borough, Liberty, Cinque Port, or Place where the Matter requiring the Cognizance of any such Justice or Justices respectively shall arise, and who shall not be interested in the Matter; and the Word "Sheriff" shall mean the Sheriff of any County or Place in *Scotland* where the Matter requiring the Cognizance of any such Sheriff shall arise, and who shall not be interested in the Matter; the Words "Guardians of the Poor" shall mean the Guardians, Directors, Wardens, Governors, or other like Officers having the Management of the Poor for any Union, Parish, Township, Hamlet, or Place where the Matter requiring the Cognizance of any such Officers as aforesaid respectively may arise, and the Overseers of every Parish, Township, Hamlet, or Place in which Relief to the Poor shall not be administered by Guardians; and Words and Expressions importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number, and Words importing the Masculine Gender shall include Females. Interpretation of Act.

XVIII. And be it enacted, That this Act shall continue in force until the Thirty-first Day of *August* One thousand eight hundred and forty-seven, and from thence until the End of the then next Session of Parliament. Continuance of Act.

XIX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament. Act may be amended, &c.

The SCHEDULES to which this Act refers.

SCHEDULE (A.) s. 1.

Certificate of Medical Practitioners.

To the Town Council, *&c.*, *or* to the Guardians of the Poor of the Union *or* Parish [*as the Case may be*].

We, the undersigned *A.B.* and *C.D.*, Two duly qualified Medical Practitioners, residing at [*insert Name of the Parish*], having viewed the Dwelling House occupied by one *X.Y.* [*or* a certain Piece of Land near the King's Head Public House, *or* certain Premises occupied by one *Y.Z.*, *as the Case may be, describing the Premises*], situate in Street in the Parish of in the County of do hereby certify, That the said Dwelling House is in a filthy or unwholesome State, [*or* that there is an Accumulation of offensive or noxious Matter, Refuse, Dung, and Offal on the said Piece of Land, *or* that there is a foul and offensive Drain, Privy, or Cesspool on the said Premises occupied by *Y.Z.*, situate, *&c.*, *as the Case may be*,] and that the same is likely to be prejudicial to the Health of the Occupiers, or of the Persons whose Habitations are in the Neighbourhood of the above-mentioned Premises. Witness our Hands this Day of One thousand eight hundred

(Signed) *A.B.*
C.D.
Members of the Royal College of Surgeons
[*as the Case may be*].

SCHEDULE (B.) § 1.

Summons of Justices.

To the Constable of and all other Persons whom this may concern.

County of [*or* Borough, *&c.* of] to wit. } WHEREAS Complaint hath been this Day made before us, *B.C.* and *E.F.*, Esquires, Two of Her Majesty's Justices of the Peace acting in and for the said County of [*or* Borough, *&c.*] by the Town Council of [*or* Guardians of the Poor, *as the Case may be*,] setting forth that a certain Dwelling House occupied by one *X.Y.*, situate in [*describing the Premises*] is in a filthy and unwholesome State [*or* that there is an Accumulation of offensive or noxious Matter, Dung, Refuse, and Offal on a certain Piece of Land situate in [*describing the Premises*], or that there is a foul and offensive Drain, Privy, or Cesspool in certain Premises occupied by one *X.Y.* situate in [*describing the Premises*],] and the Certificate in Writing under the Hands of *A.B.* and *C.D.*, Two duly qualified

Medical Practitioners, certifying that the same is likely to be prejudicial to the Health of the Occupiers, or of the Persons whose Habitations are in the Neighbourhood thereof, having been also produced before us at the Time of making the said Complaint; these are therefore to command you forthwith to summon the said *X.Y.* the Occupier [*or Y.Z.*, the Owner of the said Premises, *as the Case may be*,] to appear before Two of Her Majesty's Justices of the Peace at on the Day of next, at the Hour of o'Clock, to answer the Matter of the said Complaint.

Given under our Hands and Seals the Day of A.D. One thousand eight hundred and

B.C. (L.S.)
E.F. (L.S.)

SCHEDULE (C.) § 1.

Order of Justices.

To *X.Y.* [Owner *or* Occupier, *if any such there be*,] and to the Town Council, *&c.*, *or* to the Guardians of the Poor of the Union or Parish [*as the Case may be*], and to their Servants, and to all other Persons whom this Order may concern.

County of [*or* Borough, *&c.* of] to wit. } WHEREAS on the Day of last Complaint was made before *B.C.* and *E.F.*, Two of Her Majesty's Justices of the Peace acting in and for the County of [*or* Borough, *&c.* of *as the Case may be*,] by the Town Council, *&c.*, [*or* by the Guardians of the Poor of the Union, *as the Case may be*,] that the Dwelling House occupied by the said *X.Y.*, situate in Street in the Parish of in the said County of [*describing the Premises*] was in a filthy and unwholesome State [*or* that there was an Accumulation of offensive or noxious Matter, Refuse, Dung, and Offal on a certain Piece of Land near the King's Head Inn situate, *&c.*, *or* that there was a foul and offensive Drain, Privy, or Cesspool in certain Premises occupied by one *Y.Z.* situate, *&c.*, *as the Case may be*],] and the Certificate in Writing under the Hands of *A.B.* and *C.D.* of being Two duly qualified Medical Practitioners, addressed to the Town Council, *&c.*, [*or* to the Guardians of the Poor of the Union, *as the Case may be*,] certifying that the same was likely to be prejudicial to the Health of the Occupiers, or of the Persons whose Habitations are in the Neighbourhood thereof, having been produced before the said Justices at the Time of the making of the said Complaint: And whereas the said *X.Y.*, the Owner [*or* Occupier] of the said Dwelling House [*or* of the said Piece of Land, *or* of the said Premises] herein-before described, has this Day appeared before us, *B.C.* and *E.F.*, Two of Her Majesty's Justices of the Peace acting in and for the said County [*or* Borough, *&c.*], in pursuance of a Summons duly served upon him in that Behalf, to answer the Matter of the said Complaint. [*Or, if the Summons has not been served*, And whereas it has been proved on Oath before us, *B.C.* and *E.F.*, Two of Her Majesty's Justices of the Peace acting, *&c.*, that the said *X.Y.*, the Owner [*or* Occupier] of the said Premises in the said Certificate mentioned, could not be found, and that a true Copy of a Summons requiring the said *X.Y.* to appear this Day before us to answer the said Complaint was left on the said Premises.] Now we, the said Justices, having heard the said Complaint, and examined the Fact and all proper Witnesses upon Oath, and the Existence of the Nuisance in the said Certificate described having been proved on Oath to our Satisfaction, do hereby, in pursuance of the Statute in that Case made and provided, order the said *X.Y.*, the Owner [*or* Occupier, *as the Case may be*,] of the said Dwelling House [*or* of the said Piece of Land, *or* of the said Premises occupied by *Y.Z.*], within Hours from the Service of this our Order, or a true Copy thereof, on the said *X.Y.*, or if Service cannot be forthwith effected upon him then within Hours from the Period when this our Order, or a true Copy thereof, shall have been affixed upon some Part of the said Premises, to whitewash, cleanse, and purify the said Dwelling House, [*or* to remove or abate the said Accumulation of offensive or noxious Matter, Refuse, Dung, and Offal from the said unoccupied Piece of Land, *or* to cleanse the said foul and offensive Drain, Privy, or Cesspool,] and if Default shall be made by the said *X.Y.* in obeying this our Order, then we, the said Justices, authorize and require, order and direct you, the said [Town Council, *&c.*, *or* Guardians of the Poor], to enter upon the said Premises, and to cleanse, whitewash, and purify the said Dwelling House, [*or* to remove or abate the said Accumulation of offensive or noxious Matter, Refuse, Dung, and Offal from the said Piece of Land, *or* to cleanse the said foul and offensive Drain, Privy, or Cesspool].

And for your so doing this shall be your sufficient Warrant and Authority.

Given under our Hands and Seals this Day of One thousand eight hundred and

B.C. (L.S.)
E.F. (L.S.)

CAP. XCVII.

An Act to provide for removing the Charge of the Constabulary Force in *Ireland* from the Counties, and for enlarging the Reserve Force; and to make further Provision for the Regulation and Disposition of the said Constabulary Force. [28th *August* 1846.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate the Laws relating to the Constabulary Force in* Ireland; and another Act was passed in the same Session, amending the said first-mentioned Act; and by the said Acts Provision is made for establishing and regulating the Constabulary Force in *Ireland;* and it is by the said first-recited Act, amongst other things, enacted, that it shall and may be lawful to and for the Lord High Treasurer, or the Commissioners of His Majesty's Treasury, or any Three or more of them, for the Time being, to order that any such Sum or Sums as he or they shall think proper shall from Time to Time be advanced and paid out of the Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, arising in *Ireland*, for the Payment of the several Salaries and Remunerations and Allowances, and the Purchase of Arms, Accoutrements, Horses, Bridles, Saddles, Appointments, Houses, Outhouses, Furniture, and Accommodations, payable under or proper for the Use of the Constabulary Force to be appointed under the said Act, and also for all Rents and Taxes payable for and in respect of such Houses, Outhouses, and for repairing all such Houses and Outhouses from Time to Time, and for the Forage of such Horses, and for the Expence of the Magistrates, Inspectors, Chief or other Constables, or Sub-Constables, when they shall respectively be absent on Duty from their Residences under the Authority of this Act, and for all other necessary and reasonable Costs, Charges, and Expences incurred or to be incurred in the Execution of this Act; and that One Moiety of all Monies so advanced out of the Produce of the Consolidated Fund for all or any the Purposes of the said Act (except so much of the said Advances as shall be for the Salaries and Expences of the Inspector General, his Deputies and Clerks, and of all Magistrates to be appointed as aforesaid, and of the Receiver for the said Constabulary Force, and of the Paymasters in the several Counties,) shall be raised by Grand Jury Presentment off each County, County of a City, or County of a Town to which the same shall be declared by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to relate, and in or for which such Expences shall be or shall have been incurred; and that the Inspector General to be appointed under the said Act shall, with the Assistance of the Receiver, in sufficient Time before each Assizes and Presenting Term, ascertain the Amount of the Monies chargeable under the Provisions of the said Act on each County, County of a City, of a Town, or any Part of any County, and shall make out a Certificate thereof under his Hand specifying the Force or Service in respect whereof such Charge may have been incurred, and transmit the same, when approved and certified by the Chief or Under Secretary of the said Lord Lieutenant or other Chief Governor or Governors, to the Secretary of the Grand Jury for such County, County of a City, and County of a Town, One Week before said Assizes and Presenting Term, who shall lay the same before the Grand Jury; and thereupon it shall be lawful for such Grand Jury and they are thereby required to make a Presentment for the Amount stated in such Certificate or in any previous Certificate, the Amount whereof shall not have been already presented, to be raised from off the County at large, County of a City, or County of a Town, or City and County respectively, in the same Manner as any Presentment for Constables may by Law be now raised therefrom, and that it shall not be lawful for the Court at any Assizes or Presenting Term to fiat any Presentment for raising any other Money until such Presentment for such Expences be first made and allowed; and whenever the Amount stated in such Certificate shall be levied, the same shall be paid to such Bank or Person, and in such Manner, as the Lords of the Treasury, or the Commissioners of the Treasury, or any Three or more of them, shall from Time to Time think fit to direct and appoint; and thereupon, but not before, as to all Sums mentioned in such Certificate as aforesaid, such County shall be deemed to be discharged: And whereas by an Act passed in the Session holden in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act for the better Regulation of the Constabulary Force in* Ireland, it is, amongst other things, enacted, that in addition to the Chief and other Constables and Sub-Constables whom the Lord Lieutenant or other Chief Governor or Governors of *Ireland* may be authorized to appoint under the said recited Acts in and for the several Counties, Counties of Cities, and Counties of Towns, and in and for the several Baronies, Half Baronies, and other Divisions of Baronies in Counties at large throughout *Ireland*, it shall and may be lawful for such Lord Lieutenant or other Chief Governor or Governors to appoint Two Chief Constables (to be styled Sub-Inspectors as therein-after mentioned), Four Head Constables, and any Number not exceeding in the whole Two hundred Constables and Sub-Constables, who shall constitute a Reserve Force to be kept in a Depôt to be for that Purpose provided in or near the City of *Dublin*, and employed as Occasion may require in aid of and in conjunction with the said Constabulary Force established in and for the said several Counties and Places throughout *Ireland;* and that all and every the Provisions of the said recited Acts, and that Act, with respect to the Qualification, Appointment, Dismissal, Resignation, Pay, Superannuation Allowances, Deductions for and Contributions to the Police Superannuation Fund, and to the Police Reward Fund,

6 & 7 W. 4. c. 13.
6 & 7 W. 4. c. 36.
Sect. 35.
Sect. 36.
Sect. 37.
2 & Vict. c. 75. sect. 1.

Sect. 3.

Sect. 6.

Sect. 7.

Sect. 8.

'Duties, Liabilities, Disabilities, Forfeitures, and Penalties of or attaching upon the Officers and Men of the said Constabulary Force respectively, shall apply and extend to the Officers and Men forming Part of the said Reserve Force, except so far as such Provisions may be altered by that Act, or other Provisions made in lieu thereof; and that the said Reserve Force shall be subject to the like Regulations, Direction, and Control as the said Constabulary Force, except that such Reserve Force shall not be attached to any particular County or Place, save temporarily by virtue of such Order as is therein-after mentioned; and that it shall and may be lawful for the Inspector General of the said Constabulary Force, subject to the Direction and Control of the said Lord Lieutenant or other Chief Governor or Governors, from Time to Time as may be expedient, to order and direct that the whole or any Portion of the said Reserve Force, or the whole or any Portion of the said Constabulary Force, from Time to Time placed in the said Depôt as therein-before mentioned, shall go and repair to such Place or Places in any County or Counties, County of a City or of a Town, or Town and Liberties in *Ireland*, as shall be mentioned in such Order, and shall remain there for such Length of Time, or remove to or remain at any other Place or Places in the same or any other County, City, or Town for such Time or Times, and shall return to the said Depôt in or near *Dublin* at such Time or Times respectively, as shall be mentioned in or directed by such Order, or by any other Order or Orders which may from Time to Time be made by such Inspector General, subject to the like Direction and Control; and that the Officers and Men constituting such Reserve Force, or belonging to the said Constabulary Force, when so removed, shall have the same Rights, Powers, and Authorities, and be subject to the same Rules, Regulations, and Orders, and be in all respects in the same Situation in the County or other Districts or Places to which they shall be so removed, as if they had been appointed to and formed Part of the Constabulary Force established in and for such County or Place; and that it shall be lawful to and for the Commissioners of Her Majesty's Treasury, or any Three or more of them, to order that all such Sum or Sums of Money as they shall think necessary shall from Time to Time be advanced and paid out of the Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, arising in *Ireland*, for the Payment of the Officers and Men composing the said Reserved Force to be established under that Act, and for the Salaries of the Paymaster and Surgeon to be attached to the said Depôt as therein-before provided, and for the Purchase of Arms, Accoutrements, Horses, Bridles, Saddles, and all other Appointments proper for the Use of the said Reserved Force, and also for the Purchase or Rent and Repairs of a proper House or Barrack to be provided for such Depôt, and for the Forage of Horses, and for the Furniture and all other Accommodations necessary to the said Depôt, and for all other Costs and Charges to be incurred in the Execution of that Act; and that One Moiety of all Monies so advanced out of the Consolidated Fund for the Payment of the Officers and Men composing the said Reserved Force, and of all other Costs and Expences (save as therein-after mentioned) to be incurred in respect of such Officers and Men during such Time as they shall remain in any County, County of a City, or County of a Town to which they may be removed by virtue of any such Order of the said Inspector General as aforesaid, shall be defrayed by such County, County of a City, or County of a Town, and shall be raised by Grand Jury Presentment off such County, County of a City, or County of a Town, together with and in addition to the Monies to be raised off such County, County of a City or Town, under the said recited Acts on account of the Constabulary Force established therein; and the Inspector General of the said Constabulary Force shall have regard thereto in making out the Certificate, which he is by the said Acts directed to prepare, for the Purpose of ascertaining the Monies chargeable upon each County, County of a City or Town, or Part of a County, under the said recited Acts, and shall include such Monies in such Certificate: And whereas it is expedient that the respective Counties of *Ireland* should be relieved, save as herein-after mentioned, from all and every Part of the Charges and Expences of the said Constabulary Force and Reserve Force, and that the whole Charge of the same, save as herein-after provided, should be placed upon and borne by the Consolidated Fund of the United Kingdom, and also that an Addition should be made to the said Reserve Force as herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act so much of the said recited Acts, or any of them, or of any other Act or Acts, as provides that One Moiety of the Monies advanced out of the Consolidated Fund for the Payment of any of the Costs and Expences of the said Constabulary Force or the said Reserve Force, or of any Part thereof, shall be defrayed by any County, County of a City, or County of a Town, Barony, Half Barony, or Place in *Ireland*, or by Presentment of any Grand Jury in *Ireland*, or as provides that any Part of the Costs, Charges, or Expences of the said Constabulary Force or the said Reserve Force shall be borne or paid by or raised or levied from any such County, County of a City, County of a Town, Barony, Half Barony, or Place, save and except as herein-after mentioned, shall be and the same is hereby repealed, save and except as to any Matter or Thing heretofore done, or any Sum or Sums of Money heretofore become due and payable, and now remaining in arrear and unpaid.

So much of recited Acts as provides that any Part of the Expence of the Constabulary or Reserve Force shall be paid by any County, &c. or by Grand Jury Presentment, repealed, save as herein mentioned.

The whole Cost of the Constabulary Force and the Reserve Force, save as herein men-

II. And be it enacted, That from and after the Tenth Day of *October* next all Monies duly payable, and all necessary and reasonable Costs, Charges, and Expences for and in respect of the said Constabulary Force and the said Reserve Force respectively, under the Provisions of the said recited Acts or any of them, or any Act amending the same, or of this Act, and also for or in respect of the Addition to the said Reserved Force herein-after provided, shall, save as herein-after mentioned, be charged upon and paid

paid from Time to Time out of the Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland;* and it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, to order that all such Sum or Sums of Money as they shall think necessary for the Purposes aforesaid shall from Time to Time be advanced and paid out of the Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland.* tioned, shall be paid out of the Consolidated Fund.

III. 'And whereas by the said first-recited Act it is amongst other things enacted, that it shall and 'may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland,* by 'the Advice of the Privy Council of *Ireland,* to declare by Proclamation that any County, County of 'a City, or County of a Town in *Ireland,* or any Barony or Baronies, Half Barony or Half Baronies, 'in any County at large, or any District of less Extent than any Barony or Half Barony to be therein 'specified, is or are in a State of Disturbance, and requires or require an additional Establishment of 'Police, and thereupon it shall and may be lawful to and for the Lord Lieutenant or other Chief 'Governor or Governors of *Ireland* to appoint such and so many Chief Constables, Constables, and 'Sub-Constables as he or they shall think proper, not exceeding One such Chief Constable, Two 'Head Constables, and Fifty such Constables or Sub-Constables for any One Barony or Half Barony, 'or for any County of a City or County of a Town or District of less Extent than any Barony or 'Half Barony, which may have been so declared to be in a State of Disturbance: And whereas it is 'expedient that in any such Case as last aforesaid the said Restriction as to the Number of such Chief 'and other Constables so to be appointed should be removed;' be it therefore enacted, That in any such Case as in the said recited Provision mentioned it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to appoint for or in any Barony or Half Barony, or for or in any County of a City or County of a Town or District of less Extent than any Barony or Half Barony, which may have been so declared to be in a State of Disturbance, and also (if he or they shall so think fit) for or in any Barony or Half Barony, or County of a City or County of a Town, or District of less Extent that any Barony or Half Barony adjoining to a Barony or Half Barony, or County of a City or County of a Town, or District, which may have been so declared to be in a State of Disturbance, such and so many additional Sub-Inspectors, Head Constables, Constables, and Sub-Constables, exceeding the Numbers aforesaid, as he or they shall think proper, not exceeding Four such Head Constables, and One hundred such Constables or Sub-Constables for each such Barony, Half Barony, County of a City, County of a Town, or District of lesser Extent than any Barony or Half Barony: Provided always, that whenever it shall appear to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* acting under the Advice of the Privy Council of *Ireland* that any such Barony, Half Barony, County of a City or Town, or lesser District, has ceased to be in a State of Disturbance, and that it shall be declared by the Lord Lieutenant or other Chief Governor or Governors of *Ireland,* by Proclamation made with the Advice of the Privy Council of *Ireland,* that such Barony or Half Barony, County of a City or Town, or lesser District has ceased to be in a State of Disturbance, then from and after One Month from the Publication of such Proclamation in the *Dublin Gazette,* the additional Constabulary Force so appointed for such Barony, Half Barony, County of a City or Town, or lesser District, shall be discontinued, and shall cease to be a Charge on such Barony, Half Barony, County of a City or Town, or lesser District, or on the Consolidated Fund.

Power to Lord Lieutenant to appoint any Number of additional Constables (not exceeding Four Head Constables and One hundred Constables, &c. for a Barony, &c.) for any Part of Ireland declared by Proclamation to be in a disturbed State.

When Barony, &c. is declared by Proclamation to cease to be in a disturbed State, the additional Constabulary Force shall be discontinued.

IV. 'And whereas it expedient that the said Reserve Constabulary Force provided and appointed 'under the said recited Act of the Second and Third Years of the Reign of Her present Majesty should 'be increased in Number;' be it therefore enacted, That in addition to the Number of Sub-Inspectors, Head Constables, Constables, and Sub-Constables which by the said last-recited Act the said Lord Lieutenant or other Chief Governor or Governors is or are empowered to appoint as and for a Reserve Force, it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors to appoint Two additional Sub-Inspectors, Four additional Head Constables, and any Number not exceeding Two hundred additional Constables and Sub-Constables, who shall constitute and shall be deemed to be a Part of the said Reserve Force, and shall be subject to all and every the Provisions and Regulations applicable to the said Reserve Force under the said Act of the Second and Third Years of the Reign of Her present Majesty, or any Act amending the same, save so far as such Provisions may be altered by this Act.

Lord Lieutenant empowered to increase the Reserve Constabulary Force.

V. Provided always, and be it enacted, That in any Case in which, under the Provisions of the said first-recited Act, Seven or more Magistrates of any County at large at any General or Special Sessions held as therein mentioned, in manner therein set forth, have since the First Day of *January* One thousand eight hundred and forty-six, certified or shall hereafter certify to the said Lord Lieutenant or other Chief Governor or Governors that the Number of Chief or other Constables, or Sub-Constables appointed for any such County is inadequate to the due Execution of the Law within the same, and the said Lord Lieutenant or other Chief Governor or Governors shall by reason thereof appoint or shall have appointed a further Number of Sub-Inspectors, Head Constables, Constables, or Sub-Constables, in or for such County as so certified to be necessary, or in any Case in which any Part of the Reserve Force aforesaid shall have been or shall be removed to or employed in any County, County of a City, or County of a Town, Barony, Half Barony, or District by virtue of any such Order of the Inspector General as aforesaid, or in case the Number of the Constabulary Force in or for any Barony, Half Barony, County of a City, County of a Town, or District of less Extent than any Barony or Half Barony shall be increased by the Lord Lieutenant or other Chief Governor or Governors stationing or appointing therein

Nothing herein contained to relieve Counties from the Moiety of the Cost of a further Constabulary Force applied for by Magistrates, or of the Reserve Force, when employed therein, or of an increased Constabulary Force stationed there by the Lord Lieutenant.

therein or therefor additional Sub-Inspectors, Head Constables, Constables, or Sub-Constables as aforesaid, or otherwise, then and in any of such Cases nothing in this Act shall extend or be construed to extend to relieve any such County, County of a City, or County of a Town, Barony, Half Barony, or District, from the Payment of One Moiety of the Costs and Expences of such further or augmented Number of the Constabulary Force or of such Reserve Force as aforesaid, but in either or any of such Cases such Moiety shall be payable and shall be raised in like Manner as a Moiety of the Expences of such further Number of the Constabulary Force, or as any such Part of the Reserve Force, while remaining in any County, County of a City, or County of a Town to which they may be removed by virtue of such Order as herein-before recited, is now payable, or may now be raised under the said recited Acts respectively, or either of them.

"Provincial Inspectors" to be styled "Assistant Inspectors General."

VI. And be it enacted, That from and after the passing of this Act the Officers heretofore, under the Provisions of the said Act of the Second and Third Years of Her present Majesty's Reign, styled "Provincial Inspectors" shall henceforth be styled "Assistant Inspectors General."

Act may be amended, &c.

VII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. XCVIII.

An Act to amend the Law for regulating the Hours of receiving and delivering Goods and Chattels as Pawns in Pawnbrokers Shops. [28th *August* 1846.]

'WHEREAS it is expedient that Amendment should be made in the Hours within which the 'Business of a Pawnbroker may be lawfully carried on: And whereas by an Act of Parliament 'made in the Thirty-ninth and Fortieth Years of the Reign of His late Majesty King *George* the Third, 'intituled *An Act for the better regulating the Business of Pawnbrokers*, it is enacted, that no Pawn- 'broker should receive or take in any Goods by way of Pawn before Eight of the Clock in the Forenoon 'or after Eight of the Clock in the Evening between *Michaelmas Day* and *Lady Day* following, or 'before Seven of the Clock in the Forenoon or after Nine of the Clock in the Evening during the 'Remainder of the Year, excepting only until Eleven on *Saturdays*, and the Evenings preceding *Good* 'Friday, *Christmas Day*, and every Fast Day:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty-ninth Day of *September* next after the passing of this Act no Pawnbroker shall receive or take in, or permit or suffer to be received or taken in, any Goods or Chattels by way of Pawn, Pledge, or in Exchange, before Eight of the Clock in the Forenoon or after Seven of the Clock in the Evening between the Twenty-ninth Day of *September* and the Twenty-fifth Day of *March* following, or before Seven of the Clock in the Forenoon or after Eight of the Clock in the Evening during the Remainder of the Year, excepting only until Eleven of the Clock on the Evenings of *Saturday* throughout the Year, and the Evenings next preceding *Good Friday* and *Christmas Day*, and every Fast or Thanksgiving Day appointed by Her Majesty; and in case any Pawnbroker offend against the Provisions of this Act, every such Pawnbroker shall, for every such Offence, on Conviction thereof upon the Oath of any One or more credible Witness or Witnesses, before any One or more of Her Majesty's Justices of the Peace having Jurisdiction over the Place where such Offence shall have been or shall be committed, forfeit and pay not less than Twenty Shillings nor exceeding Five Pounds, as such Justice or Justices shall adjudge; and every such Penalty shall and may be levied, together with the Costs attending the Information, Summons, and Conviction, by Distress and Sale of the Goods and Chattels of the Offender or Offenders, or Person or Persons liable to pay the same respectively, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices before whom such Offender or Offenders, Person or Persons, shall or may have been convicted; and every such Penalty shall be applied and disposed of in like Manner as Forfeitures incurred for any Offence against the last-recited Act.

39 & 40 G. 3. c. 99.

Hours between which Pawnbrokers are allowed to receive or take in Pledges.

Penalty on Pawnbrokers offending against this Act.

Penalty and Costs may be levied by Distress.

CAP. XCIX.

An Act for consolidating and amending the Laws relating to Wreck and Salvage. [28th *August* 1846.]

'WHEREAS divers Acts have been passed through a long Series of Years for preserving Ships 'and Goods stranded or cast on shore, as well as for preventing Frauds and Depredations 'on Ship-owners and others, and for the Adjustment of Salvage: And whereas it is expedient to 'consolidate and amend the same:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall come into operation on the passing thereof as to the Appointment of the Officers hereby authorized, and the posting of their Names, and as to the other Parts thereof on the First Day of *October* One thousand eight hundred and forty-six.

Commencement of the Act.

II. And

II. And be it enacted, That the several Acts herein-after mentioned and referred to shall be repealed; (that is to say,) an Act passed in the Twelfth Year of the Reign of Her Majesty Queen *Anne*, intituled *An Act for the preserving all such Ships and Goods thereof which shall happen to be forced on shore or stranded upon the Coasts of this Kingdom or any other of Her Majesty's Dominions;* and also an Act passed in the Fourth Year of the Reign of His Majesty King *George* the First, intituled *An Act for enforcing and making perpetual an Act of the Twelfth Year of Her late Majesty, intituled 'An Act for the preserving 'all such Ships and Goods thereof which shall happen to be forced on shore or stranded upon the 'Coasts of this Kingdom or any other of Her Majesty's Dominions;' and for inflicting the Punishment of Death on such as shall wilfully burn or destroy Ships;* and also an Act passed in the Twenty-sixth Year of the Reign of His Majesty King *George* the Second, intituled *An Act for enforcing the Laws against Persons who shall steal or detain shipwrecked Goods, and for the Relief of Persons suffering Losses thereby;* and also an Act passed in the Forty-ninth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for preventing Frauds and Depredations committed on Merchants, Shipowners, and Underwriters, by Boatmen and others; and also for remedying certain Defects relative to the Adjustment of Salvage in* England *under an Act made in the Twelfth Year of Queen* Anne; and also an Act passed in the Fifty-third Year of the Reign of His Majesty King *George* the Third, intituled *An Act to continue for Seven Years Two Acts, passed in the Forty-eighth and Forty-ninth Years of His present Majesty, for preventing Frauds by Boatmen and others, and adjusting Salvage, and for extending and amending the Laws relating to Wreck and Salvage;* and also an Act passed in the Fifty-third Year of the Reign of His Majesty King *George* the Third, intituled *An Act to amend an Act made in the last Session of Parliament, intituled 'An Act for the more effectual Regulation of Pilots and of 'the Pilotage of Ships and Vessels on the Coast of* England,' *and for the Regulation of Boatmen employed in supplying Vessels with Pilots licensed under the said Act, so far as relates to the Coast of* Kent *within the Limits of the Cinque Ports;* and also an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His Majesty King *George* the Fourth, intituled *An Act to continue and amend certain Acts for preventing Frauds and Depredations committed on Merchants, Shipowners, and Underwriters, by Boatmen and others; and also for remedying certain Defects relative to the Adjustment of Salvage in* England, *under an Act made in the Twelfth Year of Queen* Anne; and also so much of an Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to improve the Practice and extend the Jurisdiction of the High Court of Admiralty of* England, as relates to Awards made by Justices and others in Salvage Cases, and Appeals therefrom; and also so much of an Act passed in the Session of Parliament holden in the Eighth and Ninth Years of Her present Majesty Queen *Victoria*, intituled *An Act for the general Regulation of the Customs*, as relates to Persons being in possession of Goods Derelict, Jetsam, Flotsam, or Wreck, and to the Disposal of such Goods; and also an Act passed in the Parliament of *Ireland* in the Fourth Year of the Reign of His Majesty King *George* the First, intituled *An Act for the preserving all such Ships and Goods thereof which shall happen to be forced on shore or stranded upon the Coasts of this Kingdom;* and also so much of an Act passed in the Parliament of *Ireland* in the Eleventh Year of the Reign of His Majesty King *George* the Second, intituled *An Act for enforcing and making perpetual an Act, intituled 'An Act for the preserving of all such Ships and Goods thereof 'which shall happen to be forced on shore or stranded upon the Coasts of this Kingdom;' and also for inflicting the Punishment of Death on all such as shall wilfully burn, sink, or destroy Ships,* as makes the said last-mentioned Act of the Fourth Year of the Reign of His Majesty King *George* the First perpetual; and also so much of an Act passed in the Parliament of *Ireland* in the Seventeenth Year of the Reign of His Majesty King *George* the Second, intituled *An Act for the Amendment of the Law in relation to Forgery, and the Salvage of Ships and Goods stranded,* as relates to Salvage and Proceedings relating thereto; and also an Act passed in the Session of the Parliament of *Ireland* holden in the Twenty-third and Twenty-fourth Years of the Reign of His Majesty King *George* the Third, intituled *An Act for the Amendment of the Law in relation to the Salvage of Ships and Goods stranded, or in danger of perishing at Sea;* and the said several Acts and Parts of Acts herein-before mentioned and set forth are hereby accordingly repealed, except so far as the said Acts or any of them, or any thing therein contained, repeal any former Act or Acts, or any Parts thereof; and all and every which said Act or Acts, or the Parts thereof so repealed, shall remain and continue repealed to all Intents and Purposes whatsoever: Provided always, that all Offences which shall have been committed and all Penalties and Forfeitures which shall have been incurred previously to the First Day of *October* One thousand eight hundred and forty-six shall and may be punishable and recoverable respectively under the above-mentioned Acts or any of them as if the same had not been repealed.

Recited Acts repealed, viz.
12 Anne, st. 2. c. 18.
4 G. 1. c. 12.
26 G. 2. c. 19.
49 G. 3. c. 122.
53 G. 3. c. 87.
53 G. 3. c. 140.
1 & 2 G. 4. c. 75.
3 & 4 Vict. c. 65. s. 5.
8 & 9 Vict. c. 86.
4 G. 1. c. 4.
11 G. 2. c. 9.
17 G. 2. c. 11.
23 & 24 G. 3. c. 48.

III. And be it enacted, That, for the Purpose of carrying the Provisions of this Act into effect, the Receiver General of Droits of Admiralty may from Time to Time appoint Persons to act under him, to be styled "Receivers of Droits of Admiralty;" and in the Construction of this Act the Word "Receivers" shall mean Receivers of Droits of Admiralty; and such Receivers shall hold their Offices during the Pleasure of the Receiver General and the Pleasure of the Commissioners of Admiralty; and the said Receivers shall be entitled to the Fees herein-after mentioned, together with a further Remuneration, to be defrayed out of the Proceeds of Sales of Droits made by them, at the Rate of Five Pounds for every Hundred Pounds, after abating the Charges and Expences incurred by them; and the said Receiver General shall send a List containing the Names of such Receivers, with their respective Addresses, to the Collectors

Receivers of Admiralty Droits to be appointed, and their Names and Addresses to be posted at Custom Houses and at Lloyd's.

Collectors of Her Majesty's Customs at the different Ports of *England* and *Wales* and *Ireland*, and also to the Secretary of the Committee for managing the Affairs of *Lloyd's* in the City of *London*; and the said Collectors and Secretary respectively shall cause the said List to be affixed in a conspicuous Place in the Custom Houses in the said Ports and at *Lloyd's* aforesaid respectively: Provided always, that all the Provisions contained in this Act having reference to the said Receivers, whether as to their Style, Office, Powers, Duties, Remuneration, or otherwise, or as to the posting of their Names, shall in all respects be applicable to those Persons who shall at the Time of the passing of this Act have been appointed Agents to the said Receiver General of Droits of Admiralty, in as full and ample a Manner as if the said Agents had been appointed Receivers under this Act; and all Appointments in Writing of Agents or Receivers by the Receiver General of Droits of Admiralty, heretofore or which may be hereafter made, are hereby declared to be exempt from Stamp Duty.

All Provisions respecting Receivers applicable to the present Agents.

Appointments exempt from Stamp Duty.

Lords of Manors, &c. claiming a Right to Wreck to give Notice to a Receiver.

IV. And be it enacted, That every Lord or Lady of any Manor, or Patentee or Grantee of the Crown, or other Person or Body Corporate who may be entitled to or claim to be entitled to Wreck of the Sea, or to any Goods found Jetsam, Flotsam, Lagan, or Derelict, shall deliver, or send by the General Post or otherwise, a Notice in Writing, setting forth such Claim, to such One of the Receivers respectively whose Residence shall be within or nearest to the said Manor or other District in which such Claim is made; and that no such Lord or Lady of any Manor aforesaid, Patentee or Grantee of the Crown, nor any other Person or Body Corporate, shall be considered as possessing such Title, or be able to enforce the same at Law or in Equity, until such Notice shall have been so given as aforesaid: Provided always, that where Two or more Notices shall be given claiming the same Rights the Party who shall adduce to the Receiver Evidence of his having enjoyed such Rights, or if both Parties shall adduce Evidence thereof, then the Party who shall appear to the Receiver to have been last in the Enjoyment of such Rights, shall be considered as the Party entitled, until such conflicting Claims shall have been finally determined at Law or in Equity; and unless such Evidence shall be adduced by One of the said Parties, such Receivers, being in possession of such Wreck of the Sea, or Goods Jetsam, Flotsam, Lagan, or Derelict, shall not deliver the same, except to the original Owner thereof, until such conflicting Claims shall have been determined as aforesaid.

All Persons finding Wreck, &c. to report and deliver it forthwith to a Receiver or Officer of the Customs.

V. And be it enacted, That all Persons whomsoever who shall find, take up, or be in possession of any Wreck of the Sea, or any Goods Jetsam, Flotsam, Lagan, or Derelict, or any Boat, Vessel, Apparel, Anchor, Cable, Tackle, Stores, or Materials, or any Goods, Merchandize, or other Article whatsoever, which shall have been found floating or sunk at Sea, or elsewhere in any tidal Water, or cast, thrown, or stranded upon the Shore, and whether the same be found above or below High-water Mark, and whether wholly on Land or wholly in the Water, or partly on Land and partly in the Water, or shall find or take possession of any Droit of Admiralty of any Description, whether such Person shall claim to be entitled to such Article or Droit or not, shall forthwith send to the Receiver or to the Collector or Comptroller of Customs at the Port or Place nearest to which such Articles or Droits have been found a Report in Writing of all such Articles or Droits so found, containing an accurate and particular Description of the Marks (if any) thereon, and of the Time and Situation when and where the same were found, and shall also forthwith place such Articles or Droits at the Disposal of the said Receiver or Officer of the Customs; and every Officer of the Customs receiving such Report shall forthwith transmit the same to the nearest Receiver; and every Person who shall keep Possession of or retain, or conceal or secrete, any such Wreck of the Sea, Jetsam, Flotsam, Lagan, Derelict, Boat, Vessel, Apparel, Anchor, Cable, Tackle, Stores, Materials, Goods, Merchandize, or other Article as aforesaid, or shall deface, take out, or obliterate any Name, Mark, or Number thereon, or alter the same in any Manner, or shall keep Possession of or retain, or conceal or dispose of any Droit of Admiralty, or shall not forthwith report and place at the Disposal of such Receiver or Officer of the Customs any such Article or Droit in the Manner aforesaid, shall forfeit all Claim to Salvage, and shall on Conviction forfeit any Sum not exceeding One hundred Pounds, and also forfeit and pay Double the Value of the Articles to the Owner thereof, if claimed, or to Her Majesty, if the same become or be a Droit of Admiralty; which Double Value may be recovered in the same Manner as a Penalty under this Act.

Receivers and Officers of Customs may by Warrant seize Goods not reported or delivered, who shall be entitled to Salvage.

Informer entitled to such Reward as Receiver General shall allow.

VI. And be it enacted, That it shall be lawful for any Receiver or Officer of the Customs upon Warrant obtained by Application to any Magistrate or Justice of the Peace, who is hereby empowered to grant the same, to search for, seize, and detain any such Article or Droit as shall not have been reported or dealt with in the Manner herein-before directed, either on shore, stranded, or afloat, and for that Purpose to enter any House, Store, or Building, or any Ship, Vessel, or Boat; and every Officer of the Customs so seizing as aforesaid shall forthwith send to the nearest Receiver a Report in Writing of the Articles or Droits so seized, and describing the Marks (if any) thereon; and every Receiver or Officer of the Customs so seizing as aforesaid shall be entitled to Salvage for the said Articles or Droits; and if any such Seizure shall have been made in consequence of any Information given to any such Receiver or Officer of the Customs, the Person who shall give such Information shall be entitled to receive such Reward out of the Salvage as the Receiver General of Droits of Admiralty shall think fit to allow: Provided always, that it shall be lawful for any Receiver, as often as the Case may arise when Articles or Droits of Admiralty found within the Jurisdiction of the High Court of Admiralty shall be carried away out of such Jurisdiction, either within the Limits of the Cinque Ports or elsewhere, to seize and carry away the same, and place them in some Warehouse or other Place of Security, to be dealt with in the same Manner as is hereby directed and provided in the Case of Articles which shall have been so reported as aforesaid.

VII. And

VII. And be it enacted, That every Receiver to whom any such Report shall be sent, or by whom any such Seizure shall be made as aforesaid, shall within Forty-eight Hours send to the principal Officer of the Customs at the nearest Port a Report in Writing containing an accurate Description of the Articles so reported or seized, and the said Receiver shall also forward a Report of the Articles so reported to or seized by him to the Secretary of the Committee of *Lloyd's* aforesaid, and the same shall be placed by the said Secretary in some conspicuous Situation for the Inspection of all Persons choosing to inspect and examine the same; and if the said Secretary shall neglect or refuse so to place such Report or Copy, or any other Report or Copy by this Act so directed to be placed, he shall for every such Neglect or Refusal forfeit and pay the Sum of Five Pounds; and the Receiver shall for every such Report so forwarded to the said Secretary be entitled to receive of and from the Owner of the Articles in respect of which such Report shall have been made, if the same be claimed, or out of the Produce of the Sale thereof, if the same be not claimed, the Sum of Ten Shillings: Provided always, that no Report shall be forwarded by a Receiver to the said Secretary until the Articles for and in respect of which a Report is required shall amount in Value to the Sum of Twenty Pounds at the least.

Receivers to send to principal Officer of Customs at nearest Port a Report of Goods reported or seized, when they amount to 20*l.* in Value; a Copy of the Report to be posted at Lloyd's.

VIII. And be it enacted, That as often as it shall happen that any Lord or Lady of any Manor, or Patentee or Grantee of the Crown, or other Person or Body Corporate entitled to or claiming to be entitled to Wreck of the Sea, or to any Goods found Jetsam, Flotsam, or Lagan, shall have given Notice to a Receiver of such Claim as herein-before directed, and that subsequently to such Notice being given any Article shall be reported to or seized by the same or any other Receiver which may appear to such Receiver to have been found within the Limits of the Manor or District in respect of which such Notice of Claim shall have been given, it shall be lawful for such Receiver and he is hereby directed and required, within Twenty-four Hours after receiving such Report or making such Seizure, to send by the General Post or otherwise to the said Lord or Lady of a Manor, or Patentee or Grantee of the Crown, or other Person or Body Corporate having made such Claim as aforesaid, or to his, her, or their Bailiff, Reeve, or other Officer, a Notice in Writing setting forth an Account and Description of the Article so reported or seized, and of the Place and Time when and where the same was found.

Receivers to give Notice to Lords of Manors, &c. of the finding of Wreck claimed by them.

IX. And be it enacted, That if the rightful Owner of any Article which has been so reported to or seized by any Receiver as herein-before directed shall make out his Claim to the said Article, to the Satisfaction of the said Receiver, within the Period of Twelve Calendar Months from the Day on which such Article shall have been so reported to or seized by the said Receiver, such Article shall be restored to the said Owner, on Payment of the Duties and necessary Charges attending the Care or Removal of the same, and a reasonable Compensation for Salvage thereof, and also on Payment to the said Receiver of a Sum after the Rate of Five *per Centum* on the Value of the Article, but in no Case, whatever may be the Value of the Articles, shall such Per-centage exceed Fifty Pounds.

Owners of Wreck may, on making good their Claim within Twelve Months, have it delivered up to them.

X. And be it enacted, That when any such Article as aforesaid shall have been in the Custody of any Receiver in manner aforesaid, and shall not be legally claimed by the Owner thereof within the aforesaid Space of Twelve Calendar Months, and any Lord or Lady of a Manor, or Patentee or Grantee of the Crown, or other Person or Body Corporate, having given due Notice of his or her Claim as herein-before required, or his, her, or their Bailiff, Reeve, or other Officer, shall within the Space of Thirty Days after the Expiration of the said Term of Twelve Calendar Months make it appear to the said Receiver, by the Production of satisfactory Evidence, that such Article was found within the Manor or District in respect of which such Claim is made, it shall be lawful for the Receiver and he is hereby required and enjoined to deliver up such Article to the said Lord or Lady of a Manor, or Patentee or Grantee of the Crown, or other Person or Body Corporate, or his, her, or their Bailiff, Reeve, or other Officer, on Payment of the Duties, and all Charges and Expences attending the Care or Removal of the said Article, together with a reasonable Compensation for Salvage, and also on Payment to the said Receiver of a Sum after the Rate of Five *per Centum* on the Value of the Article, but in no Case, whatever may be the Value of the Articles, shall such Per-centage exceed the Sum of Fifty Pounds: Provided always, that if the Receiver shall determine against the Right of any Person claiming to be the Owner of any such Article as aforesaid, or against the Evidence produced by any Lord or Lady of a Manor, or Patentee or Grantee of the Crown, or other Person or Body Corporate, as to the finding of any such Article as aforesaid, he shall be bound, at the Request of the Party against whom he shall have determined respectively, to signify such Determination in Writing, with the Date thereof and the Reasons for the same.

Wreck, &c., not being claimed by the Owner within Twelve Months, Lords of Manors, &c. may make good their Claim within One Month following.

XI. And be it enacted, That when no Claim to any Article in the Custody of any Receiver or Officer of Customs as aforesaid shall be established, either by the Owner thereof, or by any Lord or Lady of a Manor, or Patentee or Grantee of the Crown, or other such Person or Body Corporate as aforesaid, within the said respective Periods as aforesaid, then the said Article shall be deemed and taken to be Droits of Admiralty, and shall be sold by the said Receiver, without any legal Process whatsoever, and the net Proceeds thereof, after the Payment of Salvage, when the same shall be payable, and of the other Charges, shall be forthwith transmitted by him to the said Receiver General: Provided always, that when any Article in the Custody of any Receiver or Officer of Customs as aforesaid shall be of so perishable a Nature, or so much injured or damaged, that the same cannot, in his Opinion, be kept, or if the Value thereof shall not be sufficient to defray the Charge of warehousing, then and in every such Case it shall be lawful for the said Receiver to sell the same before the Expiration of the Periods herein-before mentioned, and the Money raised by such Sale, after defraying the Salvage and other Expences thereof, shall be transmitted by him to the said Receiver General, and remain in the

Wreck, &c. not claimed either by Owner or Lord of the Manor to be sold as Droits of Admiralty. Goods deemed perishable or of small Value may be sold immediately.

Hands of the said Receiver General, to abide and be subject and liable to the Claims of all Persons, in like Manner as the Article itself would remain and be subject and liable to if remaining unsold: Provided also, that it shall be lawful for any Receiver, and he is hereby authorized, if he in his Discretion think fit, when he shall have in his Custody any Article which shall not appear to him to be of greater Value than Five Pounds, to sell the same before the Expiration of the said Periods, and forthwith pay Salvage to the Party claiming the same, and to transmit the Remainder of the Proceeds of such Sale in the Manner herein-before provided; but in every such last-mentioned Case the Salvor shall not be entitled to more than One Third of the net Produce of such Sale.

Vice Admirals of Counties, &c. not to interfere with Wreck, &c.

XII. And be it enacted, That no Vice Admiral or Deputy Vice Admiral of any County, or any Agent of the same, shall as such henceforth receive, take, seize, or in any Manner interfere with any Wreck of the Sea, or any other of the Goods or Articles herein-before mentioned.

Where Salvage insufficient, Lords of Treasury, on Application by Receiver General or Lord Warden of Cinque Ports, may allow a Sum for Salvage.

XIII. And be it enacted, That as often as it shall happen, upon the Sale of Articles as herein-before directed, that after the Payment of Duties and other necessary Expences there shall not be left a Sum sufficient to defray the Salvage, it shall be lawful for the Receiver, or, if the same shall happen within the Jurisdiction of the Lord Warden of the Cinque Ports, the Deputy Serjeant or other Officer of the said Lord Warden in whose respective Custody the Articles shall have been, to send a Report, stating the Circumstances, the said Receiver to the said Receiver General, and the said Deputy Serjeant or other Officer to the said Lord Warden, as the Case may be; and the Commissioners of Her Majesty's Treasury, on receiving an Application thereupon from the said Receiver General or from the said Lord Warden, as the Case may be, may and they are hereby authorized to allow such Sum to be paid out of Her Majesty's Exchequer by way of Salvage as they shall deem sufficient.

Receivers, Justices, &c. or Custom House Officers, when any Ship or Vessel shall be in distress, empowered to summon Men and Ships to assist them.

XIV. And be it enacted, That when any Ship or Vessel whatsoever shall be in distress, or in danger of being stranded or run on shore, or shall be stranded or run on shore, every Receiver, as well as all Justices of the Peace, and also all Mayors, Bailiffs, and other Officers of Corporations and Port Towns, and all Constables, Headboroughs, Tythingmen, and Officers of the Customs and Excise, shall summon and call together as many Men as shall be thought necessary to the Assistance and Preservation of such Ship or Vessel and its Cargo, or for the saving Human Life, and if there shall be any Ship or Vessel belonging to any of Her Majesty's Subjects, or any Waggons, Carts, and Horses, near the Place where such Ship or Vessel is in distress or danger as aforesaid, the said Receiver and other Officers herein-before mentioned, or any of them, are hereby required and empowered to demand of the superior Officer of such Ship or Vessel Assistance by Boats, or such Hands as can be conveniently spared, and to demand the Use of any Waggons, Carts, and Horses of the Owner or Person having the Charge thereof, for the Service and Preservation of the said Ship or Vessel in distress as aforesaid, and her Cargo, or for the saving of Human Life; and every such superior Officer, Owner, or Person refusing or neglecting to comply immediately with such Demand shall for every such Refusal or Neglect forfeit and pay any Sum not exceeding One hundred Pounds.

Penalty for Refusal.

As to Persons empowered to give Orders in case of a Vessel stranded.

XV. And be it enacted, That for the Prevention of Confusion among Persons assembled to save any Ship or Vessel in distress as aforesaid, or any of the Goods or Effects belonging thereto, all Persons so assembled shall conform, in the first place, to the Orders of the Master or Owner or Officer in charge of the said Ship or Vessel in distress, and in the next place to those of the Receiver, and for Want of their Presence to those of the Officers herein-after mentioned, in the following Subordination, as any of such Officers shall be present; (that is to say,) first the Officers of Customs or Coast Guard, then those of the Excise, then of the Sheriff or his Deputy, then any Justice of the Peace, then any Mayor or Chief Magistrate of any Corporation, then any Coroner, then any Chief Constable, then any Petty Constable or Peace Officer; and any Person whomsoever acting knowingly or wilfully contrary to such Orders shall, on Conviction before One Justice of the Peace, forfeit and pay any Sum not exceeding Fifty Pounds.

Examination on Oath of Ship's Name, Cargo, &c. before Receiver, and a Copy to be sent to Receiver General.

XVI. And be it enacted, That any Receiver, or in his Absence any Justice of the Peace, shall as soon as conveniently may be examine upon Oath (which Oath they are hereby respectively empowered to administer) any Person belonging to any Ship or Vessel which may be or may have been in distress, or others who may be able to give any Account thereof, or of the Cargo or Stores thereof, as to the Name or Description of the said Ship or Vessel, and the Names of the Master, Commander, or chief Officer and Owners thereof, and of the Owner of the said Cargo, and of the Ports or Places from or to which the said Ship or Vessel was bound, and the Occasion of the said Ship's Distress, and of the Services rendered, and as to any other Matter or Circumstance relating to the said Ship or Cargo, or any of the Stores thereof, as the said Receiver or Justice may think fit and necessary; and the said Receiver or Justice shall take the said Examination down in Writing, and shall make Two Copies of the same, the one of which he shall send to the said Receiver General, and the other to the Secretary of the Committee of *Lloyd's* aforesaid, and the said Copy shall be placed by the said Secretary in some conspicuous Situation, in like Manner as herein-before directed with respect to other Reports so to be made to the said Secretary as aforesaid; and for every such Examination by a Receiver he shall be entitled to receive from the Owner of the said Vessel or Cargo, or out of the Produce of the Sale thereof, the Sum of One Pound; and it shall be lawful for the said Receiver, or for any Officer of the Customs, at the Request in Writing of the said Receiver, to detain such Vessel or Cargo until the said Sum be paid: Provided always, that if any Person belonging to the said Ship or Vessel, or otherwise, shall refuse to be so examined by the said Receiver or Justice as aforesaid, he shall for every such Refusal forfeit and pay any Sum not exceeding Fifty Pounds.

Receiver entitled to 1*l.* for every Examination.

Persons refusing to be examined to forfeit 50*l.*

VII. And

XVII. And be it enacted, That it shall be lawful for the Receiver at that Part of the Coast where any Ship or Vessel shall be stranded or wrecked, or where any Wreck of the Sea or Goods shall be cast on shore, and also for the Owner or Master of any such Ship or Vessel, and for the Owners of any such Goods or of any Part thereof, and for any Officer of the Customs, Coast Guard, or Excise, and other Officer, and for all Persons whomsoever employed or acting in aid of or in the assisting of any such Receiver, Officer, Master, or Owner as aforesaid, in the saving or recovering any such Ship or Vessel, or the Cargo, Stores, Tackle, or other Article belonging to the same, or the preserving the Lives of the Crew or Persons belonging thereto, or of any Wreck as aforesaid, to pass and repass, with their Horses, Carts, Carriages, or Servants, doing as little Damage as possible, over any Lands, Pier, Jetty, Wharf, or Landing Place near to the Part of the Sea Coast where such Vessel shall be so wrecked or stranded, or on which such Wreck shall be cast, without Interruption or Obstruction by the Owner or Occupier thereof, for the Purpose of saving, recovering, and preserving any such Ship or Vessel, or Goods or Stores, or any Boat, Cables, Timbers, Spars, Masts, Cordage, or other Tackle or Article belonging to any Ship or Vessel, or for saving or otherwise assisting in preserving the Lives of any Persons, or for the taking possession of any Wreck or Goods or other Article cast on shore, or found on shore or found near thereto, provided there shall be no Road by which the Parties may pass and repass with as much Convenience and Expedition as over such Lands, Pier, Jetty, Wharf, or Landing Place, and also to place any Planks, Timber, or any Part of the Wreck, or any Goods or Stores or other Article removed or saved from any such Ship or Vessel, or any other Wreck or Goods or other Article as aforesaid, upon any such Land, Pier, Jetty, Wharf, or Landing Place, for a reasonable Time until they can be removed to some Warehouse or safe Place of Deposit, doing as little Damage as possible, and making Compensation to the Occupier of such Land, Pier, Jetty, Wharf, or Landing Place for any Damage done by all or any the Means aforesaid, which Compensation shall be a Charge upon the Wreck, Goods, or other Article in respect whereof the Damage may be done, in like Manner as Salvage; and in case the Parties cannot agree as to the Amount thereof, then the same shall be ascertained and settled in any of the Manners and within such Times as the Amount of Salvage is herein directed to be ascertained and settled.

Carriages allowed to pass over the Lands near the Coast for the Preservation of Wreck, &c.

Compensation to Land Occupiers to be settled in the same Manner as Salvage.

XVIII. And be it enacted, That if any Owner or Occupier of any Land or Premises over which any Person is authorized by this Act to pass and repass for any of the Purposes herein-before mentioned shall interrupt, impede, or hinder any such Person from passing over his Land or Premises, with or without Horses, Carts, Carriages, or Servants, for the Purposes herein-before mentioned or any of them, by locking his Gates, or refusing upon Request to open the same, or otherwise, or shall obstruct or hinder the placing any such Plank, Timber, Part of a Wreck, Goods, Stores, or other Article upon his Land, Pier, Jetty, Wharf, or Landing Place, or shall prevent their remaining there for a reasonable Time until the same can be removed to some Warehouse or safe Place of public Deposit, such Owner or Occupier shall for every such Offence forfeit and pay any Sum not exceeding One hundred Pounds.

Penalty on Land Occupiers refusing to allow Carriages, &c. to pass over their Lands.

XIX. And be it enacted, That every Person (except Receivers under this Act) who shall act or be employed in any way whatsoever in the saving or preserving of any Ship or Vessel in distress, or of any Part of the Cargo thereof, or of the Life of any Person on board the same, or of any Wreck of the Sea, or of any Goods Jetsam, Flotsam, Lagan, or Derelict, or of any Anchors, Cables, Tackle, Stores, or Materials which may have belonged to any Ship or Vessel, whether the said Ship or Vessel shall have been in distress or otherwise, and whether such Person shall have so acted at the Request of or on Application by any Person in Authority, or by the Master or Owner of any Ship or Vessel, or otherwise, shall, within Fourteen Days after the Service so performed, or within Fourteen Days after the Owner or any other Person shall have established his Claim to any such Article as aforesaid, be paid a reasonable Reward or Compensation by way of Salvage for such Service, by the Commander, Master, or other superior Officer, Mariners, or Owner of the said Ship or Vessel, or their Agent, or by the Merchant whose Ship, Vessel, or Cargo shall be so saved as aforesaid, or by the Owner of the other Articles herein-before mentioned, or other Person claiming the same; and in default thereof the said Ship or Vessel, or any Part of the Cargo remaining on board thereof, so saved as aforesaid, shall remain in the Custody of the High Court of Admiralty, and the said Goods or other Article (and also, until Warrant issued from the High Court of Admiralty, the said Ship, Vessel, or Cargo,) shall remain in the Custody of the Receiver or Officer of the Customs until the Person so acting or employed in the Preservation of such Ship or Vessel, Goods or other Article as aforesaid, shall have been reasonably compensated for his said Assistance and Trouble, or reasonable Security given for that Purpose to the Satisfaction of the said Receiver or Officer of the Customs, or High Court of Admiralty: Provided always, that every Receiver who shall act or be employed in the saving or preserving of any Ship or Vessel in distress which shall not become a Droit of Admiralty shall be entitled to receive from the Owner thereof the Sum of Two Pounds for the first Day, and the further Sum of One Pound for every subsequent Day on which he shall be employed in the said Service, if the said Ship or Vessel, together with the Cargo thereof, shall be of or above the Value of Six hundred Pounds, and the said Receiver shall be entitled to a Moiety of such respective Sums if the said Ship and Cargo shall be under the Value of Six hundred Pounds; and the said Ship or Vessel shall be so detained as aforesaid until such Sums shall have been paid to the said Receiver.

Reasonable Salvage to be allowed to Persons saving Ships or Goods.

Proviso.

XX. And be it enacted, That it shall be lawful for the said Receiver General to make Rules, and vary and alter the same, from Time to Time, as he may think proper, for regulating the Rate of Salvage to be paid by the Receivers when any Ship, Vessel, Boat, Apparel, Anchor, Cable, Tackle, Stores, Materials, Goods,

Receiver General may make Rules for regulating Salvage, in certain Cases.

Goods, Merchandize, or other Article whatsoever shall not be proved to belong to any Owner or other Person, and shall be sold as Droits of Admiralty in manner herein-before directed.

If Owners and Salvors disagree respecting Salvage, Two Justices, or a Person nominated by them, may determine the same.

XXI. And be it enacted, That if any Person shall have rendered any Service (except ordinary Pilotage) in the saving or preserving of any Ship or Vessel in distress, or of the Cargo thereof, or of the Life of any Person on board the same, or of any Wreck of the Sea, Goods or other Article herein-before mentioned, which shall not become Droits of Admiralty, and the said Person, and the Master or Owner of such Ship or Vessel, or his Agent, or the Owner of such Article, or his Agent, cannot agree upon the Amount of Salvage or Compensation to be paid in respect of such Service, then such Person shall deliver to such Master, Owner, or Agent a Statement in Writing, without Prejudice to either Party, of the Amount of Salvage or Compensation claimed for such Services, and (unless such Salvage shall have been already paid by any Receiver under the Powers herein-before contained, or the Claim thereto shall exceed the Sum of Two hundred Pounds,) the Matter or Difference may be determined by any Two Justices of the Peace residing at or near to the Place where such Service has been rendered, within Forty-eight Hours after such Difference shall be referred to them for their Determination thereof, and if they cannot agree respecting the same then it shall be lawful for them to nominate any Third Person conversant in maritime Affairs, at their Option, who shall ascertain the Amount of Salvage to be paid within Forty-eight Hours after he shall be so nominated as aforesaid; and the said Justices and such Third Person so nominated as aforesaid shall have full Power and Authority, whenever they see Occasion, to examine the Parties or their Witnesses upon Oath, which Oath they or any One of them are and is hereby authorized to administer; and it shall be lawful for the Person so to be nominated by the said Justices, who shall decide on the Amount of Salvage to be paid as aforesaid, to demand and receive of and from the Owner of the Ship or Vessel aforesaid, or of the Article so saved as aforesaid, or of the Salvors or their respective Agents, a Sum of Money not exceeding Two Pounds Two Shillings; and such Owner or his Agent, or such Salvors, at the Discretion of the said Justices or Person appointed by them as aforesaid, are hereby required to pay the same to the Person so nominated as aforesaid immediately after he shall have made his Award or Decision, and such Sum of Two Pounds Two Shillings, and such Amount of Salvage, may be recovered as any Penalty imposed by this Act: Provided always, that when the Salvage Claim shall exceed the Sum of Two hundred Pounds, then and in every such Case the said Matter or Difference shall, in the event of no such Agreement being made as aforesaid, either by Reference to Arbitration or otherwise, be determined exclusively by the High Court of Admiralty.

Admiralty may appoint Salvage Commissioners to determine Differences where they think fit, and appoint a Secretary, &c.

XXII. And be it enacted, That it shall be lawful for the Commissioners of Admiralty to nominate and appoint, in such Ports or Towns and for such Districts as in their Discretion they may think fit, Three or more proper Persons for each Port, Town, or District respectively, to be called Commissioners of Salvage, who, or any Three or more of them, shall have Power to adjust and determine any Difference respecting Salvage in the same Manner and in such Cases as the Justices herein-before in that respect mentioned, and also to nominate and appoint a proper Person to act as Secretary or Registrar to the said Commissioners, and which Secretary or Registrar shall enter in a Book kept for that Purpose all the Proceedings of such Commissioners, and also a Copy of the Awards which they shall have from Time to Time made; and the said Commissioners of Salvage, or any Three or more of them, shall have the Powers of examining on Oath, and all other the same Power and Authorities as are herein-before given to the said Justices, and to the Person to be by them nominated as aforesaid; and such Commissioners of Salvage, or any Three or more of them, who shall decide in any such Case as aforesaid, and their Secretary or Registrar, may and they are hereby authorized to demand of and from the Owner of any Ship or Vessel or of any Article against whom any Person may make any Claim or Demand for Service rendered on preserving the same, and such Owner or Salvors is and are hereby required to pay, such Fee or Reward for deciding on every such Claim as shall be regulated and appointed in that Behalf by the Commissioners of the Treasury; and the said Commissioners of Salvage, or any Three or more of them, shall have the Power to commit for Contempt.

Commissioners empowered to examine on Oath.

Parties dissatisfied may appeal to High Court of Admiralty, and Goods to be restored to Owners, on giving Bail.

XXIII. And be it enacted, That in case any Person so claiming to be entitled to Salvage or Compensation for Services rendered as aforesaid, or the Person against whom such Claim is made, or his Agent, shall be dissatisfied with such Award and Decision of the said Justices or Person so to be nominated by them as aforesaid, or of the said Commissioners of Salvage, it shall be lawful for either of them respectively, within Ten Days after such Award shall have been made, but not afterwards, to notify to such Justices, or to the said Commissioners of Salvage, as the Case may be, his Desire of obtaining the Judgment of the High Court of Admiralty respecting the said Salvage or Compensation, and thereupon such Person shall forthwith proceed by taking out a Monition within Thirty Days from the Date of such Award; but in such Case the Receiver or Officer of the Customs in whose Custody the Ship, Vessel, Goods, or other Article in respect of which such Claim of Salvage has been made shall have been detained as aforesaid is hereby required and empowered to release such Ship or Vessel, and to deliver to the Owner or Proprietor, or his Agent, such Goods or other Article, upon the said Owner or Proprietor or his Agent giving good and sufficient Bail in Double the Amount of the Sum awarded for Salvage or Compensation, or if no Sum shall have been so awarded, then to such Amount as the said Receiver shall deem sufficient, and which Bail the said Receiver is hereby authorized to take and certify according to the Form contained in the Schedule (A.) hereunto annexed, and transmit the same without Delay to the said Receiver General, together with a true Certificate in Writing of the gross Value of the Article respecting which Salvage shall be claimed, and also a Copy of such Proceedings and Award,

Award, on unstamped Paper, certified under the Hand of the said Receiver taking such Bail as aforesaid, and the same shall be admitted by the said Court of Admiralty as Evidence in the Cause; and the said Receiver shall for every such Certificate be entitled to receive from the Owner of such Ship or Vessel, Goods or other Article, or his Agents, or from the Proceeds of the Sale thereof, the Sum of One Pound One Shilling.

Receiver, where Award by Commissioners of Salvage has been made, empowered to sell Ship or Goods, &c. in case of Refusal of Owner to comply with Terms of Award, or of Neglect to appeal.

XXIV. Provided always, and it is hereby enacted, That after any such Award has been made, either by the said Justices or Person nominated by them, or by the said Commissioners of Salvage as aforesaid, and the Owner of such Ship or Vessel, Goods or other Article, in respect of which such Award of Salvage is made, or his Agent, shall refuse or neglect either to pay the same, or to give Notice of such Appeal, or to take out such Monition as aforesaid, it shall be lawful for the Receiver, at or nearest to the Place where such Award has been made, and he is hereby required, within Twenty Days after the making of the said Award, and on Production of the same, to sell the Property contained in such Ship or Vessel, or the said Goods or other Articles, as the Case may be, or such and so many of the same as in his Opinion will be sufficient to defray the Salvage, and the Costs and Charges relating thereto, paying the Surplus, if any, to the Owner or Owners thereof: Provided also, that in all Cases which shall be decided by any Justices of the Peace, or their Nominee, or by the said Commissioners of Salvage, the High Court of Admiralty shall only have Jurisdiction as a Court of Appeal, in accordance with the Provisions of this Act, or for the Purpose of enforcing Payment of the Sum awarded.

Commissioners or Justices to appoint towhom Salvage to be paid for Distribution between Two or more Persons.

XXV. And be it enacted, That whenever any Sum to be paid for any such Services as aforesaid, either voluntarily or in consequence of any Agreement, or of any Arbitration, or of any Award made by any such Justices or by the said Commissioners of Salvage as aforesaid, or, within the Jurisdiction of the Cinque Ports, by any Commissioners, shall be distributable between Two or more Persons, such Sum shall be paid to such Person as shall be appointed by the Justices or Commissioners in and by their Award, or by the Arbitrator making any Award, or under any Agreement which may have been made, or in default of any such Appointment, then to the Master or Owner of the Boat, Ship, or Vessel having rendered the Services, or his Agent, or to some Person nominated in Writing by or on behalf of the Majority of the Persons among whom such Sum is distributable; and every Person to whom any such Sum shall be paid shall, within Three Days after the same shall have been paid, or as soon after as may be, proceed to make Allotment thereof among the several Persons interested in the Distribution thereof, and to give Notice in the Form contained in the Schedule (B.) to this Act annexed to each Person of the whole Sum so paid, and of the Share thereof allotted to him; and within Thirty Days after the Sum shall have been so paid, or within Twenty-eight Days after such Notice shall have been given, and not afterwards, it shall be lawful for any Person claiming a Share of the said Sum who shall think himself aggrieved, either by no Allotment having been made, or by no Notice thereof having been given to him within Ten Days after the Sum shall have been so paid, or by the Insufficiency of the Share allotted to him, or otherwise, to apply, if the Share so allotted, or, if no Share shall be so allotted, then if the Share claimed by him shall be under Twenty Pounds, to the Justices or Commissioners who may have determined such Salvage Case, or within whose Jurisdiction such Salvage Case may have occurred, who shall have full Power to adjudge the due Distribution of the Sum so paid as aforesaid, and the Shares of the different Parties entitled thereto, which Shares may then be recovered from the Person to whom such Sum shall have been so paid, in like Manner as is hereby provided for the Recovery of any Penalty under this Act; and if the Share which shall be so allotted, or, if no Share has been allotted, which shall be so claimed by the Person so thinking himself aggrieved as aforesaid, shall amount to Twenty Pounds, then it shall be lawful for such Person, within the said Term of Thirty Days or the said Term of Twenty-eight Days (but not afterwards), to apply to the Judge of the High Court of Admiralty, or his Surrogate, for a Monition against the Person to whom the said Sum has been so paid as aforesaid, to bring the said Sum or any Part thereof which shall appear not to have been duly distributed, into the Registry of the said Court, and appear, and abide the Judgment of the said Court concerning the Distribution thereof; and the Judge of the said Court, or his Surrogate, shall, on due Cause shown, issue such Monition, and the said Court shall have Jurisdiction to enforce the same, and to adjudge the due Distribution of such Sum accordingly; and in the Case of an Award the Person by whom such Award shall have been made shall, upon Monition, send in without Delay to the said Court a Copy of the Proceedings before him, and of the Award, on unstamped Paper, witnessed under his Hand, and the same shall be admitted by the Court as Evidence in the Cause; and the Amount so awarded, or such Part as shall appear not to have been duly distributed, shall be paid to the Parties suing out such Monition, or distributed according to the Judgment of the said Court.

Duties of Distributor.

In case of Delay or Injustice, aggrieved Parties to apply to Justices or Commissioners, or to High Court of Admiralty.

After Sum awarded for Salvage Services shall have been paid, Persons feeling aggrieved by Insufficiency of Share precluded from enforcing Claim against Ship, &c. to which Services were rendered.

XXVI. And be it enacted, That whenever it shall appear that any Sum which has been awarded or voluntarily agreed to be paid for Salvage Services shall have been duly paid by the Master or Owner of any Ship, Vessel, or Goods to which such Service shall have been so rendered, or his Agent, to the Appointee of the Justices or Commissioners or of the Arbitrator making any Award, or under any Agreement, or in default of such Appointment to the Master or Owner of the Boat, Ship, or Vessel having rendered such Services, or to the Person nominated as aforesaid, as the Case may be, then and in every such Case any Person claiming any Share in such Sum who may think himself aggrieved by the Insufficiency of the Share allotted to him, or otherwise, shall be precluded from enforcing such Claim against the Ship, Vessel, or Goods to which such Services shall have been rendered, or the Owner thereof: Provided always, that any Party who shall claim to be entitled to any Sum which shall remain undistributed in the Hands of any Person to whom the same may have been paid may, within Twelve Months

Months after such Payment, have the same Remedies for the Recovery of such Sum from the Person to whom the same shall have been paid as are herein-before provided respecting the Recovery of Shares in any Sum paid for Salvage Services after Adjudication of the Distribution thereof.

Account of Sums received for Salvage to be sent to Receiver, and by him to Receiver General.

XXVII. And be it enacted, That when any Sum shall be paid for any such Salvage as aforesaid, either voluntarily or in consequence of any Award having been made in manner aforesaid, or Security given for the Payment thereof, and it shall appear that any Ship or Vessel, Goods or other Article, in respect of the saving of which such Sum shall have been so paid or such Security given, shall be detained in the Custody of any Officer of the Customs or of the High Court of Admiralty (as the Case may be) as aforesaid, it shall not be lawful for the said Officer or the said Court to permit such Ship or Vessel to depart, or to give up such Goods or other Article, until the Production of a Writing signed by the Persons to whom such Salvage shall be payable, or some or one of them, which shall contain a Description of such Ship or Vessel, or Goods or other Article, together with an Account of the Sums that have been so paid, or of the Security given for the same; and the said Officer or the Court (as the Case may be) shall send a Copy of such Writing to the nearest Receiver, who shall transmit the same, or a Copy thereof, to the said Receiver General.

Persons cutting away or defacing Buoy Ropes deemed guilty of Felony.

XXVIII. And be it enacted, That if any Person shall wilfully cut away, cast adrift, remove, alter, deface, sink, or destroy, or shall do or commit any Act with Intent and Design to cut away, cast adrift, remove, alter, deface, sink, or destroy, or in any other Way injure or conceal any Boat, Buoy, Buoy Rope, or Mark, such Person so offending shall, on being convicted of any such Offence, be deemed and adjudged to be guilty of Felony, and shall be liable to be transported for any Term not exceeding Seven Years, or imprisoned for any Number of Years not exceeding Three, with or without hard Labour, at the Discretion of the Court in which such Conviction shall have taken place.

Persons fraudulently purchasing Anchors, &c. to be considered Receivers of stolen Goods.

XXIX. And be it enacted, That if any Person shall knowingly or wilfully, and with Intent to defraud the true Owner thereof, or any Person interested therein, purchase or receive any Boat, Anchor, Cable, Goods, or Merchandize which may have been taken up, weighed, swept for, or taken possession of, if the Provisions herein-before contained with regard to such Articles shall not have been previously complied with, such Person shall on Conviction thereof be deemed guilty of receiving stolen Goods, knowing the same to be stolen, and shall be punished accordingly.

Masters of Ships finding Vessels, Anchors, &c. to make Entry in Log Book, and report to Receiver General, and on their Return or Arrival to deliver the Articles to the nearest Receiver.

XXX. And be it enacted, That in case the Master, Mate, Crew, or Passenger of any Ship or Vessel shall find or take in tow or on board of such Ship or Vessel, any Vessel, Boat, Anchor, Cable, or any Goods, Merchandize, or other Article, or shall receive any Vessel, Boat, Anchor, Cable, or any Goods, Merchandize, or other Article, from any other Person who may have found the same, knowing the same to have been so found, the Master, Mate, or other Person having the Command of such Ship or Vessel shall, on the Return or Arrival of such Vessel to any Port in the United Kingdom, place the said Article at the Disposal of the Receiver in or nearest to such Port at which he shall first arrive, and within Twenty-four Hours of his Arrival, with a Report in Writing containing an accurate Description of the said Articles, and the Marks, if any thereon, and the Time when, and the Bearings and Distances and other minute Descriptions of the Place where the same were found or taken on board; and such Receiver is hereby required to transmit such Report to the Secretary of the Committee of *Lloyd's* aforesaid, to be placed by him for Inspection, in like Manner as herein-before provided with respect to Copies of other Reports; and if the said Article shall not be claimed by the Owner thereof, or his Agent, within Twelve Calendar Months after such Report shall be transmitted to the said Secretary, the same shall be sold and disposed of by the said Receiver, and the Proceeds of such Sale remain and be dealt with in the Manner herein-before directed with respect to other unclaimed Articles; and if the Master of such Ship or Vessel, or such other Person, shall not report or place at the Disposal of the said Receiver, such Vessel, Boat, Anchor, Cable, Goods, Merchandize, or other Article, according to the Provisions of this Act, he shall for every such Offence forfeit all Claim to Salvage, and on being thereof convicted before any Justice of the Peace forfeit and pay One hundred Pounds, and shall also forfeit and pay Double the Value of any such Article to the Owner thereof, if claimed, or to Her Majesty, if the same become Droits of Admiralty, which Double Value may be recovered in the same Manner as a Penalty under this Act.

Articles to be reported by Receiver, and if not claimed to be sold.

Penalty on Defaulters, 100*l.*

Persons selling Vessels, &c. in Foreign Countries guilty of Felony.

XXXI. And be it enacted, That every Person who shall convey, take, or tow to any Foreign Port or Place any Vessel, Boat, Anchor, Chain, Cable, or other Article which may have been so found, weighed, swept for, received, or taken as aforesaid, and there sell or otherwise dispose of the same, shall be guilty of Felony, and shall be transported for any Term not exceeding Seven Years.

Penalty on Dealers in Marine Stores not having their Names on their Storehouses, or cutting up Cables without a Permit from a Receiver.

XXXII. And be it enacted, That all Persons who shall trade or deal in buying and selling Anchors, Cables, Sails, or old Junk, old Iron, or Marine Stores of any Kind or Description, shall have their Names, with the Words "Dealer in Marine Stores," painted distinctly in Letters of not less than Six Inches in Length upon the Front of all their Storehouses, Warehouses, and other Places of Deposit for such Goods, and in default of their so doing they shall, on Conviction before any Justice of the Peace or Magistrate of any Jurisdiction where such Storehouse, Warehouse, or Depôt shall be, forfeit and pay a Sum not exceeding Twenty Pounds; and it shall not be lawful for such Dealers or Traders to cut up any Cable, or any Part of a Cable exceeding Five Fathoms in Length, or uncant, untwine, or unlay the same into Junk or Paper Stuff, on any Pretence whatsoever, without first obtaining a Permit from a Justice of the Peace, or the Receiver residing nearest to the Residence of such Dealer, which Permit shall not be granted unless a Declaration shall have been made before a Justice of the Peace that the Cable or other Articles so intended to be cut up had been *bonâ fide* purchased, and without Fraud, by the Party so intending to cut,

cut up the same, and without any Knowledge or Suspicion on his Part that the same had been dishonestly come by, and in which Declaration shall also be specified the peculiar Quality and Description of such Cable or other Article, and the Name of the Seller thereof; which Declaration shall be recited and set forth at length upon the Permit thereupon granted, on pain of forfeiting for the First Offence any Sum not exceeding Twenty Pounds, and for the Second or further Offence any Sum not exceeding Fifty Pounds.

Penalty on Dealers in Marine Stores purchasing Anchors, &c. from Persons under 14.

XXXIII. And be it enacted, That it shall not be lawful for any Dealer in Marine Stores, or any Person employed by him, to purchase Anchors, Cables, Sails, or old Junk or Iron, or Marine Stores of any Kind or Description whatsoever, of or from any Person who shall not have attained the Age of Fourteen Years, on pain of forfeiting for the First Offence any Sum not exceeding Five Pounds, and for the Second or further Offence any Sum not exceeding Twenty Pounds.

Dealers to keep an Account of old Stores bought to advertise before cutting up Cordage, and to allow an Inspection of their Books.

XXXIV. And be it enacted, That for the more effectual Prevention of such Frauds all Dealers in such Marine Stores as aforesaid shall keep a Book or Books fairly written, in which Entries shall be from Time to Time regularly made of all such old Marine Stores as shall be by them from Time to Time bought or otherwise obtained, containing a true Account and Description of the Times when the same were so respectively bought or otherwise obtained by them, and of the Names and Places of Abode of the respective Sellers thereof, or of the Parties from whom the same shall have been obtained; and before any Person who shall obtain such Permit as herein-before mentioned for the cutting up of any such Cable or other Article shall proceed to cut up the same by virtue thereof, there shall be published, by the Space of One Week at least before the cutting up of the same, One or more Advertisements in some public Newspaper printed nearest to the Storehouse, Warehouse, or Depôt where the Article shall be deposited, notifying that such Party had obtained such Permit for the Purpose of cutting up such Cable or other Article, and of such Kind and Quality as therein described, and also specifying the Place where such Articles are deposited; whereupon it shall be lawful for every Person who may have just Cause to suspect that such Articles are his Property, and shall have verified upon Oath the Fact of such Suspicion before any Justice of the Peace or Magistrate residing near the said Storehouse, Warehouse, or Depôt, by Warrant for that Purpose thereupon granted, to require of and from such Dealer who shall have so advertised as aforesaid the Production and Examination of the Book of Entries hereby required to be kept, and to inspect and examine the Cables and other Articles described in such Permit; and in case any such Dealer, when so required as aforesaid, shall neglect or refuse to produce such Book of Entries, or shall neglect to keep any such Book of Entries, or shall refuse to permit such Inspection or Examination as aforesaid, or shall, after obtaining such Permit for the cutting up of any such Cable or other Article, or before cutting up the same, neglect to publish such Advertisement as aforesaid, he shall for every such First Offence forfeit and pay any Sum not exceeding Twenty Pounds, and for every such Second or further Offence any Sum not exceeding Fifty Pounds.

Penalty for Neglect or Refusal.

Manufacturers to place Marks on Anchors and Kedge Anchors.

Penalty for Neglect.

XXXV. And be it enacted, That every Manufacturer of Anchors and Kedge Anchors shall place his Name or Initials, together with a progressive Number, and also the Weight of every Anchor, in legible Characters upon the Crown and also upon the Shank under the Stock of each Anchor respectively which he shall manufacture; and in case any such Manufacturer shall neglect to place such Name, Number, or Weight in the Manner herein-before directed and required, he shall for every such Neglect forfeit and pay any Sum not exceeding Five Pounds.

Recovery of Penalties.

5 & 6 W. 4. c. 76.

XXXVI. And be it enacted, That any Penalty imposed by this Act may be recovered by Information or Action of Debt in any of Her Majesty's Courts, or by Information or Complaint before any Justice of the Peace or Magistrate of any Jurisdiction residing near the Place in which the Offence has been committed for which such Penalty is sought to be recovered, or where the Offender may at any Time happen to be, and (except where the contrary is so expressed) one Half of the said Penalties shall go to the Informer, and the other Half to the Receiver General of Droits of Admiralty, to be applied by him in like Manner as the Proceeds arising from such Droits, any thing in an Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, or in any other Act of Parliament, to the contrary notwithstanding; and in case any of the said Penalties, on Conviction by any Justice of the Peace or Magistrate, shall not be paid, with the Charges incident to the Conviction, immediately upon such Conviction, the same shall and may (except in the Case herein-after mentioned) be levied, by Warrant under the Hand and Seal of such Justice or Magistrate, upon the Goods and Chattels of any such Offender; and in case no sufficient Distress shall be found then every such Offender shall and may be committed by any Justice or Magistrate as aforesaid to Gaol, with or without hard Labour, in case of any First Offence for any Period not exceeding Six Calendar Months, and in case of any Second or further Offence for any Period not exceeding Twelve Calendar Months, unless the said Penalty and the Charges shall be sooner paid; and for the more easy and speedy Conviction of such Offenders, every such Justice or Magistrate before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up according to the following Form; (*videlicet,*)

Form of Conviction.

'BE it remembered, That on the Day of in the Year of our
'Lord *A. B.* is convicted before me [*or* us,] One [*or* Two, *as the Case may be*]
'of Her Majesty's Justices of the Peace for the [*here specify the Offence, and the Time and Place when*
'*and where committed, as the Case may be*], contrary to an Act passed in the Year
'of the Reign of Queen Victoria, intituled [*here insert the Title of this Act*]. Given under my Hand
'and Seal [*or* our Hands and Seals], the Year and Day first above written.'

And

And no Certiorari or other Writ or Process for the Removal of any such Conviction, or any Proceedings thereon, into any of Her Majesty's Courts of Record at *Westminster* or elsewhere shall be allowed or granted.

Persons convicted may appeal to Quarter Sessions, giving Notice of the same.

XXXVII. And be it enacted, That it shall be lawful for any Person so convicted by any Justice of the Peace or Magistrate before mentioned of any Offence against this Act, within Three Calendar Months next after such Conviction to appeal to the Justices of the Peace assembled at the General Quarter Sessions holden for the County, City, or Place where the Matter of Appeal shall arise, first giving Ten Days Notice of such Appeal to such Justice of the Peace or Magistrate, and of the Matter thereof, and entering into a Recognizance before some Justice of the Peace for such County, City, or Place, with Two sufficient Sureties, conditioned to try such Appeal, and for abiding the Determination of the Court therein; and such Justices at the General Quarter Sessions shall, upon due Proof of such Notice having been given and Recognizances entered into, hear and determine the Matter of such Appeal, and may either confirm or quash and annul the said Conviction, and award such Costs to either Party, as to them shall seem just and reasonable; and the Decision of the said Justices therein shall be final, binding, and conclusive; and no Proceeding to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form only, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of Her Majesty's Courts at *Westminster* or elsewhere; any Law or Statute to the contrary in anywise notwithstanding.

Offences to be tried in the County where committed, or where Offender resides.

XXXVIII. And be it enacted, That all Felonies, Misdemeanors, and other Offences against this Act, except in the Case of summary Convictions, may be laid to be committed and may be tried in any City, County, or Place where any such Article, Matter, or Thing in relation to which such Offence shall have been committed shall have been found in the Possession of the Person committing the Offence, or the Offender may at any Time happen to be.

Goods saved from Vessels wrecked to be forwarded to the Ports of their original Destination.

XXXIX. And be it enacted, That it shall be lawful to and for the Commissioners of Customs and Excise, and they are hereby required, to permit all Goods, Wares, and Merchandize saved from any Vessel stranded or wrecked on its homeward Voyage to be forwarded to the Port of its original Destination, and also to permit Goods, Wares, and Merchandize saved from any Vessel stranded or wrecked on their respective outward Voyage to be returned to the Port at which the same were shipped; but such Commissioners are to take Security for the due Protection of the Revenue in respect of such Goods, Wares, and Merchandize.

High Court of Admiralty may decide in all Salvage Cases, whether on Sea or Land.

XL. And be it enacted, That the High Court of Admiralty shall have Jurisdiction to decide, in manner herein-before mentioned, upon all Claims and Demands whatsoever in the Nature of Salvage for Services performed, except in Cases of Goods herein-before directed to be sold as Droits of Admiralty, whether in the Case of Ships or Vessels, or of any Goods or Articles found either at Sea or cast upon the Shore, and whether such Services shall have been performed upon the High Seas or within the Body of any County, any thing in any Act contained to the contrary notwithstanding.

In case of Damage done by a Foreign Vessel, a Judge may order its Arrest, unless Owner undertake to appear in an Action.

XLI. And be it enacted, That in every Case in which any Damage shall be done by any Foreign Ship or Vessel to any Ship or Vessel, Barge, Boat, or other Craft belonging to Her Majesty, or any of Her Subjects, whether abroad or otherwise, or to any Buoy or Beacon in any Harbour, Port, River, or Creek, or within Three Miles of the Coast of the United Kingdom, and it shall appear on a summary Application made to any Judge of any of Her Majesty's Courts of Record at *Westminster* or elsewhere, or to the Judge of the High Court of Admiralty respectively, that such Damage or Loss has probably been sustained or arisen by the Misconduct or Negligence of the Master or Mariners of such Foreign Ship or Vessel, then and in every such Case it shall be lawful for any such Judge to cause such Foreign Ship or Vessel, being in any Harbour, Port, River, or Creek, or other Place within Three Miles of the Coast of the United Kingdom, to be arrested and detained until the Master or Owner or Consignee of such Ship or Vessel shall undertake to appear and be Defendant in any Action which may be brought for such Loss or Damage, and give such sufficient Security, by Bail or otherwise, for all Costs and Damages, if recovered, as shall be directed and ordered by such Judge, if it shall upon the Trial of such Action or Suit appear that such Loss or Damage shall have arisen from such Negligence or Misconduct as aforesaid; and in such Action or Suit the Person giving Security shall be made Defendant, and shall be stated to be the Owner of the Foreign Ship or Vessel doing such Damage; and it shall not be necessary in any such Action or Suit to give any other Evidence of the Liability of such Person to such Suit or Action than the Production of the Order of the Judge made in relation to such Security as aforesaid; and any Collector or Comptroller of the Customs shall, upon Notice served upon him of the Fact of such Application having been made as aforesaid, have Power and is hereby required to detain such Ship or Vessel until the Result of such Application shall be made known.

Serjeants and Deputy Serjeants of the Cinque Ports to have the same Powers and liable to the same Duties as Receivers.

XLII. And be it enacted, That within the Jurisdiction of the Cinque Ports every Serjeant of the Lord Warden of the Cinque Ports and his Deputy shall have the same Power and Authority, and be liable to the same Duties and Services, as are herein-before enacted with respect to the said Receivers of Droits of Admiralty, and all Provisions in this Act contained relating to such Receivers shall, within the Jurisdiction aforesaid, extend and apply to the said Serjeants and their Deputies in as full and ample a Manner as if the same were now again in that Behalf set forth and repeated; save and except that the Reports herein-before directed to be sent by the said Receivers to the said Receiver General shall, within the Jurisdiction of the Cinque Ports, be sent by the said Serjeants or Deputy Serjeants to the said Lord Warden; and every Fee or other Gratuity to be paid to the said Serjeants or Deputy Serjeants shall be regulated according to the Judgment of the said Lord Warden for the Time being.

XLIII. Pro-

Reservation of Rights of the Lord Warden and of the Cinque Ports. Act not to interfere with the 1 & 2 G. 4, c. 76.

XLIII. Provided always, and be it enacted, That nothing whatsoever in this Act contained shall extend or be construed to extend so as in any Manner to affect, impeach, alter, abridge, or interfere with the Rights, Privileges, Authority, or Jurisdiction of the said Lord Warden, or of the said Cinque Ports, Two ancient Towns and Members thereof, or in any Manner to affect, repeal, or interfere with the Provisions of an Act passed in the First and Second Years of the Reign of His Majesty King *George* the Fourth, intituled *An Act to continue and amend certain Acts for preventing the various Frauds and Depredations committed on Merchant Shipowners by Boatmen and others within the Jurisdiction of the Cinque Ports; and also for remedying certain Defects relative to the Adjustment of Salvage under a Statute made in the Twelfth Year of the Reign of Her late Majesty Queen* Anne.

In case of Vessels wrecked being plundered by a tumultuous Assemblage, the Hundred to be liable for Damages.

XLIV. And be it enacted, That if any Ship or Vessel which may be in distress, wrecked, or stranded, or run on shore or any Part of the Cargo thereof, shall be plundered, damaged, or destroyed, wholly or in part, near to or on any of the Coasts of *England*, *Wales*, or *Ireland*, or in any of the Harbours, Havens, Rivers, Creeks, or Bays thereof, by any Persons riotously and tumultuously assembled together, whether on shore or afloat, in every such Case the Inhabitants of the Hundred, Wapentake, Ward, Barony, Half Barony, or other District in the Nature of a Hundred, by whatever Name it shall be denominated, in which or nearest to which the said Offence shall be committed, shall be liable to yield full Compensation to the Owner of such Ship or Vessel, or of the Cargo or any Part of the Cargo thereof, in the same Manner in *England* and *Wales* as is provided in Cases of the Destruction of Churches and other Buildings by a riotous Assemblage by an Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Remedies against the Hundred;* and all the Clauses and Provisions contained in the said last-mentioned Act shall be held to apply to all such Cases of plundering, damaging, or destroying any such Ship or Vessel or the Cargo thereof, by any such riotous Assemblage as aforesaid, as fully and effectually to all Intents and Purposes as if the said several Clauses and Provisions had been particularly repeated and re-enacted in the Body of this Act; and in *Ireland* Compensation shall be recovered, and presented, applotted, levied, and paid over to the said Owner, in like Manner and by like Proceedings as are provided for the Recovery of Satisfaction and Amends for the malicious Demolition of or Injury to Churches, Chapels, and other Buildings used for Religious Worship according to the Usage of the United Church of *England* and *Ireland*, by an Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to alter and amend the Laws relating the Temporalities of the Church in* Ireland, or by any Act amending the same.

7 & 8 G. 4. c. 31.

3 & 4 W. 4. c. 37.

Penalty on Persons wrongfully carrying off Wreck, or boarding Ships without Leave, or hindering the saving of Ships or Goods.

XLV. And be it enacted, That every Person who shall wrongfully carry away or remove any Part of any Ship or Vessel which shall be in distress or wrecked, stranded, or cast on shore, or any Goods, Merchandize or Article of any Kind belonging to such Ship or Vessel, or (unless the same Person shall be a Receiver or other Officer or Justice, herein-before authorized to give Orders in Cases of Wreck as aforesaid,) shall enter or endeavour to enter on board of any such Ship or Vessel as aforesaid, without the Consent or Leave of the Master, Commander, or other superior Officer thereof, or of a Receiver or other Officer so authorized to give Orders in Cases of Wreck, or shall molest or impede any Person employed in the saving of such Ship or Vessel or Goods as aforesaid, or shall endeavour to impede or hinder the saving of any Ship or Vessel or Goods as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Fifty Pounds; and where any such Person shall have been detained, or taken before any Justice of the Peace, for any such Offence, it shall be lawful for such Justice of the Peace to proceed summarily on the Case without any Information, and to convict such Person of such Offence, and in default of Payment of such Penalty to commit such Person to any of Her Majesty's Gaols for any Time not exceeding Six Months with or without hard Labour; and it shall be lawful for the said Master, Commander, or superior Officer of the said Ship or Vessel so in distress as aforesaid, or the said Receiver or other Officer herein-before authorized to give Order in Cases of Wreck, respectively to repel by Force any such Person as shall without such Leave or Consent as aforesaid, press on board such Ship or Vessel: Provided always, that nothing herein contained shall be construed to repeal or in anywise affect or alter any Provision contained in an Act passed in the Seventh Year of the Reign of His late Majesty King *William* the Fourth and First Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to amend the Laws relating to Robbery and stealing from the Person.*

Masters of Ships may repel unauthorized Persons boarding them.

Nothing herein to repeal or affect 7 W. 4. & 1 Vict. c. 87. s. 8.

Nothing herein to alter or repeal the recited Acts following:

6 G. 4. c. 125.

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

6 & 7 Vict. c. 79.

XLVI. Provided always, and be it enacted, That nothing in this Act contained shall be construed to alter or repeal any of the Clauses or Provisions contained in an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for the Amendment of the Law respecting Pilots and Pilotage; and also for the better Preservation of floating Lights, Buoys, and Beacons;* nor any of the Clauses or Provisions contained in an Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith;* nor any of the Clauses or Provisions contained in an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith;* nor any of the Clauses or Provisions contained in an Act passed in the Sixth and Seventh Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to carry into effect a Convention between Her Majesty and the King of the*

French *concerning the Fisheries in the Seas between the* British *Islands and* France; nor any of the Clauses or Provisions contained in an Act passed in the Parliament of *Ireland* in the Thirty-fifth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for repairing and preserving the Walls of the River* Anna Liffey *in the City of* Dublin; *and for amending an Act passed in the Twenty-sixth Year of His Majesty's Reign, intituled 'An Act for promoting the Trade of* Dublin *by rendering 'its Port more commodious.'*

32 G. 3. c. 35.

Reservation of Rights of the Crown, of the High Court of Admiralty, and Admiralty of the Cinque Ports.

XLVII. Provided also, and be it enacted and declared, That neither this Act nor any thing herein contained shall in anywise extend or be construed to extend to deprive or in any way prejudice the Rights of Her Majesty, Her Heirs or Successors, nor to the taking away, abridging, or impeaching in any Manner whatever the Jurisdiction of the High Court of Admiralty, or the Jurisdiction of the Admiralty Court of the Cinque Ports, Two ancient Towns and their Members, but it shall and may be lawful for the said Courts respectively, and the Judges thereof for the Time being, to have, use, exercise, and enjoy Jurisdiction over all such Matters, Rights, and Offences, as they have heretofore used, exercised, and enjoyed, as fully and effectually to all Intents and Purposes whatever as if this Act had not been made, any thing herein contained to the contrary thereof in anywise notwithstanding.

Reservation of Rights of the Trinity Houses of Deptford Strond, Hull, Newcastle, and of the Humber Commissioners.

XLVIII. Provided also, and be it enacted and declared, That nothing herein contained shall extend or be construed to extend to the taking away, abridging, hindering, prejudicing, or impeaching of any Grant, Liberties, Franchises, and Privileges heretofore granted to and vested in the Corporation of the *Trinity House* of *Deptford Strond*, or in that of the *Trinity House* of *Kingston-upon-Hull*, or in the Commissioners acting under the Provisions of any Act of Parliament relating to the Adjustment of Salvage for Anchors, Cables, and other Ships Materials found in the River *Humber*, or in the Master, Wardens, and Brethren of the *Trinity House* of *Newcastle-upon-Tyne* respectively, but that the said Corporations and the said Commissioners, and the said Masters, Wardens, and Brethren, shall hold and enjoy the same, as fully and effectually, and to all Intents and Purposes as they might have done in case this Act had never been made, any thing herein contained to the contrary notwithstanding.

Reservation of Rights of the City of London.

XLIX. And be it enacted and declared, That nothing in this Act shall extend or be construed to extend to prejudice or take away any Right, Property, Authority, or Jurisdiction of the Mayor of the City of *London*, or of the Mayor and Commonalty and Citizens of the City of *London*, to, in, and upon the Rivers *Thames* and *Medway* respectively.

Act not to extend to Scotland.

L. And be it enacted, That this Act shall extend to all Parts of the United Kingdom except *Scotland*.

Interpretation of Act.

LI. And for the Interpretation of this Act, be it enacted, That the following Terms and Expressions, so far as they are not repugnant to the Context of this Act, shall be construed as follows; (that is to say,) the Expression "Commissioners of the Treasury" shall mean "the Lord High Treasurer for the Time being, or the Commissioners of Her Majesty's Treasury for the Time being, or any Three or more of them;" and the Expression "Commissioners of Admiralty" shall mean "the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* for the Time being, or the Commissioners for executing the Office of such Lord High Admiral, or Two or more of them;" and the Expression "High Court of Admiralty" shall mean the High Court of Admiralty of *England*, or the High Court of Admiralty of *Ireland*, according as the Case may arise within the Jurisdiction of one or the other of the said Courts; and the Singular Number shall mean and apply to the Plural as well as the Singular Number; and the Masculine Gender shall mean and apply to the Feminine Gender as well as the Masculine Gender.

Act may be amended, &c.

LII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

On the Day of in the Year of our Lord before, *&c.*, at in the County of

[*Ship's Names.*]

A.B. [*here insert the Names of the Salvors*], against the said Ship whereof was Master, her Tackle, Apparel, and Furniture, and the Goods, Wares, and Merchandize on board the same, and also against the said Master, and the Owners of the said Ship and Cargo, [*or, as the Case may be*, against certain Goods and Merchandize lately laden on board the said Ship, whereof

[*Master's Names.*]

On which Day appear personally *W.X.* of and *Y.Z.* of who produced themselves as Sureties for the said the Master, and for the Owners of the said Ship and Cargo, [*or, as the Case may be,*] for the said Master and Owners, [*or, as the Case may be,*] for the said Owners of the said Goods and Merchandizes, and submitting themselves to the Jurisdiction of the

was Master, and also against the said Master and the Owners (*or, if the Owners alone appear by themselves or their Agents, then leave out the Master's Names*) of the said Goods and Merchandizes, *or* (*as the Case may be*) against certain Goods and Merchandizes, and the Owners of the said Goods and Merchandizes,] in a Case of Salvage.

High Court of Admiralty of England, [*or* the High Court of Admiralty of Ireland, *or* the Court of Admiralty for the Cinque Ports, *as the Case may be*,] bound themselves, their Heirs, Executors, and Administrators, for the said Master and Owners of the said Ship and Cargo, [*or, as the Case may be*,] for the said Master and Owners, *or* for the Owners of the said Goods and Merchandizes, in the Sum of Pounds of lawful Money of Great Britain, unto the said *A.B.*, *&c.*, to answer the Salvage and Expences of the said Ship and Cargo, [*or, as the Case may be*,] on the said Goods and Merchandizes, as shall hereafter be deemed by the said Court, according to the Tenor of the Act in that Behalf made and provided; and unless they shall so do they hereby consent that Execution shall issue forth against them, their Heirs, Executors, and Administrators, Goods and Chattels, wheresoever the same shall be found, to the Value of the Sum above mentioned.

This Bail was duly taken, acknowledged, and received at the Time and Place above written, before me, the undersigned Receiver of Droits of Admiralty; and I do hereby further certify, that I do believe and consider the Persons above mentioned sufficient Security for the Sum of Pounds.

W.X.
Y.Z.

SCHEDULE (B.)

To *A.B.* of

In the Matter of the Vessel of whereof *C.D.* was Master, [*or* Goods salved at .]

Take notice, That the whole Sum paid over to me, to be distributed for Salvage Services rendered to the above-mentioned Vessel [*or* Goods] on the Day of 184 , is £ .
That the Sum allotted to you is £ .

E.F.
Distributor.

Dated this Day of 184 .

CAP. C.

An Act for the Regulation of Steam Navigation, and for requiring Sea-going Vessels to carry Boats. [28th *August* 1846.]

'WHEREAS it is expedient to make further Provision for regulating the Construction of Sea-going 'Steam Vessels, and for preventing the Occurrence of Accidents (so far as may be possible) in 'Steam Navigation, and for requiring Sea-going Vessels to carry Boats:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall come into operation for the Purposes mentioned herein on the First Day of *January* One thousand eight hundred and forty-seven, except where any other Period of Commencement is herein particularly directed.

Commencement of Act.

II. And be it enacted, That all Steam Vessels built of Iron of One hundred Tons Burden or upwards, the Building of which shall have been commenced after the passing of this Act, shall be divided by transverse Water-tight Partitions, so that the fore Part of the Vessel shall be separated from the Engine Room by One of such Partitions, and so that the after Part of such Vessel shall be separated from the Engine Room by another of such Partitions.

Iron Steamers of 100 Tons and upwards to be divided by Water-tight Partitions.

III. And be it enacted, That from and after the said First Day of *January* One thousand eight hundred and forty-seven no Vessel, the Tonnage of which shall be One hundred Tons or upwards, shall proceed to Sea from any Port whatsoever unless it shall be provided with Boats duly supplied with all Requisites for their Use, and not being fewer in Number nor less in their Dimensions than the Number and Dimensions set opposite to the Limits of Dimension in the following Table; provided that the said Limits of Dimension be not considered applicable to Vessels engaged in the Whale Fishery:—

Sea-going Vessels to be provided with the Number of Boats and of the Dimensions herein mentioned.

TABLE.

Tonnage of Vessel.	Number of Boats.	Long Boat, Launch, or Pinnace.		Other Boats.					
		Length.	Breadth.	Length.	Breadth.	Length.	Breadth.	Length.	Breadth.
		Feet.	*Ft. In.*	*Feet.*	*Ft. In.*	*Feet.*	*Ft. In.*	*Feet.*	*Ft. In.*
850 and upwards -	4	26	8 0	24	7 0	22	6 6	16	5 6
650 to 850 - -	4	24	7 0	22	6 6	18	5 6	16	5 6
350 to 650 - -	3	20	6 6	18	5 6	- -	- -	14	5 0
200 to 350 inclusive -	2	18	6 0	- -	- -	- -	- -	14	5 0
100 to 200 - -	2	- -	- -	16	5 6	and a Punt or small Boat.			

and that no Vessel carrying more than Ten Passengers shall proceed to Sea on any Voyage unless, in addition to the Boats herein-before required, it shall also be provided with a Boat fitted up as a Life Boat, with all Requisites for its Use, together with Two Life Buoys.

Steam Vessels, in addition, to have such other Boats as the Admiralty may direct.

IV. And be it enacted, That every Steamer the building of which shall be commenced after the passing of this Act, and which shall proceed to Sea with Passengers, shall, in addition to the Boats specified in the foregoing Table, and in lieu of a Boat fitted up as a Life Boat, be provided either with such Boats as are usually called Paddle Box Boats, or with such other Boats as may be directed in lieu thereof by the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral for the Time being.

No Steamer to go to Sea without a Hose.

V. And be it enacted, That no Steam Vessel of One hundred Tons Burden or upwards shall proceed to Sea unless it shall be provided with a Hose for the Purpose of extinguishing Fire capable of being connected with the Engines of the Vessel.

Mode of ascertaining Tonnage.

VI. And be it enacted, That for the Purposes of this Act the Tonnage of Vessels shall be ascertained according to the Rules of Admeasurement prescribed by any Act of Parliament for the Time being in force regulating the Admeasurement of the Tonnage and Burden of the Merchant Ships of the United Kingdom.

Penalties on Masters, &c. neglecting to provide Boats, Hose, &c.

VII. And be it enacted, That if any such Steam Vessel as aforesaid proceed to Sea without being provided with such Hose as aforesaid, or being an Iron Steam Vessel without being so divided as aforesaid, or if any Steam or other Vessel of One hundred Tons Burden or upwards proceed to Sea without being so provided with Boats as aforesaid, or if any of such Boats be lost or rendered useless in the course of the Voyage through the wilful Fault or Negligence of the Owner or Master, or if in case of any of such Boats being accidentally lost or injured in the course of the Voyage the Master or other Person having charge of the Vessel wilfully neglect to replace or repair the same on the first convenient Opportunity, then and in every Case where the Owner shall appear to be in fault he shall forfeit a Sum not exceeding One hundred Pounds, and in every Case where the Master or other Person having charge of the Vessel shall appear to be in fault he shall forfeit a Sum not exceeding Fifty Pounds.

Officers of Customs not to clear out Vessels not complying with Provisions.

VIII. And be it enacted, That it shall not be lawful for any Officer of Customs to clear out any such Steam Vessel as aforesaid for any Voyage to Parts beyond the Seas without being provided with such Hose as aforesaid, or being an Iron Steam Vessel without being so divided as aforesaid, nor to clear out any Steam or other Vessel of One hundred Tons Burden or upwards for any Voyage to Parts beyond the Seas unless the same be provided with such Boats as herein-before are required.

Penalty on Masters, &c. not observing the Regulations herein contained as to passing and repassing other Vessels.

IX. And be it enacted, That every Steam Vessel when meeting or passing any other Steam Vessel shall pass as far as may be safe on the Port Side of such other Vessel; and every Steam Vessel navigating any River or narrow Channel shall keep as far as is practicable to that Side of the Fairway or Mid-channel of such River or Channel which lies on the Starboard Side of such Vessel, due regard being had to the Tide and to the Position of each Vessel in such Tide; and the Master or other Person having the Charge of any such Steam Vessel, and neglecting to observe these Regulations, or either of them, shall for each and every Instance of Neglect forfeit and pay a Sum not exceeding Fifty Pounds.

Power to the Admiralty to make Regulations respecting the Exhibition of Lights.

X. And be it enacted, That the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, may from Time to Time make Regulations requiring the Exhibition of such Lights by Steam Vessels in such Manner, within such Places, except the River *Thames* above *Vantlett Creek*, and under such Circumstances as the said Lord High Admiral or the said Commissioners may think fit, and may from Time to Time make any other Regulations revoking or altering any previous Regulations.

Such Regulations to be published in the Gazette.

XI. And be it enacted, That the said Lord High Admiral or the said Commissioners shall cause such Regulations as soon as conveniently may be after the same shall have been made, to be published in Four successive *London* Gazettes, and the same shall be deemed to be in force from the Date of the last of such Publications until the same shall have been altered or revoked, and such Alteration or Revocation shall have been Twice published in like Manner as aforesaid.

XII. And

XII. And be it enacted, That the Master or other Person having the Charge of any Steam Vessel which shall be in any River or narrow Channel in *Great Britain* or *Ireland*, or the adjacent Islands, or upon the Sea within Twenty Miles of any Part of the Coast of *Great Britain* or *Ireland*, shall, whether under Weigh or at Anchor, between Sunset and Sunrise exhibit such Lights within such Places, in such Manner, and under such Circumstances as by the said Regulations herein-before authorized to be made by the said Lord High Admiral or by the said Commissioners shall be required, and in default thereof shall forfeit and pay a Sum not exceeding Twenty Pounds for every Night in which such Default shall be made; and the Owner of any Steam Vessel in which such Light shall not be exhibited as aforesaid shall not be entitled to recover any Recompence or Damage whatsoever which may be sustained by such Vessel in consequence of any other Vessel running foul thereof during the Night.

Vessels, &c. within Twenty Miles of the Coast to exhibit Lights at Night.

Penalty.

Steam Vessels not exhibiting Lights not entitled to Compensation.

XIII. And be it enacted, That if any Damage to any Person or Property shall be sustained in consequence of the Nonobservance as respects any Steam Vessel of the Rules contained in the Two Enactments relative to the passing of Steam Vessels and to the exhibiting of Lights herein-before contained, the same shall in all Courts of Justice be deemed in the Absence of Proof to the contrary to have been occasioned by the wilful Default of the Master or other Person having the Charge of such Steam Vessel, and such Master or other Person shall be subject in all Proceedings, whether civil or criminal, to the legal Consequences of such wilful Default.

Penalty on Masters, &c. neglecting to observe the Regulations as to passing of Steamers or exhibiting Lights.

XIV. And be it enacted, That on or before the Thirtieth Day of *April* and the Thirty-first Day of *October* in every Year the Owners of every Steam Vessel shall transmit to the Lords of the Committee of Privy Council for Trade the Two following Declarations in Writing; (that is to say,)

First, A Declaration of the Sufficiency and good Condition of the Hull of such Steamer under the Hand of a Shipwright Surveyor, to be approved by the Lords of the said Committee;

Second, A Declaration of the Sufficiency and good Condition of the Machinery of such Steam Vessel under the Hand of an Engineer, to be approved in like Manner by the Lords of the said Committee; such Declarations bearing Date of some Day in the said Months of *April* or *October* respectively:

Before 30th of April and 31st Oct. in every Year Owners to transmit Declarations to the Board of Trade.

And the Lords of the said Committee shall register such Declarations, and shall transmit to the Owners of such Steam Vessels respectively Certificates under the Hand of One of the Secretaries or Assistant Secretaries of the said Committee of the Registry of such Declarations: Provided always, that if the Owners of any such Vessel shall certify to the Lords of the said Committee that such Vessel has been, during the whole of such Month of *April* or of *October* respectively and still is in Foreign Parts, so that it is impossible to obtain the Declarations herein-before required, bearing Date as is herein-before prescribed, and shall at the same Time transmit to the Lords of the said Committee the Declarations herein-before required, bearing Date of a Day not being more than Seven Days before such Vessel last sailed or departed from any Part of the United Kingdom, then and in every such Case the Lords of the said Committee shall register such Declarations, and shall transmit to the Owners of such last-mentioned Steam Vessels respectively Certificates of the Registry of such Declarations: Provided nevertheless, that this Enactment shall not extend or apply to any Steam Vessels so employed as herein-after mentioned during the Continuance of such Employment, (that is to say,) whilst employed in the Royal Mail Service, or the Conveyance of the Royal Public Mails or Despatches under Contract with and under the Superintendence of the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral.

Board of Trade to register Declarations, and grant Certificates of the same.

XV. ‘ And whereas it may happen that by reason of a Steam Vessel or the Machinery thereof being ‘ under Repair during either of the said Months of *April* or *October* it may be impracticable to make such ‘ Declarations as are herein-before required in either of the said Months; ’ be it enacted, That in such Case it shall be lawful for the Owners of such Steam Vessels at any Time to make a Representation to that Effect to the Lords of the Committee of Privy Council for Trade, and to transmit therewith such Declarations as are herein-before required, and it shall be lawful thereupon for the said Lords, if they shall be satisfied of the Truth of such Representation, to register such Declarations notwithstanding they shall not bear Date in either of the Months of *April* or *October;* and the said Lords shall transmit to the Owners of such Steam Vessels Certificates of the Registry thereof in manner herein-before provided, and such Certificates shall have the like Force and Effect and be used for all the same Purposes and in the same Manner as if the said Certificates referred to Declarations made in either of the said Months of *April* or *October.*

Certificate may be granted though Declaration not made in April or October.

XVI. And be it enacted, That from and after the First Day of *June* One thousand eight hundred and forty-seven it shall not be lawful for any Steam Vessel, except as is lastly herein-before excepted, to proceed to Sea, unless the Owner thereof shall have duly transmitted to the Lords of the Committee of Privy Council for Trade such Declarations, and shall have received from the Lords of the said Committee such Certificates of the Registry thereof as herein-before is mentioned; and that it shall not be lawful for any Officer of Her Majesty's Customs to clear out any Steam Vessel carrying Passengers for any Voyage to Parts beyond the Seas, unless upon the Production of the Certificate of the Registry of the Declarations which shall most recently have been made in respect of such Steam Vessel, and unless such Declarations shall have been so made within Six Calendar Months of the Application for Clearance.

Officers of Customs not to clear out Vessels except upon Production of Certificate of Registry.

XVII. And be it enacted, That if any Steam Vessel proceed to Sea with Passengers, the Owner whereof has not duly transmitted to the Lords of the said Committee such Declarations, and received from the Lords of the said Committee such Certificates of the Registry of such Declarations as herein-before

Penalty on Owners of Vessels for not

transmitting Declarations.

before is mentioned, the Owner of such Steam Vessel shall forfeit a Sum not exceeding One hundred Pounds.

Persons guilty of forging Certificate or Declaration guilty of a Misdemeanor.

XVIII. And be it enacted, That any Person who shall knowingly or wilfully make or assist in making a false or fraudulent Declaration or Certificate, or who shall knowingly or wilfully forge, counterfeit, or fraudulently alter, or shall aid and assist in forging, counterfeiting, or fraudulently altering, or who shall attempt to forge, counterfeit, or fraudulently alter, any Declaration or Certificate provided for by this Act, or any Words or Figures in any such Declaration or Certificate, or the Signature to any such Declaration or Certificate, he shall be deemed to be guilty of a Misdemeanor.

Accidents and Damages to Steamers to be reported to the Board of Trade.

XIX. And be it enacted, That whenever any Steam Vessel shall have sustained or caused any serious Accident occasioning Loss of Life or Property, or received any material Damage affecting her Seaworthiness, either in her Hull or her Engine, by grounding or by Collision with any other Vessel, or by any other Means, the Master or other Person having the Charge of such Vessel shall, as soon as conveniently may be, transmit through the Post Office, by Letter addressed to the Lords of the Committee of Privy Council for Trade, and signed by such Master or other Person, a Report of such Accident or Damage, and the probable Occasion thereof, stating therein the Name of the Vessel, the Port to which she belongs, and the Place where she is, in order that the Lords of the said Committee may, if they think fit, investigate the Matter;

If Owner, &c. apprehend Loss of Steamer, Notice to be sent to Board of Trade.

and should the Owner or Owners of any Steam Vessel, from her Nonappearance or otherwise, have reason to apprehend that such Steam Vessel is wholly lost, he or they shall, as soon as conveniently may be, in like Manner send Notice thereof to the Lords of the said Committee; and every Owner, Master, or such other Person as aforesaid who shall neglect to send such Notice as hereby is required within a reasonable Time after any such Accident shall have happened, shall for every such Offence forfeit and pay a Sum not exceeding Fifty Pounds.

Penalty for Neglect.

In Cases of Accident Board of Trade may appoint Inspectors to report.

XX. And be it enacted, That whenever any Steam Vessel shall have sustained or caused any serious Accident occasioning Loss of Life or Property, or received any material Damage affecting her Seaworthiness, either in her Hull or her Engine, by grounding or by Collision with any other Vessel, or by any other Means, it shall be lawful for the Lords of the said Committee to appoint any proper Person or Persons as Inspector or Inspectors to inquire into and to report upon such Accident; and it shall be lawful for every Person so authorized at all reasonable Times, upon producing his Authority, if required, to go on board and inspect any such Steam Vessel and the Machinery thereof, and every Part thereof respectively, not detaining or delaying the Vessel from proceeding on her Voyage, and to make such Inquiries as to the Nature, Circumstances, and Causes of such Accident as he or they may think fit.

Inspectors may call for the Production of Evidence.

XXI. And be it enacted, That the said Inspectors or any of them shall be and they are hereby empowered, by Summons under their or his Hands or Hand, to require the Attendance of all such Persons as they or he shall think fit to call before them or him upon any Question or Matter connected with or relating to the Execution of any of the Powers and Duties vested by this Act in the said Inspectors, and also to make Inquiries and to require Answers or Returns thereto in relation to any such Matters, and for the Purpose aforesaid to administer Oaths, and to examine all Persons upon Oath, and to require and enforce the Production upon Oath of all Log Books, Accounts, Agreements, or other Papers or Writings in anywise relating to every such Matter as aforesaid, or, in lieu of requiring or administering an Oath, that the said Inspector or Inspectors may, if he or they think fit, require every such Person to make and subscribe a Declaration of the Truth of the Matters respecting which he shall be or shall have been examined or interrogated: Provided always, that no such Person shall be required in obedience to any such Summons to travel more than Ten Miles from his actual Abode at the Time of receiving such Summons unless Tender shall be made to him of such reasonable Expences in respect of his Attendance to give Evidence, and his Journeys to and from the Place where he shall be required to attend for that Purpose, as would be allowed to any Witness attending on Subpœna to give Evidence before any of Her Majesty's Courts at *Westminster*, and in case of any Dispute as to the Amount of such Expences the same shall be referred by the Inspectors to One of the Masters of Her Majesty's Court of Queen's Bench, who is hereby required to ascertain and certify the proper Amount of such Expences on a Request made to him for that Purpose under the Hand or Hands of the said Inspector or Inspectors.

Proviso as to Expences of Witnesses.

Penalty for obstructing Inspectors in the Execution of their Duty.

XXII. And be it enacted, That if any Person shall wilfully obstruct or impede such Inspector or Inspectors, or any of them, in the Execution of their Duty, whether on board any Ship or Vessel or elsewhere, every Person so offending, and all others aiding or assisting therein, shall and may be seized and detained by such Inspector or Inspectors, or any Person or Persons whom he or they may call to his or their Assistance, until such Offender or Offenders can be conveniently taken before some Justice of the Peace having Jurisdiction in the County or Place wherein such Offence shall be committed, and when convicted before such Justice as aforesaid (who is hereby authorized and required upon Complaint to him upon Oath to take cognizance thereof and to act summarily in the Premises) shall in the Discretion of such Justice forfeit any Sum not exceeding Five Pounds, and in default of Payment thereof shall and may be imprisoned for any Term not exceeding Two Calendar Months unless the Amount of the Penalty shall have been sooner discharged.

Penalties to be summarily recovered before Two Justices.

XXIII. And be it enacted, That every Penalty or Forfeiture imposed by this Act may be recovered by summary Proceeding before Two Justices, and upon the exhibiting of any Information in Writing before any Justice such Justice shall issue a Summons requiring the Party complained against to appear before Two Justices having Jurisdiction at a Time and Place to be named in such Summons; and every such Summons shall be served on the Party offending, either in Person or by leaving the same with some Inmate

Inmate at his usual Place of Abode, or on board any Ship or Vessel to which such Person shall belong; and upon the Appearance of the Party complained against, or in his Absence after Proof of the due Service of such Summons, it shall be lawful for any Two Justices having Jurisdiction to proceed to the hearing of the Complaint, and upon Proof of the Offence, either by the Confession of the Party complained against, or upon the Oath of One credible Witness or more, it shall be lawful for such Justices to convict the Offender, and upon such Conviction to adjudge the Offender to pay such Penalty as may seem fit, and not greater than the Penalty or Forfeiture specified in this Act, as well as such Costs attending the Conviction as such Justices shall think fit.

Offences on the High Seas, deemed to have been committed at the Place into which the Offender is brought, or in which he is found.

XXIV. And be it enacted, That in case any Offence shall be committed upon the High Seas against this Act, or any Penalty or Forfeiture shall be incurred on the High Seas for any Breach of this Act, such Offence shall for the Purpose of Prosecution be deemed and taken to have been committed, and such Penalty or Forfeiture to have been incurred, at the Place on Land in the United Kingdom into which the Person committing such Offence, or incurring such Penalty or Forfeiture, shall be taken, brought, or carried, or in which such Person shall be found; and in case such Place or Land is situated within any City, Borough, Liberty, Division, Franchise, or Town Corporate, as well any Justice of the Peace for such City, Borough, Liberty, Division, Franchise, or Town Corporate, as any Justice of the Peace of the County within which such City, Borough, Liberty, Division, Franchise, or Town Corporate is situated, shall have Jurisdiction to hear and determine all Cases of Offences against this Act so committed on the High Seas, and to convict the Offender or Offenders in the Penalties or Forfeitures prescribed by this Act, any Charter or Act of Parliament to the contrary notwithstanding: Provided always, that where any Offence shall be committed, or any Penalty or Forfeiture incurred, in any Place upon the Water not being within any County of the United Kingdom, or where any Doubt exists as to the same being within any County, such Offence shall for the Purposes of this Act be deemed and taken to be an Offence committed on the High Seas: Provided also, that it shall and may be lawful for any Justice of the Peace whatsoever, on the exhibiting before him any Information in Writing for any Offence against this Act so committed or taken to have been committed on the High Seas as aforesaid, to issue a Summons, and such Justice of the Peace is hereby required to issue a Summons, for the Appearance of the Party against whom such Information in Writing shall have been exhibited; and such Summons directed to such Party being served as herein-before is ordered shall be deemed to have been sufficiently served.

Penalties to be levied by Distress.

XXV. And be it enacted, That if forthwith upon any such Adjudication as aforesaid the Amount of the Penalty or Forfeiture, and of such Costs, as aforesaid, be not paid, the Amount of such Penalty and Costs shall be levied by Distress, and such Justices, or either of them, or any other Justice having Jurisdiction as aforesaid, shall issue their or his Warrant of Distress accordingly.

In default of Distress Justices may commit the Offender to Prison.

XXVI. And be it enacted, That it shall be lawful for any such Justice to order any Offender so convicted as aforesaid to be detained and kept in safe Custody until Return can be conveniently made to the Warrant of Distress to be issued for levying such Penalty or Forfeiture, and Costs, unless the Offender give sufficient Security, by way of Recognizance or otherwise, to the Satisfaction of the Justice, for his Appearance before him on the Day appointed for such Return, such Day not being more than Eight Days from the Time of taking such Security; but if before issuing such Warrant of Distress it shall appear to the Justice, by the Admission of the Offender or otherwise, that no sufficient Distress can be had within the Jurisdiction of such Justice whereon to levy such Penalty or Forfeiture, and Costs, he may, if he thinks fit, refrain from issuing such Warrant of Distress; and in such Case, or if such Warrant shall have been issued, and upon the Return thereof such Insufficiency as aforesaid shall be made to appear to the Justice, then such Justice shall by Warrant cause such Offender to be committed to Gaol, there to remain without Bail for any Term not exceeding Three Months, unless such Penalty or Forfeiture, and Costs, be sooner paid and satisfied.

Distress how to be levied.

XXVII. And be it enacted, That where in this Act any Sum of Money, whether in the Nature of Penalty or otherwise, is directed to be levied by Distress, such Sum of Money shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same, and the Overplus arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money and the Expences of the Distress and Sale, shall be returned, on demand, to the Party whose Goods shall have been distrained.

Distress not unlawful for Want of Form.

XXVIII. And be it enacted, That no Distress levied by virtue of this Act shall be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity afterwards committed by him; but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

Application of Penalties.

XXIX. And be it enacted, That all Penalties and Forfeitures recovered under this Act shall be applied as follows; one Half thereof shall be paid to the Person who shall sue or proceed for the same, and the other Half to Her Majesty's Use, and shall be paid to the Sheriff of the County, City, or Town where the same shall have been imposed, and shall have been duly accounted for by him; and that all Convictions before Justices, and all Fines, Forfeitures, or Penalties imposed in consequence of such Convictions, shall be returned to the Court of Quarter Sessions under the Provisions of an Act passed in the Third Year of His late Majesty King *George* the Fourth, intituled *An Act for the more speedy Return and levying of Fines, Penalties, and Forfeitures, and Recognizances estreated.* 3 G. 4. c. 46.

XXX. And

Indictments to be preferred by Direction of the Board of Trade or Commissioners of Customs.

XXX. And be it enacted, That no Indictment shall be preferred for any Offence against this Act unless under the Direction of the Lords of the Committee of Privy Council for Trade, or of the Commissioners of Her Majesty's Customs; and no Suit or Proceeding shall be commenced for the Recovery of any Penalty or Forfeiture for any such Offence unless in the Name of Her Majesty's Attorney General for *England* or *Ireland*, or in the Name of the Lord Advocate of *Scotland*, or in the Name of some public Officer under the Direction of the Lords of the said Committee or of the said Commissioners respectively.

Penalties to be sued for within Six Months.

XXXI. And be it enacted, That no Person shall be liable to the Payment of any Penalty or Forfeiture imposed by virtue of this Act for any Offence made cognizable before a Justice unless the Complaint respecting such Offence shall have been made before such Justice within Six Months next after the Commission of such Offence.

Penalty on Witnesses making default.

XXXII. And be it enacted, That it shall be lawful for any Justice to summon any Person to appear before him as a Witness in any Matter in which such Justice shall have Jurisdiction under the Provisions of this Act at a Time and Place mentioned in such Summons, and to administer to him an Oath to testify the Truth in such Matter; and if any Person so summoned shall without reasonable Excuse refuse or neglect to appear at the Time and Place appointed for that Purpose, having been paid or tendered a reasonable Sum for his Expences, or if any Person appearing shall refuse to be examined on Oath or to give Evidence before such Justice, every such Person shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Proceedings not to be quashed for Want of Form nor removed by Certiorari.

XXXIII. And be it enacted, That no Warrant of Commitment consequent upon any summary Conviction under this Act shall be held void by reason of any Defect in such Warrant, provided it be therein alleged that the Party has been convicted, and there be a good and valid Conviction to sustain the same, nor shall any Conviction, Order, or other Proceeding in pursuance of this Act be quashed or vacated for Want of Form, nor shall the same be removed by Certiorari or otherwise into any of the Superior Courts.

Parties aggrieved may appeal to Quarter Sessions on giving Security.

XXXIV. And be it enacted, That if any Person shall think himself aggrieved by any Determination or Adjudication of any Justice with respect to any Penalty or Forfeiture under the Provisions of this Act, he may appeal to the General Quarter Sessions for the County or Place in which the Cause of Appeal shall have arisen; but no such Appeal shall be entertained unless it be made within Four Months next after the making of such Determination or Adjudication, nor unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be brought, nor unless the Appellant forthwith after such Notice enter into Recognizances, with Two sufficient Sureties, before a Justice, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon.

Court to make such Order as they think reasonable.

XXXV. And be it enacted, That at the Quarter Sessions for which such Notice shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon the hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm or quash the Adjudication, and order any Money paid by the Appellant, or levied by Distress upon his Goods, to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable, and they may make such Order concerning the Costs, both of the Adjudication and of the Appeal, as they may think reasonable.

Not to extend Ships of War, &c.

XXXVI. And be it enacted, That nothing in this Act contained shall extend to any of Her Majesty's Ships of War, nor to any Vessel not being a *British*-registered Vessel.

Nothing in this Act to be construed to alter, &c. 5 & 6 Vict. c. 107.

XXXVII. And be it enacted, That nothing in this Act contained shall be construed as repealing or altering any of the Provisions of an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for regulating the Carriage of Passengers in Merchant Vessels.*

Act may be amended, &c.

XXXVIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. CI.

An Act to authorize the Advance of Public Money to a limited Amount, to promote the Improvement of Land in *Great Britain* and *Ireland* by Works of Drainage.

[28th *August* 1846.]

'WHEREAS the Productiveness and Value of much of the Land in *Great Britain* and *Ireland* are capable of being greatly increased by Drainage, and the Extension of the Operation of Drainage is calculated to promote the Employment and Effectiveness of agricultural Labour, and tends also to prevent Disease, and to improve the general Health of the Community: And whereas it is expedient to facilitate Works of Drainage by Advances of Public Money to a limited Amount on the Security of the Land to be improved: And whereas an Act was passed in the last Session of Parliament, intituled *An Act to facilitate the Inclosure and Improvement of Commons and Lands held in common, the Exchange of Lands, and the Division of intermixed Lands; to provide Remedies for defective or incomplete Executions, and for the Non-execution of the Powers of general and local Inclosure Acts; and*

8&9 Vict. c. 118.

'*and to provide for the Revival of such Powers in certain Cases:* And whereas an Act was passed in 'the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty King '*William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in* Ireland, 1 & 2 W.4. c.33. 'and several Acts have since been passed for amending the same: And whereas a certain other Act was 'passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present 'Majesty, intituled *An Act to promote Drainage of Lands, and Improvement of Navigation and Water* 5 & 6 Vict. c.89. '*Power in connexion with such Drainage, in* Ireland:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, upon the Application of the Commissioners for the Execution of this Act, to issue and advance, or cause to be issued and advanced, for the Loans to be made under the Provisions of this Act, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, such Sum or Sums of Money as may be required for such Loans, not exceeding in the whole the Sum of Two million Pounds for *Great Britain* and One million Pounds for *Ireland;* or, in case the said Commissioners of the Treasury shall so think fit, it shall be lawful for them to direct the Comptroller General of Her Majesty's Exchequer at *Westminster* for the Time being to make out and issue Exchequer Bills to such an Amount, not exceeding the said Sums of Two million Pounds for *Great Britain* and One million Pounds for *Ireland*, as they shall think fit to direct for the Purpose aforesaid; but provided that the whole Amount of such Advances out of the Consolidated Fund and by Exchequer Bills shall not together exceed the said Sums of Two million Pounds for *Great Britain* and One million Pounds for *Ireland.*

Treasury may make Advances, not exceeding 2,000,000*l.* for Great Britain, and 1,000,000*l.* for Ireland, out of the Consolidated Fund.

II. And be it enacted, That such Exchequer Bills as may be directed to be made out and issued under this Act shall be in the same Form and Order, and according to the same or like Rules and Directions, (except wherein otherwise provided for,) as in an Act passed in the Forty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for regulating the issuing and paying of Exchequer Bills*, and an Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of His Majesty King *William* the Fourth, intituled *An Act to regulate the Office of the Receipt of His Majesty's Exchequer at* Westminster, and an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for further regulating the Preparation and Issue of Exchequer Bills*, are prescribed.

Exchequer Bills issued under this Act to be in the Form prescribed by 48 G.3. c.1., 4 & 5 W.4. c.15, and 5 & 6 Vict. c.66.

III. And be it enacted, That all the Clauses, Provisoes, Powers, Authorities, Regulations, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said Acts of the Forty-eighth Year of King *George* the Third, the Fourth and Fifth Years of King *William* the Fourth, and the Fifth and Sixth Years of Her present Majesty, shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses and Provisoes had been particularly repeated and re-enacted in this Act.

Powers of 48 G. 3. c.1., 4 & 5 W.4.c 15., and 5 & 6 Vict. c. 66. extended this Act.

IV. And be it enacted, That the Exchequer Bills to be made out in pursuance of this Act shall bear an Interest not exceeding the Rate of Three-pence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Money contained therein.

Exchequer Bills to bear Interest.

V. And be it enacted, That all Exchequer Bills which shall be made out and issued in pursuance of this Act shall be dated on the Day of the Issue thereof, and made payable at such Periods as shall be fixed by the Commissioners of the Treasury.

Periods at which Exchequer Bills shall be payable.

VI. And be it enacted, That all the Exchequer Bills to be made out in pursuance of this Act, or so many of them as shall from Time to Time remain undischarged and uncancelled after the respective Days on which they shall become due and payable, shall after that Time pass and be current to all Receivers and Collectors in *Great Britain* of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever, due or payable to Her Majesty, Her Heirs or Successors, and also at the Bank of *England* to the Account of Her Majesty's Exchequer, from the said Receivers or Collectors, or from any Person, Body Politic or Corporate whatsoever, making any Payment there to Her Majesty, Her Heirs or Successors, upon any Account whatever.

Exchequer Bills to be current to all Receivers, &c., and at the Bank.

VII. And be it enacted, That it shall be lawful for the Commissioners of the Treasury to order and direct the Payment out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of all Exchequer Bills issued under the Authority of this Act.

Payment of Exchequer Bills, &c.

VIII. And be it enacted, That no Advance under this Act for or on account of any Work, or in compliance with any Application, shall be made until the same shall have been first submitted to and sanctioned by the Commissioners of the Treasury.

Works to be sanctioned by Treasury.

IX. And be it enacted, That the Inclosure Commissioners for *England* and *Wales* shall be the Commissioners for the Execution of this Act in *Great Britain;* and it shall be lawful for the said Inclosure Commissioners to employ in the Execution of this Act in *Great Britain* the Assistant Commissioners, Secretary, Clerks, Messengers, and Officers who have been or may be appointed by the said Commissioners under the said Act of the last Session of Parliament; and the said Inclosure Commissioners may, with such Consent as provided by the said Act of the last Session of Parliament in respect of Appointments under such Act, from Time to Time appoint a sufficient Number of Persons to be Assistant Commissioners and Surveyors respectively for the Purposes of this Act, and may from Time to Time remove any such Assistant Commissioners and Surveyors for *Great Britain;* and the Allowances and travelling and other Expences of such Assistant Commissioners and Surveyors shall be regulated and paid in like

Inclosure Commissioners to execute this Act in Great Britain, who may appoint, &c. Assistant Commissioners, &c.

Allowances and Expences to be regulated as

provided by 8 & 9 Vict. c. 118.

Manner as provided by the said Act of the last Session of Parliament in respect of Allowances and Expences to Assistant Commissioners under the same Act, and such Allowances shall not exceed the Allowances payable to the last-mentioned Assistant Commissioners.

Commissioners of Public Works to have Power to appoint Officers for the Execution of this Act in Ireland.

X. And be it enacted, That the Commissioners for the Execution of this Act in *Ireland* shall be the Commissioners for the said Act of the First and Second Years of His late Majesty King *William* the Fourth, and of the said Act of the Fifth and Sixth Years of the Reign of Her present Majesty, and of the several Acts amending the same respectively, and shall for the Purposes of this Act be called the Commissioners of Public Works and Drainage in *Ireland*, and such Commissioners shall have full Power and Authority, with such Direction and Approbation of the Commissioners of the Treasury as are in and by the said last-mentioned Acts required, to appoint such and so many Civil Engineers, Surveyors, Clerks, and other Officers as may be necessary for the Purpose of carrying this Act into execution, in such and the same Manner as the Commissioners appointed by the said Acts respectively may now appoint the same.

Certain Provisions of 8 & 9 Vict. c. 118. to extend to Proceedings, &c. under this Act, &c.

Not to compel Attendance of Witnesses.

XI. And be it enacted, That as regards Lands in *Great Britain* all the Provisions of the said Act of the last Session of Parliament concerning or auxiliary to the Proceedings and Inquiries of the said Inclosure Commissioners under the Authority of such Act, and the Authentication of Instruments, shall extend and be applicable to their Proceedings, and the Authentication of Instruments under this Act, in the same Manner as if the Powers hereby vested in the said Inclosure Commissioners were Powers vested in them by the said Act, except as herein otherwise provided: Provided always, that the said Inclosure Commissioners shall not, for the Purposes of this Act, be authorized, by Summons or otherwise, to compel the Attendance of any Witness.

Provisions of certain Acts as to Drainage of Lands, &c. in Ireland extended to this Act.

XII. And be it enacted, That as regards Lands in *Ireland* all the Provisions of the said Act of the First and Second Years of the Reign of His said late Majesty King *William* the Fourth, and of the several Acts amending the same, and of the said Act of the Fifth and Sixth Years of Her Majesty, and of the several Acts amending the same, and all the Powers and Authorities conferred by such Acts or any of them, in so far as such Acts relate to the Drainage or Improvement of Lands, and as the Provisions thereof may be applicable for the Purposes of this Act, shall extend and be applied to the Proceedings of the Commissioners of Public Works and Drainage in *Ireland* under this Act, as fully and in the same Manner as if the said Provisions and Powers were here repeated, except as herein otherwise provided for.

Assistant Commissioners, &c. may take Declarations, &c.

XIII. And be it enacted, That every Assistant Commissioner and Surveyor in *Great Britain*, and every Commissioner, Engineer, and Surveyor in *Ireland*, acting by the Authority of and in the Execution of this Act, may receive Declarations, and examine upon Declaration, in any Part of *Great Britain* or *Ireland* respectively, all such Persons as shall voluntarily attend before him in the Matter of any Inquiry or Proceeding under the Authority of this Act.

Landowners desirous of obtaining Advances may make Application to Commissioners, stating Particulars.

XIV. And be it enacted, That any Owner of Land who may propose to improve the same by Works of Drainage, and may be desirous of obtaining an Advance by way of Loan under the Provisions of this Act, for defraying the Expence of such Works, may as regards Lands in *Great Britain* make Application to the said Inclosure Commissioners, and as regards Lands in *Ireland* to the said Commissioners of Public Works and Drainage Commissioners in *Ireland*, for such Advance; and such Application shall contain such Particulars of the Land proposed to be drained, the proposed Manner of effecting the Drainage thereof, the estimated Expence of effecting the same, and the estimated Increase of the Value to be produced by such Drainage, as may enable the Commissioners to judge of the Expediency of investigating or further proceeding upon such Application; and every such Application shall specify the Estate or Interest of the Applicant in the Land to which such Application shall relate, and shall state whether the Advance applied for is intended to cover the whole or what Portion of the Expence of the Works.

Commissioners may require Security for Payment of Expences of Investigation, &c.

XV. And be it enacted, That the Commissioners may require Security, by Bond or otherwise, to be given in such Form as they may think fit, by the Owner of Land making the Application, for the Payment to the Commissioners of such Sum as the Commissioners shall, as herein-after mentioned, order to be paid in respect of the Investigation of such Application, and (if they shall issue a Provisional Certificate) of the Expences of inspecting and ascertaining the due Execution of the Works; and, unless the Commissioners shall otherwise direct, such Payment shall be made by the Person making the Application, and shall not be a Charge on the Land to which such Application may relate; and the Commissioners may require such Expences to be repaid before they shall issue a Certificate under the Provisions herein-after contained.

Inspection of Land, &c. to be made by an Assistant Commissioner or Surveyor, &c., who shall report his Opinion upon the same.

XVI. And be it enacted, That the Commissioners, if they shall think fit (having regard to the Statements contained in such Application, and to the Amount of the Balance which may from Time to Time remain disposable for Loans under this Act,) to entertain such Application, shall cause the Land, and the Plan, Estimate, and Specification of the proposed Drainage, to be inspected and examined by an Assistant Commissioner or Surveyor or Engineer, as the Case may be, who shall report his Opinion thereon, and on the Statements contained in the Application; and if he shall be of opinion that the proposed Drainage will effect an Improvement in the annual Value of the Land which will exceed the annual Amount which can be charged thereon under this Act in respect of the Advance applied for, and that the Drainage is proposed, under the Plan and Specification, to be effected in a substantial and durable Manner, he shall annex to his Report the Plan, Estimate, and Specification, or Duplicate thereof; and the Commissioners may make such other Inquiries in relation to any such Application as they may think fit.

If Commissioners think an Ad-

XVII. And be it enacted, That if the Commissioners shall think that an Advance in respect of the whole or of a proportional Part of the Cost of such Works would be expedient, they may apply to the Commis-

Commissioners of the Treasury for their Sanction for them to issue to the Owner of Land by whom such Application shall have been made, or in case his Interest shall have determined, to the Owner of such Land for the Time being, a Provisional Certificate; and such Provisional Certificate shall declare, that upon its being shown to the Satisfaction of the Commissioners that the proposed Works have been executed according to the Plan and Specification annexed to the Report of the Commissioner, Assistant Commissioner, Surveyor, or Engineer respectively, in a substantial and durable Manner, the Commissioners will certify to the Commissioners of the Treasury their Opinion that an Advance should be issued to an Amount not exceeding the Amount of the whole, or of such proportional Part as in such Provisional Certificate shall be expressed, of the Expences which shall have been actually incurred in such Drainage, but limited not to exceed a certain Sum in such Provisional Certificate to be expressed; and in case it shall appear to the Commissioners, upon the Report of the Commissioner, Assistant Commissioner, Surveyor, or Engineer, or otherwise, safe and expedient so to do, the Commissioners may, by such Provisional Certificate, and with the Sanction of the Commissioners of the Treasury, declare that so often as such Part as in such Provisional Certificate may be expressed of such proposed Works shall be shown to them to have been so executed they will certify as aforesaid that an Advance on account should be made in respect of the Part so executed, no such Advance on account to exceed in Amount Two Third Parts of the Sum then actually expended: Provided always, that in case the Commissioners, upon the Investigation of such Application, shall be of opinion that the Amount and Permanence of the Improvement which will be effected by the proposed Drainage in the annual Value of the Land will be such that all or a Part of the Expences of the Investigation of the Application, and of the Expences of inspecting and ascertaining the due Execution of the Works, should be a Charge on the Land to which the Application shall relate, the Commissioners may, with such Sanction as aforesaid, by the Provisional Certificate direct that all or such Part as in such Provisional Certificate may be expressed of the Expences of such Investigation, and of inspecting and ascertaining the due Execution of the Works, may be included in the Expences in respect of which such Loan, and the Advances on account thereof, shall be made.

vance expedient, they may issue a Provisional Certificate, with the Sanction of the Treasury.

Part of Expences of Investigation may be charged upon the Land, if Commissioners think fit.

XVIII. And be it enacted, That the Commissioners shall not issue any such Provisional Certificate as aforesaid until Notice shall have been given of the Application for the Advance to which such Provisional Certificate shall relate, by Advertisement to be published in Two successive Weeks in some Newspaper circulating in the County or District in which such Land may be situated, and also in the *London*, *Edinburgh*, or *Dublin* Gazette, accordingly as the said Lands shall be situate in *England*, *Scotland*, or *Ireland*, and Two Calendar Months shall have elapsed from the Publication of the last of such Advertisements; and in case any Person having any Estate in or Charge upon the Land to which such Application shall relate shall within such Two Calendar Months signify in Writing to the Commissioners his Dissent from such Application, and state to the Commissioners the Nature of his Estate in or Charge upon the Land, the Commissioners shall certify such Dissent to the Owner of the Land by whom such Application shall have been made, and shall not issue such Provisional Certificate unless or until such Dissent shall have been withdrawn, or an Order shall have been made by the High Court of Chancery in *England*, or the High Court of Chancery, or Court of Exchequer at the Equity Side thereof, in *Ireland*, or the Court of Session in *Scotland*, as the Case may be, in manner herein-after provided, authorizing the Applicant to procure an Advance under this Act to the Amount and for the Purpose in his Application mentioned.

Provisional Certificate not to be issued till Notice of Application has been given by Advertisement.

XIX. And be it enacted, That when the Land to which the Application for an Advance under this Act shall relate shall be Land held in right of any Church, Chapel, or other Ecclesiastical Benefice in *England* and *Ireland*, the Commissioners shall not proceed thereon unless the Bishop of the Diocese and the Patron of such Benefice shall have consented in Writing to such Application.

Consent of Patron and Ordinary to be had in case of Glebe Land.

XX. And be it enacted, That in case any Owner of Land in *England* or *Ireland* shall be desirous of proceeding to procure an Advance under this Act, after such Dissent from such Application shall have been so as aforesaid signified to the Commissioners, he shall be at liberty, as regards Land in *England*, to apply to the High Court of Chancery in *England* by Petition to the Lord Chancellor or Master of the Rolls, and as regards Land in *Ireland* to the High Court of Chancery, or Court of Exchequer at the Equity Side thereof, in *Ireland*, by Petition to the Lord Chancellor or Master of the Rolls or Lord Chief Baron of the Exchequer, praying that he may be authorized to procure an Advance under this Act to the Amount and for the Purpose in his Application mentioned, and thereupon it shall be lawful for the Court, without requiring the Attendance of any Counsel or Solicitor, to refer it to One of the Masters of the said Courts of Chancery, or the Chief Remembrancer of the said Court of Exchequer, to make all necessary and proper Inquiries, and consider all such Evidence as shall be produced before him, and thereupon to report whether in his Opinion it will be beneficial to all Persons interested in the Land to which such Application shall relate that such Advance should be procured; and the Person who shall have so dissented as aforesaid shall be served with due Notice of such Order being made, and shall be at liberty to attend the Proceedings; and the Report to be made pursuant to such Order shall be filed in the proper Office of the Court by which such Order shall be made; and if no Petition shall be presented to the said Court within Fourteen Days after the filing thereof, praying that such Report may not be confirmed, or that the same may be reviewed, it shall be lawful for the said Court, upon the Presentation of a Petition for that Purpose, and without the Attendance of any Counsel or Solicitor, to make an Order to confirm the said Report absolutely, and also (in case the said Master or Chief Remembrancer shall have reported that in his Opinion it will be beneficial to all Persons interested in the Land that such

In case of Dissent Landowners in England and Ireland may apply to the Courts of Chancery in England and Ireland, and to the Court of Exchequer in Ireland.

Advance as aforesaid should be procured) to authorize the Applicant to procure an Advance under this Act to the Amount and for the Purpose in his Application mentioned; and in case any such special Petition as aforesaid shall be presented within the Time aforesaid, praying that the said Report may not be confirmed, or that the same may be reviewed, it shall be lawful for the said Court either to make such Order as aforesaid, or to refuse to confirm the same, or to refer it back to the Master or Chief Remembrancer to review his Report; and the said Court may, if in its Opinion the Case shall require the same, receive further Evidence previous to making any Order upon such Petition; and for the Purpose of regulating and simplifying the aforesaid Proceedings upon such Applications to the said Courts respectively, and the rendering the same inexpensive, it shall be lawful for the Lord High Chancellor of *Great Britain*, with the Assistance of the Master of the Rolls of *England*, and for the Lord High Chancellor of *Ireland*, with the Assistance of the Master of the Rolls of *Ireland*, and for the Lord Chief Baron of the Court of Exchequer in *Dublin*, respectively, from Time to Time to make such Orders and Provisions as they may think proper relative to such Proceedings in their respective Courts.

Landowners in Scotland may make Application to the Court of Session.

XXI. And be it enacted, That in case any Owner of Land in *Scotland* shall be desirous of proceeding with an Application for an Advance under this Act, after such Dissent as aforesaid from such Application shall have been signified to the Commissioners, he shall be at liberty to apply to the Court of Session by a summary Petition, praying that he may be authorized to proceed with such Application; and it shall be lawful for the Court of Session, in its Discretion, if it shall appear that the Works in respect of which such Advance may be sought will be beneficial to all Persons interested in the Land, to authorize such Application to be proceeded with accordingly; and it shall be lawful for the Court of Session in *Scotland* to make such Orders or Regulations for regulating or simplifying the Proceedings upon such last-mentioned Petition, and the Inquiries which may be had thereon, as such Court may think proper.

Copy of every Petition under this Act to be served upon Person dissenting Fourteen Days previous to hearing.

XXII. And be it enacted, That a Copy of every Petition under this Act shall be served Fourteen Days at least before the hearing thereof upon the Person who shall have signified his Dissent from the Application to the Commissioners to which such Petition shall relate, or if such Person shall be out of the United Kingdom of *Great Britain* and *Ireland*, then upon such Person as the Court to which the Petition shall be preferred shall appoint for that Purpose; and the said Court of Chancery in *England*, and the said Court of Chancery and Court of Exchequer in *Ireland*, and the said Court of Session respectively, may order all or any of the Costs of or relating to such Petitions, and the Proceedings thereon, to be paid by the Petitioner, or by the Person who shall have signified such Dissent as aforesaid, if his Dissent shall appear to the said Courts respectively vexatious or improper, or to be paid as the said Courts respectively shall think fit.

Order of Courts unnecessary, except where Dissent shall have been signified after Advertisement.

XXIII. Provided always, and be it enacted, That it shall not in any Case be necessary for any Owner of Land within the Definitions of this Act to obtain or apply for an Order of the said High Courts of Chancery or Exchequer respectively, or of the Court of Session, (as the Case may be,) for Authority to make or proceed with an Application for an Advance under this Act in case such Notice by Advertisement shall have been given as aforesaid, and no such Dissent as herein-before mentioned shall have been signified within the Time and in manner aforesaid, or such Dissent shall have been withdrawn.

Saving Rights of Guardians, &c.

XXIV. And be it enacted, That all Husbands, Guardians, Committees, Tutors and Curators, for and on behalf of married Women, Infants, Minors, Lunatics, Idiots, or fatuous or furious Persons, and all Feoffees and Trustees, Judicial Factors, Executors, and Administrators, shall respectively have the same Rights and Powers of making Applications and signifying Dissents under this Act as such married Women, Infants, Minors, Lunatics, Idiots, or fatuous or furious Persons respectively would have had if free from Disability, or as such Feoffees or Trustees, Judicial Factors, Executors, or Administrators respectively would have had if the Estates, Charges, or Interests (of which they shall be such Feoffees or Trustees or Judicial Factors, or which shall be vested in them as such Executors or Administrators,) had been vested in them in their own Right; but no such Guardian, Committee, Tutor, Curator, Feoffee, Trustee, Judicial Factor, Executor, or Administrator shall be in anywise concerned or obliged to signify a Dissent to an Application under this Act, or be in anywise responsible for the Consequences of such Application, or of the Charge made in pursuance thereof.

Commissioners may cause Works to be inspected by an Assistant Commissioner or Surveyor, &c.

XXV. And be it enacted, That the Commissioners shall, as they see Occasion, cause the Works to which such Provisional Certificate shall relate to be inspected by a Commissioner, Assistant Commissioner, Surveyor, or Engineer, to ascertain the due Execution of such Works; and such Commissioner, Assistant Commissioner, Surveyor, or Engineer respectively may require the Production of such Vouchers, Bills of Account, or other Documents as may enable him to ascertain such due Execution, and the Amount of the Expence which shall have been actually incurred in the Execution of such Works.

Separate Account to be kept by the Bank of England; and by the Bank of Ireland.

XXVI. And be it enacted, That the Governor and Company of the Bank of *England* shall cause a separate Account to be opened in their Books with the Inclosure Commissioners, and with the Receiver General of Stamps and Taxes, under the Title of "Drainage Advances and Repayments Accounts."

XXVII. And be it enacted, That the Governor and Company of the Bank of *Ireland* shall cause a separate Account to be opened in their Books with the Commissioners of Public Works and Drainage in *Ireland*, and with the Paymaster of Civil Services in *Ireland*, under the Title of "Drainage Advances and Repayments Accounts."

Commissioners, when satisfied

XXVIII. And be it enacted, That when the Commissioners shall be satisfied by the Report of a Commissioner, Assistant Commissioner, Surveyor, or Engineer respectively, or otherwise, that the Works referred

to

to in any such Provisional Certificate have been executed according to the Terms and Conditions of such Provisional Certificate, or that such Part thereof as, under the Terms of such Provisional Certificate, would authorize an Advance on account, has been so executed, and shall be satisfied by such Report or otherwise that such Expence has been actually incurred as will justify the Advance according to the Terms of the Provisional Certificate, the Commissioners shall forward Certificates in duplicate under their Seal, and accompanied with their Recommendation, to the Commissioners of the Treasury, for an Advance under this Act; and such Certificate shall specify the Land in respect of which such Advance is to be made, and shall certify that such Sum as therein mentioned should be issued to the Person therein named in respect of the Drainage of such Land; and the Commissioners of the Treasury, upon the Receipt of such Certificate in duplicate from the Commissioners, shall authorize One of their Secretaries to notify their Approval upon One of the Certificates, and transmit the same to the Comptroller of Her Majesty's Exchequer, with their Directions for his giving the necessary Issue to the Commissioners (whether by a Credit on the growing Produce of the Consolidated Fund or by Exchequer Bills) to enable them to make the proposed Advance; and the said Comptroller General is hereby authorized, upon the Receipt of such Certificate and Directions, to cause the same to be recorded in the Books of his Office, and either give a Credit on the Exchequer Funds at the Banks of *England* or *Ireland*, as the Case may be, to the Commissioners, or to issue to them, or cause to be placed to their Account at the Banks of *England* or *Ireland*, Exchequer Bills for the Amount specified in the Certificate, and Directions from the Treasury given thereupon; and the said Commissioners respectively shall upon such Exchequer Credits, or the Produce of the Sale of such Exchequer Bills, give Warrants or Orders under their Seal to the Governor and Company of the Banks of *England* or *Ireland*, as the Case may be, to pay from the "Drainage Advances and Repayment Account" to the respective Parties named in such Warrants or Orders the Sums specified therein and previously recommended for such Advance by the Commissioners to the Commissioners of the Treasury.

of the Execution of the Works, may forward Certificate to the Treasury for an Advance under this Act.

Comptroller General, upon Receipt of Certificate, &c., may issue Exchequer Bills accordingly.

XXIX. Provided always, and be it enacted, That in the Case of Advances proposed to be made under this Act in respect of Lands in *Scotland*, the said Commissioners, before forwarding to the Commissioners of the Treasury the said Certificates in duplicate, shall deliver One of the said Duplicates to the Owner of the said Lands or Party applying for such Advance, and the said Owner or Party shall thereafter cause the said Certificate to be duly registered in the General or Particular Registrar of Sasines, and shall thereafter return the same to the said Commissioners, with an Endorsement thereon by the Keeper of the said Register, which the said Keeper is hereby authorized and required to grant, certifying that the same has been duly registered; and the said Certificate so registered and endorsed, with its Duplicate, shall then be transmitted as aforesaid by the said Commissioners to the Commissioners of the Treasury.

Commissioners to deliver Duplicate of Certificate to Owner of the Land.

XXX. Provided always, and be it enacted, That as regards Lands in *Ireland*, upon any Application made under this Act for any such Advance as aforesaid, the Assistant Commissioner, Surveyor, or Engineer who shall report thereon shall in such Report specify as well the Denomination or Denominations of the Lands in respect of which such Advance is to be made as also the Barony and County in which such Lands are situate.

In Ireland, the Report and the Certificate shall specify the Denomination, &c. of the Lands.

XXXI. Provided also, and be it enacted, That in the Case of Advances proposed to be made under this Act as regards Lands in *Ireland*, the Commissioners, before forwarding to the Commissioners of Her Majesty's Treasury the said Duplicate Certificates, shall deliver One of the said Duplicates to the Owner of the Lands, or Party applying for such Advance, or his Agent, and the said Owner or Party shall cause a Memorial on Parchment, containing a true Copy or a true Statement of the material Contents of such Duplicate Certificate, signed with the Name of such Owner or Party, to be brought to the Office of the Register of Deeds in *Dublin*, together with such Duplicate Certificate; and the Registrar of Deeds, or his Deputy, shall cause such Memorial to be compared with such Duplicate Certificate; and upon Proof of the Signature of such Owner or Party as aforesaid, and of the Seal of the Commissioners on such Duplicate, by Affidavit to be taken by such Officer or Person as is empowered to take Affidavits in Cases of Registration of Deeds, such Memorial shall, without further Proof or Affidavit, be filed, entered, registered, and indexed in such Register Office in like Manner, so far as the Nature of the Case will admit, as a Memorial of a Deed may be filed, entered, registered, and indexed in the said Register Office, upon Payment of such Fee or Fees as would be duly payable in the Case of a Memorial of a Deed, and with and subject to like Powers to all Persons interested to make such Searches, and to take such Abstracts, and to inspect any such original Memorial, and to obtain Searches in respect of the same, and upon Payment of such Fees respectively, as in the Case of any Deeds registered in the said Office; and the proper Officer at the said Register Office, at the Time of entering such Memorial, shall on such Duplicate Certificate endorse a Certificate under his Hand, and therein mention the Day on which such Memorial is so entered and registered, expressing also in what Book, Page, and Number the same is entered, which Certificate shall be taken and allowed as Evidence of such Registry in all Courts whatsoever; and the said Duplicate Certificate so endorsed shall be transmitted by the Registrar of Deeds, or his Deputy, to the Commissioners, and the same, together with the other Duplicate Certificate, shall be transmitted as aforesaid by the Commissioners to the Commissioners of Her Majesty's Treasury, and be by them dealt with as aforesaid.

As regards Lands in Ireland, a Memorial of the Certificate shall be registered in the Register Office in Dublin.

XXXII. And be it enacted, That it shall be lawful for the Commissioners for the Execution of this Act, by the Authority and under the Direction of the Commissioners of the Treasury, to sell such Exchequer Bills as may be issued for their respective Accounts at the Bank of *England* or at the Bank of *Ireland*,

Commissioners may sell Exchequer Bills, and place them to

the Account at the Bank.

Ireland, and to cause the Produce thereof to be placed to the Drainage Advances and Repayment Account at such Bank.

Accounts of Advances to be kept.

XXXIII. And be it enacted, That the Inclosure Commissioners shall notify under their Seal to the Commissioners of Stamps and Taxes the Particulars contained in every Warrant or Order given by them for Advances, with the Date of the Payment of the same by the Bank of *England*; and the Commissioners of Stamps and Taxes are hereby required, upon receiving such Notification, to cause a Record thereof to be forthwith made in Books of Accounts in their Office, to be kept upon the Principle of Double Entry, debiting therein the Land in respect of which the Advance shall be made with the Amount of the same, and crediting it by the Rent-charge received from Time to Time by their Officers in respect of such Advance.

A Rent-charge of 6*l.* 10*s.* for Twenty-two Years to be charged for every 100*l.* advanced by Exchequer Bills or Money.

XXXIV. And be it enacted, That upon the Issue as aforesaid of any Advance by virtue of a Certificate under this Act the Land mentioned in such Certificate shall be charged with the Payment to Her Majesty in respect of such Advance of a Rent-charge after the Rate of Six Pounds Ten Shillings Rent for every One hundred Pounds of such Advance, and so in proportion for any lesser Amount, and to be payable for the Term of Twenty-two Years, to be computed from the Sixth Day of *April* or Tenth Day of *October* which shall next happen after the Issue of such Advance, such Rent-charge to be paid by equal half-yearly Payments on the Sixth Day of *April* and the Tenth Day of *October* in every Year, the first of such Payments to be made on the second of such Days which shall happen next after the Issue of such Advance in respect of which the Rent-charge shall be charged.

Rent-charge in England, how recoverable.

6 & 7 W. 4. c. 71.

Rent-charge in Ireland, how recoverable.

1 & 2 Vict. c. 109.

Rent-charge in Scotland, how recoverable.

XXXV. And be it enacted, That every Rent-charge which shall become charged on Land by virtue of this Act shall, where the same shall be charged on Land in *England*, be recoverable by the Commissioners of Stamps and Taxes for the Time being by the same Means and in the like Manner in all respects as a Rent-charge in lieu of Tithes if charged on the same Land under the Act of the Seventh Year of King *William* the Fourth, intituled *An Act for the Commutation of Tithes in* England *and* Wales, would be recoverable, and as if such Rent-charge under this Act were a Rent-charge in lieu of Tithe made payable to Her Majesty under the said Act of the Seventh Year of King *William* the Fourth; and that any Rent-charge which shall become charged on Land in *Ireland* by virtue of this Act shall be recoverable in the Name of Her Majesty by the same Means and in the same Manner, and with the like Remedies for the Recovery thereof, in all respects as a Rent-charge in lieu of Tithe charged on the same Lands is now recoverable under and by virtue of an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to abolish Compositions for Tithes in* Ireland, *and to substitute Rent-charges in lieu thereof*, and the several Acts passed for amending the same; and such Rent-charges in *England* and *Ireland* respectively shall be subsequent in order of Charge to any Rent-charge payable in lieu of Tithe, and to any Quit Rent or Chief Rent incident to Tenure, but shall have Priority to all other Charges on the same Land; and every Rent-charge which shall become charged on Land by virtue of this Act shall, where the same shall be charged on Land in *Scotland*, be recoverable by the same Means and in the like Manner in all respects as any Feu Duty or Rent or annual Rent, or other Payment payable to Her Majesty out of the same Lands, would be recoverable, but shall be subsequent in order of Charge to any Feu Duty, but shall have Preference over all other Charges on the same Land: Provided always, that if no legal Proceedings shall have been adopted for the Recovery of any such Rent-charge within Three Years after the same shall have become payable, such Preference shall not have place in regard to such Rent-charge.

Advances under this Act not to be deemed a Contravention of Conditions of Entail.

XXXVI. And be it enacted, That no Proprietor of an entailed Estate in *Scotland* shall be held to have contravened the Conditions of the Entail by reason of having availed himself of the Provisions of this Act; and no Rent-charge imposed or created on any entailed Lands in *Scotland* under the Authority of this Act shall be made use of as a Ground for adjudging, selling, or evicting such Lands, or any Part thereof, contrary to the Provisions and Conditions of the Entail, but every such Rent-charge shall be a good and effectual Charge upon and against such entailed Lands to every other Effects, and upon and against the Rents and Profits thereof.

Rent-charge not to preclude Trustees from investing Money in the Purchase or Mortgage of Land charged.

XXXVII. And be it enacted, That the Rent-charge by virtue of this Act to be charged on any Land shall not be deemed such an Incumbrance as shall preclude a Trustee of Money held in trust to be invested in the Purchase of Land, or to be invested on Mortgage, from investing the same in a Purchase of or upon a Mortgage of such Land so charged, unless the Terms of such Trust shall expressly provide that the Land to be so purchased or taken in Mortgage shall not be subject to any Rent-charge under the Provisions of this Act.

Tenants for Life, &c. to keep down Rent-charges.

XXXVIII. And be it enacted, That every Owner of Land on whose Application a Rent-charge shall have become charged under this Act, and every succeeding Heir of Entail, Tenant for Life, or Life-renter, or other Person having a limited Interest in the Land charged, shall, as between such Person and the Persons in remainder or reversion, be bound to pay the half-yearly Payments of such Rent-charge which shall become payable during the Continuance of his Interest, and, in case he shall be in the actual Occupation of or entitled to an apportioned Part of the Rents and Profits of such Land up to the Time of the Termination of his Interest, shall also be bound to pay an apportioned Part of the half-yearly Payment of such Rent-charge which shall become due next after the Termination of his Interest proportioned to the Time which shall have elapsed between the Day of the previous half-yearly Payment and the Day of such Termination.

XXXIX. And

Drains and Outfalls to be maintained.

XXXIX. And be it enacted, That so long as any Land shall continue charged with any such Rent-charge the Person for the Time being bound to pay the half-yearly Payments of such Rent-charge shall be bound to uphold the Drains on account of which the Lands shall have been charged therewith, and to keep clear and open the Outfalls of all such Drains, and shall once in every Year certify to the Commissioners for the Execution of this Act the State of such Drains and Outfalls, and in default of so keeping and upholding the said Drains and Outfalls shall be liable to an Action on the Case in the Nature of an Action of Waste for the Damage thereby occasioned, at the Suit of the Person then entitled to the next Estate in remainder or reversion in the said Lands rendering him liable to the Payment of the said Rent-charge on the Determination of the Estate in possession.

Tenant may deduct Rent-charge, except where he may have agreed to pay the same.

XL. And be it enacted, That if any Tenant or Occupier at a Rent in *Great Britain* shall join in the Application for an Advance under this Act, or shall by Writing under his Hand signify to the Commissioners, or to any Assistant Commissioner, Engineer, or Surveyor, his Consent or Agreement to become charged with the Rent-charge, or an apportioned Part thereof, as herein-after mentioned, in respect of the Advance to be made upon such Application, such Tenant or Occupier shall during his Tenancy be liable to pay such Rent-charge, or an apportioned Part thereof, as herein-after mentioned; and in case the Application shall be made for an Advance in respect of the Drainage as well of other Land as of the Land included in such Tenancy, the Commissioners may, upon such Concurrence, Consent, or Agreement of the Tenant or Occupier, by their Provisional or any other Certificate, or by a separate Order of Apportionment, declare what Portion of the whole Rent-charge payable in respect of such Advance shall be payable by such Tenant or Occupier during his Tenancy in respect of the probable Improvement of the Land included in such Tenancy; but, except as aforesaid, every Tenant or Occupier who shall pay such Rent-charge shall be entitled to deduct the Amount thereof from the Rent payable by him to the Owner of the Land, and shall be allowed the same in account with such Owner; or in case, as regards Lands in *Ireland*, there shall be any Landlord or Landlords having an Estate or Estates, Interest or Interests, intermediate between such Tenant or Occupier and the Owner of the Land, as herein-after defined, then such Tenant or Occupier shall be entitled to deduct the Amount so paid by him from the Rent payable by him to his next intermediate Landlord; and such Landlord, in case he shall not have joined as aforesaid in such Application, and shall not have signified as aforesaid his Consent or Agreement to become charged with the Rent-charge as aforesaid, may deduct the Amount so deducted from him from his next immediate Landlord, if any, and so on a similar Deduction or successive Deductions shall be made until the Amount so paid shall be deducted from the Owner of the Land, or from some Landlord who shall have so joined in such Application, or shall have so signified such Consent or Agreement as aforesaid.

Proportion of Rent-charge payable by Tenant or Occupier concurring in an Application for an Advance in Ireland to be settled by Commissioners, if the Tenant or Occupier shall so desire.

XLI. Provided always, and be it enacted, That if any Tenant or Occupier at a Rent in *Ireland* shall join in the Application for an Advance under this Act, or shall, by Writing under his Hand, signify to the Commissioners, or to any Engineer, Surveyor, or other Officer acting under their Authority, his Consent or Agreement to become charged with Rent-charge in respect of the Advance to be made upon such Application, it shall be lawful for such Tenant or Occupier in such Application, or by such Writing as aforesaid, or by some other Writing under his Hand, to signify to the Commissioners, or to such Engineer, Surveyor, or other Person acting under such Authority as aforesaid, his Desire that the Lands of which he shall be such Tenant or Occupier shall be chargeable with such Share only of said Rent-charge as shall be proportionate to the Improvement of the Lands of which he shall be so Tenant or Occupier to be affected by the Works for which such Advance shall be applied for, such Share to be determined by the Commissioners in the Manner provided by this Act; and in every such Case the Commissioners shall in their Certificate, of which Duplicates shall be so given as aforesaid, determine the Share and Proportion of such Rent-charge to be chargeable upon the Lands of such Tenant or Occupier, having regard to the Term, Estate, or Interest of such Tenant or Occupier therein, and all the Circumstances of the Case, and thereupon such Share only of said Rent-charge shall be charged upon such Lands accordingly: Provided always, that before such Certificate shall be perfected by the Commissioners a Draft thereof shall be made, and a Copy of such Draft shall be deposited with the Clerk of the Peace for the County in which such Lands of such Tenant or Occupier shall be situated, which Copy the Clerk of the Peace of said County shall be authorized and required to receive, and any Person shall have Liberty to inspect and take a Copy of the same on Payment of Sixpence; and a Copy of such Draft shall also be delivered to such Tenant or Occupier, or left at his Place of Abode, if known, and if not at the principal Dwelling House upon such Lands, with a Notice requiring the Tenant or Occupier of such Lands, in case he shall object to such Draft, to lodge Objections to the same at such Place within the Barony in which such Lands shall be situate, and before such Time as shall be specified in such Notice, not being less than Three Weeks from the Delivery or Service of the same; and the Commissioners shall also state in such Notice that they, or One of them, will proceed to hear any Objections which may be lodged, and to settle the Certificate, at such Time and Place, in or near such Barony, as shall be specified in such Notice, such Time not to be sooner than One Calendar Month from the Delivery or Service of such Notice; and the Commissioners, or One of them, shall attend at such Time and Place as they or he shall so appoint, and shall examine into the Truth of any Objection which shall be so lodged to the Draft of the Certificate, and shall hear all such proper Evidence as may be offered to them or him in respect thereof, as they or he shall think fit, and may adjourn such Attendance from Time to Time, and shall settle and sign such Draft Certificate; and the Certificate of which such Duplicate

cate shall be so given as aforesaid shall be conformable in every respect to such Draft, and the same, when sealed and delivered, or transmitted in duplicate as aforesaid, shall be final and conclusive as to all the previous Proceedings in reference to such Lands, and such Tenant or Occupier thereof, and as to the Share of said Rent-charge to be charged upon the Lands of such Tenant or Occupier: Provided always, that nothing herein contained shall prevent the said Rent-charge from being apportioned in manner herein-after mentioned, in case such Tenant or Occupier shall not so signify such Desire as aforesaid, or so far as such Apportionment as herein-after mentioned shall not affect the Term, Estate, or Interest of such Tenant or Occupier.

Rent-charges to be collected by Collectors of Land and Assessed Taxes in Great Britain.

XLII. And be it enacted, That the Rent-charges which shall become charged on Lands in *Great Britain* under this Act shall be collected by the Officers appointed for the Receipt of the Land and Assessed Taxes for the several Districts in which such Lands shall be situated, under such Rules and Directions as the Commissioners of Stamps and Taxes shall from Time to Time make or give in that Behalf; and the Monies payable in respect of such Rent-charges shall be deemed Monies under the Care and Management of the Commissioners of Stamps and Taxes, and the said Commissioners shall make such Allowances in respect of the Collection or Receipt thereof as the Commissioners of the Treasury shall direct; and all the Monies so collected shall be in every Case notified by the Officer receiving the same to the Commissioners of Stamps and Taxes, and remitted to their Receiver General, who shall keep a separate Account thereof, and shall, after Payment thereout of such Sums as may be authorized by the Commissioners of the Treasury for defraying the Expences attending the Execution of this Act, pay over the Balance on the said separate Accounts from Time to Time, on the usual Days of Payment of the Revenue of Stamps and Taxes, to the Account of the Bank of *England* to be opened under the Authority of this Act for Drainage Advances and Repayments; and such Monies when so paid by the said Receiver General shall be transferred by the Governor and Company of the Bank of *England* to the Account kept by the said Governor and Company with Her Majesty's Exchequer as Repayments for Drainage Advances, to be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* on the Books of the Comptroller General of Her Majesty's Exchequer.

Rent-charges to be collected by Collectors of Excise in Ireland.

XLIII. And be it enacted, That the Rent-charges which shall become chargeable on Lands in *Ireland* under this Act shall be collected, by the several Collectors of Excise in *Ireland* for the several Districts wherein such Lands shall be situated, in the same Manner as Quit and Crown Rents are now received by such Collectors; and the Monies payable to such Collectors shall be by them paid into the Bank of *Ireland* to the Credit of the Paymaster of Civil Services.

Rent-charges may be apportioned.

XLIV. And be it enacted, That if it shall be represented to the Commissioners that the Land charged with any Rent-charge under this Act is occupied in separate Farms, or shall have become the Property of separate Owners, or that the Owner thereof is entitled thereto under separate Titles, or for distinct and separate Interests, or is desirous to sell or dispose of a Part or Parts of such Land, or that for any other Reason it will be desirable that such Rent-charge shall be apportioned, it shall be lawful for the Commissioners, with the Consent of the Owner or Owners of the Land charged with such Rent-charge, by Order under the Seal of the Commissioners to apportion such Rent-charge so that a separate and distinct Rent-charge may become charged on each separate Farm, or on the Land of each Owner, or on the Land held under each separate Title, or for each distinct and separate Interest, or on the Part or each Part which the Owner is desirous to sell or dispose of, and the Part intended to be retained by him, or on other separate Parts of the said Lands, but so that no Rent-charge charged under such Apportionment shall be less than Twenty Shillings; and the Commissioners shall transmit every such Order of Apportionment to the Commissioners of Stamps and Taxes or to the said Collector of Excise respectively, as the Case may be, who shall cause the Rent-charges charged by such Apportionment to be collected, instead of the original Rent-charge charged on the Land to which such Apportionment shall relate, and as if the same were separate Rent-charges originally charged under this Act.

Landowners may redeem Rent-charges.

XLV. And be it enacted, That subject to such Regulations as herein-after mentioned, any Owner of Land charged with such Rent-charge shall be at liberty, at any Time before the Expiration of Twenty Years after the Commencement thereof, to redeem such Rent-charge or any Part thereof, not being less than Ten Pounds annual Charge, on Payment to the Commissioners of Stamps and Taxes in respect of Lands in *Great Britain*, or to the Paymaster of Civil Services in respect of Lands in *Ireland*, of the Arrear (if any) thereof, and of such Sum as shall be equal to the aggregate Amount of the half-yearly Payments not then accrued due, after deducting or allowing Discount after the Rate of Three Pounds Ten Shillings *per Centum per Annum* in respect of such several future Payments; and the Commissioners shall issue and deliver to such Owner a Certificate of such Redemption; and all Monies to be received by the said Commissioners shall be paid over by them to their Receiver General, and be applied by him in the Manner herein-before provided with respect to Monies to be received by him for Rent-charges; and the Commissioners of the Treasury shall cause Tables to be framed, showing the Rate at which the said Rent-charges may be so redeemed in the several Years during which the same are made redeemable, and may make Regulations limiting the Times of the Year in which they may be redeemed.

Treasury to cause Tables of Rates of Redemption to be framed.

Commissioners may make Order for the Repayment of

XLVI. And be it enacted, That it shall be lawful for the Commissioners, having regard to the Time, Labour, and Expences of the Commissioner, Assistant Commissioner, Surveyor, or Engineer, or other Persons (if any) employed or paid by the Commissioners in or about the Investigation of any Application for an Advance, and (where they shall have issued a Provisional Certificate) the Inspection and Ascertainment

tainment of the due Execution of any Works in respect of which an Advance shall have been applied for or made under this Act, by any Order under their Seal, to order and declare that a Sum, in such Order to be mentioned, be paid to the Commissioners in respect of such Time, Labour, and Expences as aforesaid, by the Owner of Land by whom the Application shall have been made, his Heirs, Executors, or Administrators, at such Time and in such Manner as in such Order shall be expressed, and such Sum shall be a Debt payable to the Commissioners; and all Monies received by the Commissioners in respect of such Expences shall be paid by them into Her Majesty's Exchequer, and shall be carried to and form Part of the Consolidated Fund: Provided always, that where the Commissioners shall have directed that all or a Part of the Expences of the Investigation of the Application, and of inspecting and ascertaining the due Execution of the Works might be included in the Expences in respect of which such Loan, and the Advances on account thereof, shall be made, the Commissioners may retain such Sum as last aforesaid, or such Part thereof as in their Certificate expressed, out of the Money to be advanced by them to the Owner of the Land under the Authority of this Act.

the Expences of Investigation, &c.

XLVII. And be it enacted, That no Bond or other Security given to the Commissioners under this Act, and no Certificate or other Instrument made under this Act, shall be chargeable with any Stamp Duty.

Bonds, &c. under this Act exempt from Stamp Duty.

XLVIII. And be it enacted, That the Inclosure Commissioners and the Receiver General of Stamps and Taxes shall cause to be made up for Examination and Audit an annual Document, certified by them respectively, of the Amount of Credits on the Exchequer Funds, or of Exchequer Bills placed to their Account at the Bank of *England*, the Sum issued therefrom upon Warrants for Advance for Loans, and the Repayments on account of such Loans, to the Thirty-first Day of *March* in each Year, and shall deliver the same to the Commissioners for auditing the Public Accounts, such Accounts to be deemed Public Accounts, and to be inquired into and audited and to be within all the Provisions of all Acts passed for auditing the Public Accounts of *Great Britain*.

Annual Account to be made up.

XLIX. And be it enacted, That for the Purposes of this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Context repugnant to such Construction; (that is to say,) the Words "Lord Chancellor" shall mean also "Lord Keeper" and "Commissioners of the Great Seal;" the Words "Commissioners of the Treasury" shall mean the Lords Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the Time being; the Words "the Commissioners" shall, as regards Lands in *Great Britain*, mean the Inclosure Commissioners for *England* and *Wales*, and as regards Lands in *Ireland*, the said Commissioners of Public Works and Drainage in *Ireland*; the Words "Owner of Land" shall, as to Land in *England* and *Wales*, mean such Person as, under the said Act of the Seventh Year of King *William* the Fourth, for the Commutation of Tithes in *England* and *Wales*, would be deemed the Owner of such Land for the Purposes of the same Act; the Words "Owner of Lands" shall, as to Lands in *Ireland*, mean such Person as under the said Act passed in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to abolish Compositions for Tithes in* Ireland, *and to substitute Rent-charges in lieu thereof*, shall have the first Estate of Inheritance or other Estate or Interest equivalent to a perpetual Estate or Interest thereon; the Words "Owner of Land" shall as to Land in *Scotland*, mean or include every Fiar, Life-renter, Heir of Entail, Husband of a married Woman seised in her own Right, Tutor, Curator, and other Guardian for any Infant, Minor, Lunatic, or Idiot, fatuous or furious Person, and every Trustee who respectively shall be in the actual Possession of the Land, or in receipt of the Rents payable on the Tacks, Leases, or Tenancies of the Tenants in the actual Possession thereof; and the Words "Court of Session" shall mean the Court of Session in *Scotland* in either Division thereof in Time of Session, or the Lord Ordinary officiating on the Bills in Time of Vacation, as the Case may be; the Word "Person" shall mean and include any Body Corporate, Aggregate, or Sole, as well as an Individual; any Word importing the Singular Number only shall mean and include several Persons or Parties as well as one Person or Party, and several Things as well as one Thing respectively, and the converse; and any Word importing the Masculine Gender only shall mean and include a Female as well as a Male.

Interpretation of Act.

1 & 2 Vict. c. 109. s. 8.

L. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

CAP. CII.

An Act to amend the Laws relating to the Customs. [28th *August* 1846.]

'WHEREAS several Acts were passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty Queen *Victoria*, for consolidating the Laws of Customs: And whereas certain Alterations and Amendments of the said Acts are now required:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the same shall come into and be and continue in full Force and Operation for the Purposes mentioned therein, except where any other Commencement is herein-after particularly directed.

Commencement of Act.

Regulation.

8 & 9 Vict. c. 86. Tobacco from Porto Rico, Trinidad, &c. to be imported in Packages of 80 lbs.

II. 'And whereas by one of the said Acts, intituled *An Act for the general Regulation of the Customs*, 'certain Restrictions are enacted upon the Importation of Tobacco into the United Kingdom: And 'whereas it is expedient to alter and amend the said Restrictions as is herein-after mentioned;' be it therefore enacted, That from and after the passing of this Act it shall be lawful to import into the United Kingdom, into any of the Ports named in the Table of Prohibitions and Restrictions Inwards in the said Act contained, as Ports into which Tobacco may be imported, or into any Port which may have been or hereafter may be appointed for such Purpose by the Commissioners of Her Majesty's Treasury, any Tobacco the Produce of the Island of *Porto Rico*, and any Tobacco the Produce of *Trinidad*, or of *Mexico* or of *South America*, or of the Islands of *Saint Domingo* or *Cuba*, or any Tobacco which can and shall be legally imported from *Malta* for Home Consumption, in Packages, each containing at least Eighty Pounds net Weight of such Tobacco.

Correction of an Error in the Restrictions on the Importation of Negrohead Tobacco.

III. 'And whereas it was intended by the said Table of Prohibitions and Restrictions Inwards to prohibit 'the Importation of Negrohead Tobacco the Produce of and imported from the United States of *America*, 'unless in Packages each containing at least One hundred and fifty Pounds net Weight of such Tobacco, 'but the Word "unless" has been accidentally omitted in the said Table, whereby the said Restriction 'upon the Importation of Negrohead Tobacco has been rendered obscure;' be it enacted and declared, That Negrohead Tobacco the Produce of and imported from the United States of *America* shall be prohibited to be imported into the United Kingdom, unless in Packages each containing at least One hundred and fifty Pounds net Weight of such Tobacco; and that the said Restriction in the said Table contained shall not be construed to prevent the Importation of such Tobacco in Packages of that Size, provided such Importation be in other respects effected in a legal Manner.

Geneva may be imported in Glass Bottles containing not more than Three Pints or 12 Gills.

IV. 'And whereas in the said Table of Prohibitions and Restrictions Inwards certain Restrictions are 'imposed upon the Importation of Spirits into the United Kingdom: And whereas it is expedient to 'alter and amend the said Restrictions so far as the same relate to the Importation of Geneva;' be it therefore enacted, That it shall be lawful to import into the United Kingdom any Geneva in Glass Bottles containing not more than Three Pints in each of such Bottles, such Geneva being really Part of the Cargo of the Ship in which the same is imported, and included in the Manifest or other Papers enumerating or descriptive of the Cargo thereof.

Goods subject to Restrictions subject to same Restrictions where brought for Exportation in same Ship.

V. And be it enacted and declared, That all Goods subject to Restrictions as to Package upon the Importation thereof into the United Kingdom shall be subject to the same Restrictions when such Goods are brought into the United Kingdom for Exportation in the Ship in which they are so brought, and that all Goods so brought contrary to such Restrictions, whether reported for Exportation in the same Ship or not, shall be forfeited.

If Goods removed prior to Examination, Penalty upon Parties concerned in the Removal.

VI. And be it enacted, That if any Goods which may have been imported into the United Kingdom from Foreign Parts, or which shall hereafter be so imported, shall be removed from any Vessel, Quay, Wharf, or other Place previous to the Examination thereof by the proper Officer of the Customs, except by an Order of or with an Authority in Writing from such Officer, and for such Purpose as shall be therein mentioned or expressed, and in due Conformity therewith, every Person who shall assist or be otherwise concerned in such Removal, or who shall knowingly harbour, keep, or conceal, or shall knowingly permit or suffer to be harboured, kept, or concealed, any such Goods, or to whose Hands and Possession any such Goods shall knowingly come, shall forfeit either the Treble Value thereof or the Penalty of One hundred Pounds, at the Election of the Commissioners of Her Majesty's Customs.

Prohibition of Foreign Manufactures bearing British Marks, and of Clocks, &c. repealed.

VII. And be it enacted, That so much of the said last-mentioned Act as prohibits the Importation of Articles of Foreign Manufacture bearing any Names, Brands, or Marks purporting to be the Names, Brands, or Marks of Manufacturers resident in the United Kingdom, and of Packages of such Articles, and of Clocks and Watches of any Metal, shall be and the same is hereby repealed.

Foreign Manufactures bearing British Marks prohibited to be imported.

VIII. And be it enacted, That any Articles of Foreign Manufacture, and any Packages of such Articles, imported into the United Kingdom or into the *British* Possessions abroad, bearing any Names, Brands, or Marks purporting to be the Names, Brands, or Marks of Manufacturers resident in the United Kingdom, shall be forfeited, and that such Articles and Packages of Articles shall not be warehoused for Exportation.

Foreign Clocks and Watches not having the Maker's Name forfeited.

IX. And be it enacted, That Foreign Clocks and Watches of any Metal impressed with any Mark or Stamp appearing to be or to represent any legal *British* Assay Mark or Stamp, or purporting by any Mark or Appearance to be of the Manufacture of the United Kingdom, or not having the Name and Place of Abode of some Foreign Maker abroad visible and permanently marked or engraved on the Frame, and also on the Face, or not being in a complete State, with all the Parts properly fixed in the Case, imported into the United Kingdom, shall be forfeited.

Masters of Vessels arriving whatever to report the general of Packages containing Cambrics and

X. And be it enacted, That so much of the said Act as enacts that the Master of every Ship arriving from any Foreign Place in *Europe* at any Port in the United Kingdom shall report the general Denomination of the Contents of every Package containing Cambrics or Lawns, Leather Gloves, Manufactures of Silk, Tobacco, Cigars, or Snuff, shall, from and after the First Day of *March* One thousand eight hundred and forty-seven, be extended to Ships arriving from any Place whatever at any Port in the United Kingdom, and that all such last-mentioned Goods not so reported according to the best of the Knowledge of such Master shall be forfeited; and that the Master of every such Ship failing to make such Report shall forfeit the Sum of One hundred Pounds.

Account of certain Foreign

XI. And be it enacted, That upon the Clearance for Shipment of any Foreign Goods which were formerly charged with Duty according to the Value thereof, but upon which Goods the Duties have been repealed,

repealed, an Account, containing an accurate Specification of the Quantity, Quality, and Value of such Goods, together with a Declaration to the Truth of the same, signed by the Exporter or his known Agent, shall be delivered to the Searcher by the Person clearing such Goods; and if such Declaration be false the Person signing the same shall forfeit the Sum of Twenty Pounds; and that it shall be lawful for the Searcher to call for the Invoice, Bills of Parcels, and such other Documents relating to the Goods as he may think necessary for ascertaining the true Value of the same: Provided always, that if such Exporter or Agent shall make and subscribe a Declaration before the Collector or Controller that the Value of the Goods cannot be ascertained in Time for the Shipment of the same, and such Declaration shall be delivered to the Searcher at the Time of Clearance, a further Time of Three Months shall be allowed for the Delivery of such separate Shipping Bill, on Failure whereof such Exporter or Agent shall forfeit the Sum of Twenty Pounds.

formerly charged with Duty, intended for Shipment, to be delivered to the Searcher, together with a Declaration.

Penalty on false Declaration.

XII. 'And whereas by the said Act a Drawback of the whole of the Duties of Customs is allowed for 'Wine intended for the Consumption of certain Officers of Her Majesty's Navy therein mentioned, on 'board such of Her Majesty's Ships in actual Service as they shall serve in, not exceeding the Quantities 'of Wine in any One Year for the Use of such Officers as are therein respectively mentioned; And 'whereas it is expedient to extend the same to certain other Officers of Her Majesty's Navy;' be it therefore enacted, That there shall be allowed to every Master, Surgeon, and Purser of Her Majesty's Ships in actual Service the same Quantity of Wine, Duty-free, as is now by Law allowed to every Lieutenant and other Commanding Officer, or to every Marine Officer.

Further Allowances of Wine Duty-free to Masters, &c. of Her Majesty's Ships in actual Service.

XIII. 'And whereas by the said Act for the general Regulation of the Customs it is enacted, that it 'shall be lawful for Her Majesty, by Her Commission out of the Court of Exchequer, from Time to 'Time to appoint any Port, Haven, or Creek in the United Kingdom or in the *Isle of Man*, and to set 'out the Limits thereof, and to appoint the proper Limits within the same, to be legal Quays for the 'lading and unlading of Goods, and to declare that any Place which had been set out as a legal Quay by 'such Authority shall be no longer a legal Quay, and to appoint any new Place within any Port to be a 'legal Quay for the lading and unlading of Goods; and by the same Act it is provided, that all Ports, 'Havens, and Creeks, and the respective Limits thereof, and all legal Quays, appointed and set out, and 'existing as such, at the Commencement of the said Act, under any Law till then in force, shall continue 'to be such Ports, Havens, Creeks, Limits, and legal Quays respectively as if the same had been 'appointed and set out under the Authority of the said Act: And whereas it is expedient to alter the 'Mode of appointing Ports and Sub-Ports within the United Kingdom and of the *Isle of Man*, and of 'Places within the same, to be legal Quays, and of annulling or altering the same;' be it therefore enacted, That from and after the passing of this Act so much of the said last-recited Act shall be and the same is hereby repealed.

So much of recited Act 8 & 9 Vict. c. 86. as relates to legal Quays repealed.

XIV. And be it enacted, That from and after the passing of this Act it shall and may be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, by their Warrant in Writing under the Hands of any Three or more of them, to appoint any Port or Sub-Port in the United Kingdom, or in the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, and to declare the Limits of any such Port or Sub-Port, and to appoint proper Places within the same to be legal Quays, for the lading and unlading of Goods, and to declare the Bounds and Extent of any such Quays.

Treasury may by Warrant appoint Ports and Quays, and declare the Limits and Bounds thereof.

XV. And be it enacted, That it shall and may be lawful for the said Commissioners, by Warrant as aforesaid, to annul the Limits of any Port, Sub-Port, Haven, or Creek, or legal Quay, already set out and appointed, or hereafter to be set out and appointed, and to declare the same to be no longer a Port, Sub-Port, Haven, or Creek, or legal Quay, or to alter or vary the Names, Bounds, and Limits of any such Port, Sub-Port, Haven, Creek, or Quay.

Power to annul the Limits of Ports and Quays, and alter the Names, &c.

XVI. And be it enacted, That every Appointment of any Port, Sub-Port, Haven, or Creek, or Place to be a lawful Quay within the same, and every Declaration of the Extent, Bounds, and Limits thereof, and every Annulment or Alteration of any such Port, Sub-Port, Haven, Creek, or Quay, shall be published in the *London Gazette* as to such Ports, Sub-Ports, Havens, Creeks, and Quays as shall be so appointed, annulled, or altered in *Great Britain*, or in the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, and in the *Dublin Gazette* as to such Ports, Sub-Ports, Havens, Creeks, and Quays as shall be so appointed, annulled, or altered in *Ireland*.

Appointment of any Port, &c. to be published in the Gazette.

XVII. Provided always, and be it enacted, That all Ports, Havens, and Creeks, and the respective Limits thereof, and all legal Quays, appointed and set out and existing as such at the Time of the passing of this Act, shall be and continue to be such Ports, Havens, Creeks, and Quays until annulled, varied, or altered by Warrant as aforesaid, under the Powers of this Act; and where any Port, Haven, Creek, or Quay, or the Limits thereof, shall have been annulled or altered, the same shall continue to be annulled and altered until otherwise varied or altered under or by virtue of this Act.

Ports, Havens, &c. existing at the passing of this Act to remain in force until altered, &c.

XVIII. And be it enacted, That this Act shall be registered in the Royal Courts of the Islands of *Guernsey* and *Jersey* respectively, and that the said Royal Courts respectively shall have full Power and Authority and are hereby required to register the same.

Act to be registered in Courts of Guernsey and Jersey.

XIX. And be it enacted, That if any indecent or obscene Prints, Paintings, Books, Cards, Lithographic or other Engravings, or any other indecent or obscene Articles, shall be imported into the United Kingdom, the same shall be forfeited, and shall and may be seized by any Officer of Her Majesty's Customs, and destroyed as the Commissioners of Her Majesty's Customs shall direct.

Importation of obscene Articles prohibited.

Smuggling.

Clerks and Officers of Customs to prosecute Matters before Justices relating to Customs as if admitted and enrolled Attornies.

XX. ‘ And whereas it would be found greatly conducive to the public Service if certain Clerks and ‘ Officers in Her Majesty's Customs were allowed to conduct Proceedings before any Justices or Justice ‘ against any Persons or Person who may have or who may hereafter commit any Offence against this or ‘ any other Act passed or to be passed relating to the Customs;’ be it therefore enacted, That from and after the passing of this Act it shall be lawful to and for any Clerk or Officer of the Customs, under the Orders or Directions of the Commissioners of Her Majesty's Customs, to prosecute, defend, or conduct any Proceeding, Matter, or Thing before any Justices or Justice in any Matter relating to the Customs, to be heard or determined by or before such Justices or Justice, in the same Manner as if such Clerk or Officer had been and were a duly admitted and enrolled Attorney, Solicitor, Advocate, or Writer to the Signet of Her Majesty's Courts of Record in the United Kingdom, any Enactment in force at the Time of the passing of this Act to the contrary notwithstanding.

Duties.

New Rates of Duty on certain Articles.

XXI. And be it enacted, That in lieu and instead of the Duties of Customs now payable upon the Articles mentioned in the Table to this Act annexed there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, upon the said Articles imported into the United Kingdom, only the several Duties of Customs respectively inserted, described, and set forth in Figures in the Table to this Act annexed.

Certain Articles to be free of Duty.

XXII. And be it enacted, That no Duties of Customs shall be chargeable upon the following Articles; (that is to say,)

Stone—Mill Stones, rough:
——— shaped or hewn:
Burr Stones, rough:
——— shaped or hewn:
Quern Stones, rough:
——— shaped or hewn:
Dog Stones, rough:
——— shaped or hewn:

Yarn—Raw Worsted Yarn, not dyed nor coloured, and not being fit or proper for embroidering or other fancy Purposes:

Mats—Dunnage Mats, not being of greater Value than Ten Shillings the Hundred.

Manufactures of Silk, &c. from British Possessions charged with the same Duty as Ribbons.

XXIII. ‘ And whereas by an Act passed in the present Session of Parliament, intituled *An Act to* ‘ *alter certain Duties of Customs,* Ribbons of and from a *British* Possession are charged with the Duty of ‘ Five Pounds for every One hundred Pounds of their Value: And whereas it is expedient that all ‘ Manufactures of Silk, or of Silk mixed with any other Materials, not particularly enumerated or otherwise charged with Duty by the said Act, of and from a *British* Possession, shall only be charged with the ‘ like Duty;’ be it therefore enacted, That from and after the passing of this Act all Manufactures of Silk, or of Silk mixed with any other Materials, not particularly enumerated or otherwise charged with Duty, of and from a *British* Possession, shall be charged with a Duty of Five Pounds for every One hundred Pounds of their Value, and so in proportion for any greater or less Value.

Goods in Warehouse liable to Duties imposed by this Act.

XXIV. And be it enacted, That all Goods whatsoever which shall have been warehoused without Payment of Duty upon the first Importation thereof, and which shall be in the Warehouse at the Commencement of the Duties imposed by this Act, shall be deemed and taken to be liable to such Duties.

Duties to be under the Management of Commissioners of Customs.

XXV. And be it enacted, That the Duties and Drawback by this Act imposed and allowed shall be under the Management of the Commissioners of Her Majesty's Customs, and shall be ascertained, raised, levied, collected, paid, recovered, allowed, and applied or appropriated under the Provisions of any Act or Acts now in force or hereafter to be passed relating to the Customs.

Bounties on Refined Sugar to be under the Management of the Commissioners of Her Majesty's Customs.

XXVI. ‘ And whereas by an Act passed in the last Session of Parliament, intituled *An Act to grant* ‘ *certain Bounties and Allowances of Customs,* and by an Act passed in the present Session of Parliament, ‘ intituled *An Act for granting certain Duties on Sugar and Molasses,* certain Bounties are allowed upon ‘ the Exportation of Bastard or Refined Sugar made in the United Kingdom;’ be it enacted, That the Bounties and Allowances granted by the said last-recited Act shall be under the Management of the Commissioners of Her Majesty's Customs, and shall be paid and allowed by them upon the Exportation of Bastard or Refined Sugar made in the United Kingdom from Sugar upon which the Duties imposed by the said Act shall have been paid, but not otherwise.

Act may be amended, &c.

XXVII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Table of Duties referred to in the foregoing Act.

	£	s.	d.
Flowers, artificial, not made of Silk, for every 100*l.* Value	25	0	0
Liquorice Juice and Liquorice Paste, the Cwt.	1	0	0
—— of and from a British Possession, the Cwt.	0	10	0
Nutmegs, the lb.	0	2	6
—— Wild, in the Shell, the lb.	0	0	3

Spirits

	£	s.	d.
Spirits or Strong Waters, for every Gallon of such Spirits or Strong Waters of any Strength not exceeding the Strength of Proof by Sykes' Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon; viz.			
——— Spirits or Strong Waters the Produce of any British Possession in America, not being sweetened Spirits, or Spirits mixed with any Article so that the Degree of Strength thereof cannot be exactly ascertained by such Hydrometer, the Gallon -	0	8	10
——— Rum the Produce of any British Possession within the Limits of the East India Company's Charter, not being sweetened Spirits, or Spirits so mixed as aforesaid, in regard to which the Conditions of the Act 4 Vict. c. 8. have or shall have been fulfilled, the Gallon - - - - - - - - -	0	8	10
——— Rum Shrub, however sweetened, the Produce of and imported from such Possessions, in regard to which the Conditions of the Act 4 Vict. c. 8. had or shall have been fulfilled, or the Produce of and imported from any British Possession in America, the Gallon - - - - - - - -	0	8	10
Platting, viz., Willow Squares, for every 100*l.* of the Value thereof - - -	10	0	0

CAP. CIII.

An Act to make further Provision for the Government of the *New Zealand* Islands.

[28th *August* 1846.]

'WHEREAS by an Act of Parliament made in the Fourth Year of Her Majesty's Reign, intituled '*An Act to continue until the Thirty-first Day of* December *One thousand eight hundred and* 3 & 4 Vict. c. 62.
'*forty-one, and to the End of the then next Session of Parliament, and to extend, the Provisions of an*
'*Act to provide for the Administration of Justice in* New South Wales *and* Van Diemen's Land, *and for*
'*the more effectual Government thereof, and for other Purposes relating thereto,* it is amongst other
'things enacted, that it shall be lawful for Her Majesty, by Letters Patent, to be from Time to Time
'issued under the Great Seal of the United Kingdom, to erect into a separate Colony or Colonies any
'Islands which now are or which hereafter may be comprised within and be Dependencies of the said
'Colony of *New South Wales:* And whereas, in pursuance and exercise of the Powers in Her Majesty
'vested in and by the said recited Act of Parliament, Her Majesty did, by certain Letters Patent under
'the Great Seal of the United Kingdom, bearing Date at *Westminster* the Sixteenth Day of *November*
'in the Fourth Year of Her Majesty's Reign, erect into a separate Colony the Islands of *New Zealand*,
'theretofore comprised within or Dependencies of the said Colony of *New South Wales*, with all other
'Islands lying between Thirty-four Degrees Thirty Minutes North to the Forty-seventh Degree Ten
'Minutes South Latitude, and between the One hundred and sixty-sixth Degree Five Minutes to the
'One hundred and seventy-ninth Degree of East Longitude, reckoning from the Meridian of *Greenwich*,
'and the said Islands of *New Zealand* were thereby erected into a separate Colony accordingly: And
'whereas, in further pursuance of the said recited Act, Her Majesty did, by the said recited Letters
'Patent, authorize the Governor for the Time being of the said Colony of *New Zealand* and certain
'other Persons to be a Legislative Council for the said Colony, and did require and enjoin that the said
'Legislative Council should, in pursuance of the said Act of Parliament, make and ordain all such
'Laws and Ordinances as might be required for the Peace, Order, and good Government of the said
'Colony: And whereas it is expedient to make further Provision for the Government of the Islands of
'*New Zealand*;' be it therefore and it is hereby enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act of the Fourth Year of Her Majesty's Reign, and all Charters, Letters Patent, Instructions, and Orders in Council made and issued in pursuance thereof, shall be and the same are hereby repealed, abrogated, and annulled, so far and only so far as the same or any of them are repugnant to or would interfere with or prevent the Operation of this present Act, or may be repugnant to or would interfere with or prevent the Operation of any Letters Patent, Charters, Orders in Council, or Royal Instructions which may at any Time hereafter be issued under the Authority or in pursuance of this Act: Provided nevertheless, that all Laws and Ordinances made and Acts done under and in pursuance of the said recited Act, Charters, Letters Patent, Instructions, Orders in Council, or any of them, shall hereafter be as lawful, valid, and effectual as though this present Act had not been made, save only so far as any such Laws, Ordinances, or Acts may be repugnant to, or would interfere with, or would prevent the Operation of this present Act.

Recited Act and Letters Patent repealed so far as repugnant to Act.

II. And be it enacted, That it shall be lawful for Her Majesty, in and by any Letters Patent hereafter to be issued under the Great Seal of the United Kingdom, from Time to Time to constitute and establish within any District or Districts of the Islands of *New Zealand* One or more Municipal Corporation or Corporations, and to grant to any such Corporations all or any of the Powers which, in pursuance of the Statutes in that Behalf made and provided, it is competent to Her Majesty to grant to the Inhabitants of any Town or Borough in *England* and *Wales* incorporated in virtue of such Statutes, or any of them, and to qualify and restrict the Exercise of any such Powers in such and the same Manner as by

Her Majesty may by Letters Patent establish Municipal Corporations in the Islands of New Zealand.

by the Statutes aforesaid, or any of them, Her Majesty may qualify or restrict the Exercise of any such Powers as aforesaid in *England*.

Her Majesty may by Letters Patent divide the Islands into Provinces, and establish separate Assemblies.

III. And be it enacted, That it shall be lawful for Her Majesty, in and by any Letters Patent hereafter to be issued under the Great Seal of the United Kingdom, from Time to Time to divide the said Islands of *New Zealand* into Two or more separate Provinces, and to constitute and establish within the same Two or more separate Assemblies; (that is to say,) One such Assembly in and for each of such separate Provinces, and that each of the said Assemblies shall consist of and be holden by a Governor, a Legislative Council, and a House of Representatives.

Legislative Councils to be appointed by Her Majesty; House of Representatives to be elected by Corporations.

IV. And be it enacted, That each of the said Legislative Councils, when such Legislative Councils shall be constituted, shall consist of such Persons as Her Majesty shall for that Purpose appoint; and that the Members of each of the said Houses of Representatives shall be elected by the respective Mayors, Aldermen, and Common Councils of the several Municipal Corporations aforesaid, situate within the Limits of the Government for which each of the said Houses of Representatives respectively shall be so elected, and that such Elections shall take place in such Manner and Form and under such Regulations as shall for that Purpose be prescribed in any such Letters Patent as aforesaid.

Assemblies may make Laws, &c. for the Government of the Province for which they are constituted.

V. And be it enacted, That it shall be competent for any such Assembly so to be constituted and established within the Islands of *New Zealand*, and they are hereby authorized and empowered (save as herein-after is excepted), to make and enact Laws, Statutes, and Ordinances for the Peace, Order, and good Government of such Parts of the said Islands as shall be within the Limits of any separate Province for which any such Assembly shall be so constituted and established as aforesaid, such Laws not being repugnant to the Laws of the United Kingdom aforesaid, or to the Laws of the General Assembly herein-after mentioned.

Her Majesty may by Letters Patent establish a General Assembly for the Islands.

VI. And be it enacted, That it shall be lawful for Her Majesty, in and by any such Letters Patent as aforesaid, to constitute and establish a General Assembly in and for the Islands of *New Zealand*, to be called the General Assembly of *New Zealand*, which said General Assembly shall consist of and be holden by the Governor in Chief of the said Islands, and a Legislative Council, and a House of Representatives; and that the said Legislative Council shall consist of such Persons as Her Majesty shall for that Purpose appoint; and that the said House of Representatives shall consist of Members of the respective Houses of Representatives of the several Provinces into which the said Islands may in manner aforesaid be divided, which Members so to serve in the said General Assembly shall be elected, nominated, and appointed by such Persons, and in such Manner and Form, and upon and subject to such Rules and Conditions, as Her Majesty by any such Letters Patent as aforesaid shall direct.

General Assembly may make certain Laws for the Regulation of the Islands.

VII. And be it enacted, That it shall be competent to the said General Assembly of the *New Zealand* Islands, and they are hereby authorized and empowered, to make and enact such Laws, Statutes, and Ordinances as may be required for all or any of the Purposes after-mentioned; (that is to say,) first, for the Regulation of all Duties of Customs to be imposed on the Importation or Exportation of any Goods at any Port or Place in the *New Zealand* Islands; and secondly, for the Establishment of a General Supreme Court, to be a Court of original Jurisdiction or of Appeal from any of the Superior Courts of any such separate Provinces as aforesaid; and thirdly, for determining the Extent of the Jurisdiction and the Course and Manner of Proceeding of such General Supreme Court; and fourthly, for regulating the current Coin of the said Islands, or the Issue therein of any Bills, Notes, or other Paper Currency; and fifthly, for determining the Weights and Measures to be used therein; and sixthly, for regulating the Post Offices within and the Carriage of Letters between different Parts of the said Islands; and seventhly, for establishing general Laws of Bankruptcy and Insolvency to be in force throughout the same; and eighthly, for the Erection and Maintenance of Beacons and Lighthouses on the Coasts of the said Islands; and ninthly, for the Imposition of any Dues or other Charges on Shipping at any Port or Harbour within the same.

Laws of General Assembly to supersede those enacted by separate Provinces.

VIII. And be it enacted, That the Laws so to be enacted as aforesaid, for any of the Purposes aforesaid, by the said General Assembly of the *New Zealand* Islands, shall control and supersede therein any Laws, Statutes, or Ordinances in anywise repugnant thereto which may be enacted by the Assemblies of any such separate Provinces as aforesaid; and that if any Questions shall arise regarding the Limits of the Authority and Jurisdiction of the said General Assembly of the *New Zealand* Islands, and the Authority and Jurisdiction of the said other Assemblies, all Courts, Officers of Justice, and others shall conform and give Effect to the Decision of the said General Assembly of the *New Zealand* Islands on any such Question, until the Decisions thereon of Her Majesty in Council shall have been made known and promulgated within the said Islands, by which Decision any such Questions as aforesaid shall thenceforward be determined within the same.

If Questions arise as to the Power, &c. of General Assembly, Her Majesty to determine same.

Until 31st Dec. 1854 the Charter, &c. of 16th Nov. 1841 relating to New Ulster to remain in force.

IX. 'And whereas the immediate or early Establishment of any Assembly within certain Parts of 'the Island of *New Ulster* may be inexpedient, by reason of the unsettled State of the native Inhabitants 'thereof;' be it therefore enacted, That it shall be lawful for Her Majesty, by any such Letters Patent as aforesaid, to maintain in force within such Parts of the said Island of *New Ulster* as to Her Majesty shall seem meet, until any Period not later than the Thirty-first Day of *December* One thousand eight hundred and fifty-four, the said Charter or Letters Patent of the Sixteenth Day of *November* in the Fourth Year of Her Majesty's Reign, and the Legislature constituted under the said Letters Patent; and so long as such last-mentioned Legislature shall be so maintained the said General Assembly of the *New Zealand* Islands shall be composed in the Manner and shall exercise the Powers herein-before mentioned,

mentioned, save only that such and so many Members of the Legislature of such Parts as aforesaid of the said Island of *New Ulster* as Her Majesty shall for that Purpose be pleased to appoint shall, in virtue of such an Appointment, be Members of the House of Representatives of the said General Assembly of the *New Zealand* Islands: Provided always, that the Number of Members so appointed shall never constitute a Majority of the said House of Representatives of the said General Assembly of the *New Zealand* Islands.

Laws of aboriginal or native Inhabitants to be maintained, where not repugnant to Principles of Humanity.

X. 'And whereas it may be expedient that the Laws, Customs, and Usages of the aboriginal or native 'Inhabitants of *New Zealand*, so far as they are not repugnant to the general Principles of Humanity, 'should for the present be maintained for the Government of themselves in all their Relations to and 'Dealings with each other, and that particular Districts should be set apart within which such Laws, 'Customs, or Usages should be so observed;' be it enacted, That it shall be lawful for Her Majesty, by any such Letters Patent as aforesaid, to make Provision for the Purposes aforesaid; any Repugnancy of any such native Laws, Customs, or Usages to the Law of *England*, or to any Law, Statute, or Usage in force in the said Islands of *New Zealand*, or in any Part thereof, in anywise notwithstanding.

Her Majesty by Letters Patent to make and prescribe Rules and Regulations for Municipal Districts.

XI. And be it enacted, That it shall be lawful for Her Majesty, by any such Letters Patent as aforesaid, to make and prescribe all such Rules as to Her Majesty shall seem fit for determining the Extent and Boundaries of the Districts to be comprised within any such Municipal Corporations as aforesaid, and for regulating the Choice and Election of the various Officers of any such Corporations, and of the Members of the governing Bodies thereof, and for ascertaining the Qualifications of the Members of any such Municipal Corporations or Assemblies or General Assembly as aforesaid, and for determining the Length of Time for which every such Assembly or General Assembly shall be holden from the Time of the Election of the Members of the said Houses of Representatives, and how and by what Authority the same shall be dissolved or prorogued, and for prescribing the Oaths to be taken or the Affirmation to be made by the Members of the said Corporations, Assemblies, or General Assembly, or any of them, before entering on the Discharge of the Duties of their respective Offices, and for prescribing the Course of Proceeding to be followed in the said respective Assemblies and in the said General Assembly in regard to the Enactment of Laws, Statutes, and Ordinances therein, and for determining in what Cases the Governor in Chief for the Time being of the Islands of *New Zealand*, or the Governor for the Time being of any other such separate Provinces as aforesaid, shall, in the Name and on the Behalf of Her Majesty, assent to any such Laws, Statutes, or Ordinances, or reserve the Signification of Her Majesty's Pleasure thereon, together with all such Rules as shall be necessary for determining the Effect of the Disallowance by Her Majesty of any such Law, Statute, or Ordinance, although not so reserved as aforesaid, together with all such other Rules, not being repugnant to this present Act, as it may seem to Her Majesty necessary to make and establish for carrying into full Effect the Purposes and Objects thereof.

Her Majesty may appropriate and set apart out of the Revenues of any separate Province a Sum of Money for the Maintenance of the Civil Government.

XII. And be it enacted, That it shall be lawful for Her Majesty, by any such Letters Patent as aforesaid, to appropriate and set apart, from and out of the Revenues of any such separate Provinces as aforesaid, by way of Civil List, for the Maintenance of the Administration of Justice, and the principal Officers of the Civil Government, or of such separate Provinces as aforesaid, such Sums of Money as shall not exceed Six thousand Pounds by the Year in any One of the said separate Governments: Provided always, that if by any Law, Statute, or Ordinance hereafter to be enacted in and by any such Assembly as aforesaid, and assented to by Her Majesty, Provision shall be made for settling on Her Majesty a Civil List in substitution for the before-mentioned Civil List, then and in that Case so much of this Act as relates to the before-mentioned Civil List shall cease to be of any Force and Effect within the Province in and for which any such Law, Statute, or Ordinance shall so have been enacted.

Grants of Money made by the Assemblies, not having been first recommended by Her Majesty, prohibited.

XIII. And be it enacted, That it shall be lawful for Her Majesty, by such Letters Patent as aforesaid, to prohibit the Grant or Appropriation of any public Money by either of the said Assemblies, or by the said General Assembly, in any Case in which such Grant or Appropriation shall not first have been recommended by Her Majesty or on Her Majesty's Behalf, with a view to or in aid of some specific public Service to be performed within the said Provinces respectively, or within the said Islands of *New Zealand* collectively.

Certain Powers vested in Her Majesty may be delegated to Governors of the New Zealand Islands.

XIV. 'And whereas it may be convenient that some of the Powers hereby vested in Her Majesty 'should by Her Majesty be executed, not by means of such Letters Patent as aforesaid, but by Instructions 'under Her Majesty's Signet and Sign Manual approved in Her Privy Council, and accompanying or 'referred to in such Letters Patent: And whereas it may also be convenient that the Exercise of some 'of the Powers aforesaid should by Her Majesty be delegated to the Governor in Chief of the *New* '*Zealand* Islands for the Time being, or to the respective Governors of the said respective Provinces for 'the Time being, and that it should be competent to Her Majesty from Time to Time to amend, and for 'that Purpose to add to, or if necessary to repeal, any such Letters Patent or Instructions as aforesaid;' be it therefore enacted, That it shall be lawful for Her Majesty to execute any of the Powers hereby vested in Her Majesty, not by means of such Letters Patent as aforesaid, but by such Instructions as aforesaid; and that it shall be lawful for Her Majesty, by any such Letters Patent or Instructions, to delegate to such Governor in Chief, or to such respective Governors as aforesaid, the Exercise of such of the Powers aforesaid as it may seem meet to Her Majesty so to delegate, and to prescribe the Manner and Form in which, and the Conditions subject to which, such delegated Authority shall so be exercised; and that it shall also be lawful for Her Majesty from Time to Time to amend, and for that Purpose to add to, or if necessary to repeal, any such Letters Patent or Instructions as aforesaid.

XV. Pro-

Letters Patent issued under this Act to be published in the London Gazette, and laid before Parliament.

XV. Provided always, and be it enacted, That all Letters Patent and Instructions which may be issued by Her Majesty in pursuance of this present Act shall be published in the *London Gazette*, and shall be laid before both Houses of Parliament within One Calendar Month from the Day of the Date thereof, if Parliament shall then be in Session, and if not then within One Calendar Month next after the Commencement of the then next ensuing Session of Parliament; provided also, that no such Letters Patent or Instructions as aforesaid, which may be issued at any Time subsequently to the Thirty-first Day of *December* One thousand eight hundred and forty-seven, shall be of any Force or Effect until the Lapse of Six Calendar Months next after the same shall have been so laid before Parliament, in so far as the Object of the same may be to amend, add to, or repeal any other Letters Patent or Instructions which may theretofore have been issued in pursuance hereof for the Purposes aforesaid, or for any of them.

Who are to be deemed Governor in Chief and Governor of a Province.

XVI. And be it enacted, That for the Purpose of this present Act the Officer for the Time being administering, in virtue of Her Majesty's Commission for that Purpose, the general Government of the Islands of *New Zealand* shall be considered as the Governor in Chief of *New Zealand;* and that the Officer for the Time being administering, in virtue of Her Majesty's Commissions for that Purpose, the respective Governments of any such separate Province as aforesaid, shall be considered as the Governor of such Province.

Act may be amended, &c.

XVII. And be it enacted, That this Act may be amended or repealed in this present Session of Parliament.

CAP. CIV.

An Act to amend an Act for regulating the Sale of Waste Land belonging to the Crown in the *Australian* Colonies, and to make further Provision for the Management thereof.

[28th *August* 1846.]

'WHEREAS it is expedient to make further Regulations respecting the Occupation of the Waste 'Lands belonging to the Crown in the Colonies of *New South Wales, South Australia,* and '*Western Australia,* and for that Purpose to repeal so much of an Act passed in the Session of Parliament
5 & 6 Vict. c. 36. 'holden in the Fifth and Sixth Year of Her Majesty's Reign, intituled *An Act for regulating the Sale of* '*Waste Lands belonging to the Crown in the* Australian *Colonies,* as would prevent such Regulations 'from taking effect:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for Her Majesty to demise for any Term of Years not exceeding Fourteen, to any Person or Persons, any Waste Lands of the Crown in the Colonies of *New South Wales, South Australia,* and *Western Australia,* or to grant to any Person or Persons a Licence for the Occupation for any Term of Years not exceeding Fourteen of any such Waste Lands, and to reserve upon such Demise or Licence any such Rent or pecuniary or other Service, and to insert therein such Conditions and Clauses of Forfeiture, as shall in manner herein-after mentioned be prescribed and authorized, any thing in the said recited Act to the contrary in anywise notwithstanding: Provided always, that every such Demise or Licence shall be made or granted subject to the Rules and Regulations herein-after provided for.

Her Majesty may demise for a Term of Years, or grant Licences for Occupation of Waste Lands in New South Wales, &c.

Appropriation of Proceeds.

II. And be it enacted, That the Rent or pecuniary Service so reserved on any such Demise or Licence as aforesaid shall be applicable to such and the same Purposes only, and shall be applied in such and the same Manner, as the Sums produced by the Sale of Lands effected under the Authority and in pursuance of the said recited Act.

Justices may dispossess Persons unlawfully occupying Waste Lands.

III. 'And whereas it may be necessary that effectual Provision should be made for protecting such 'Waste Lands as aforesaid from being occupied without Authority, and also for dispossessing any Person 'in the Occupation of any such Waste Lands as aforesaid, in case of the Forfeiture of any such Demise 'or Licence, or in case of the Breach or Nonperformance of the Conditions thereof, or in case of the 'holding over by any such Persons or Person after the Expiration of any such Demise or Licence, or 'after the End of the Term for which the same may have been granted or made;' be it enacted, That on Information in Writing for that Purpose preferred by the Governor for the Time being of any such Colony as aforesaid, or by any Person authorized by any such Governor on that Behalf, to any Justice of the Peace acting in and for any of the Colonies aforesaid, or in and for any County or other District thereof, setting forth that any Person or Persons is or are in the unlawful Occupation of any of the Waste Lands of the Crown in any such Colony, or is or are in the Occupation of any such Lands in virtue or under colour of any such Demise or Licence as aforesaid, although such Demise or Licence had been forfeited, or although the Conditions thereof had been broken or unfulfilled, or although such Demise or Licence had expired, or although the Term for which the same had been granted or made had come to an end, it shall be the Duty of such Justice to issue his Summons for the Appearance before any Two Justices of the Peace, at a Place and a Time therein to be specified, of the Person or Persons against whom any such Complaint shall be so made, and at the Time and Place so to be specified such Two Justices (on the Appearance of the Person or Persons charged, or on due Proof of the Service on him, her, or them, or at his, her, or their usual Place of Abode, of any such Summons,) shall proceed to hear and inquire of the Truth of the Matter and Things which may be alleged in any such Information, and on being satisfied of the Truth thereof either by the Admission of the Person or Persons charged,

or

or on other good and sufficient Evidence, the said Justices shall issue under their Hand a Warrant addressed to the Sheriff or Deputy Sheriff, or Commissioner, or other Officer of the Colony or District acting for or on behalf of Her Majesty, commanding and requiring him forthwith to dispossess and remove any such Person or Persons from any such Waste Lands of the Crown as aforesaid, and to take possession of the same for and on behalf of Her Majesty; and it shall be the Duty of any such Sheriff, Deputy Sheriff, Commissioner, or other such Officer as aforesaid, to carry such Warrant forthwith into execution according to the Tenor and Exigency thereof: Provided always, that nothing herein-before contained shall extend to any Person having occupied Waste Lands within the Boundary of Location without Interruption for the Space of Twenty Years next before the passing of this Act.

Not to extend to Occupiers of a certain Time.

IV. And be it enacted, That from and after the Day when this Act shall come into effect in the Manner herein-after mentioned any Person, unless claiming under a Sale or Demise from Her Majesty, or from some Person acting in the Name and on behalf of Her Majesty, who shall be found occupying any Waste Lands of the Crown in any of the Colonies aforesaid, either by residing or by erecting any Hut or Building thereon, or by clearing, enclosing, or cultivating any Part thereof, or who shall depasture any Cattle thereon, and who shall not previously have obtained a Licence from the said Governor for the Occupation of such Lands, or who shall occupy or depasture as aforesaid after such Licence shall have been determined by Forfeiture or otherwise, shall be liable on Conviction thereof to the Penalties following; that is to say, for the First Offence a Sum not exceeding Ten Pounds, for the Second Offence a Sum not exceeding Twenty Pounds nor less than Ten Pounds, and for the Third or any subsequent Offence a Sum not exceeding Fifty Pounds nor less than Twenty Pounds: Provided always, that no Information shall be laid or brought for any Second or subsequent Offence until the Expiration of Fourteen clear Days from the Date of the previous Conviction.

Penalties for the unauthorized Occupation and Use of Crown Lands.

V. And be it enacted, That the Penalties herein-before imposed shall be recovered in a summary Way before any One or more Justice or Justices of the Peace, upon the Information or Complaint on Oath of the Governor for the Time being of any such Colony as aforesaid, or of any Person authorized by any such Governor on that Behalf.

Mode of recovering Penalties.

VI. 'And whereas it may be expedient that various Rules and Regulations should be made respecting 'the more effectually making Demises or Licences for the Term aforesaid of any such Waste Lands 'as aforesaid, and respecting the Reservation on such Demises or Licences of any such Rents or other 'pecuniary Services, and respecting the Insertion therein of such Conditions and Clauses of Forfeiture 'as aforesaid, and respecting the Division of the said Colonies into Districts, within which alone such 'Demises or Licences may be made to take effect, and respecting the Renewal of any such Demises or 'Licences, and respecting the conflicting Claims of different Persons to obtain any such Demise or 'Licence, and respecting any Right of Pre-emption which it may be proper to give to the Holders of any 'such Demise or Licence, and respecting the Forfeiture of any such Demises or Licences on the Conviction 'of any Holders thereof of certain Offences in any such Colony, and respecting any other Matters and 'Things which may be requisite, either for carrying into more complete Effect the Occupation in manner 'aforesaid of such Waste Lands as aforesaid, or for preventing the Abuses incident thereto;' be it enacted, That it shall be lawful for Her Majesty, by any Order or Orders in Council, to make and establish all such Rules and Regulations as to Her Majesty shall seem meet for the Purposes aforesaid, or for any of them, and any such Rules and Regulations again to repeal, renew, alter, and amend, and that all such Orders in Council shall have the Force and Effect of Law in the Colonies aforesaid: Provided always, that nothing herein contained shall be construed to authorize the Sale of any Waste Lands in the said Colonies otherwise than in conformity with the Provisions of the said Act, except to Persons who shall be in actual Occupation thereof under such Demise or Licence as aforesaid, or to authorize the Sale of any such Lands for a lower Price than the minimum Price at that Time established therein by the Authority of the said recited Act: Provided also, that all such Orders in Council shall be laid before Parliament within One Month from the Day of the Date thereof respectively, if Parliament shall then be in Session, or if not, then within One Month next after the Commencement of the then next ensuing Session of Parliament, and that no such Order, repealing, renewing, altering, or amending any such former Order, shall be of any Force or Effect till the Lapse of Six Months next after such repealing, renewing, altering, or amending Order shall have been so laid before Parliament; and that all such Orders in Council shall be published forthwith in the *London Gazette*.

Her Majesty in Council may make Rules and Regulations respecting the Occupation of Waste Lands, or preventing Abuses incident thereto.

VII. And for the Protection of Persons acting in execution of this Act, be it enacted, That all Actions or other Proceedings for any thing done under this Act shall be commenced within Six Calendar Months after the Matter complained of was committed, and not otherwise; and Notice in Writing of such Action, and the Cause thereof, shall be given to the Defendant One Calendar Month at least before the Commencement of the Action; and in every such Action the Defendant may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial to be had thereupon; and no Plaintiff shall recover in any such Action if Tender of sufficient Amends shall have been made before such Action was brought, or if a sufficient Sum of Money shall have been paid into Court after such Action brought, by or on behalf of the Defendant, together with Costs incurred up to that Time; and if a Verdict shall pass for the Defendant, or the Plaintiff become nonsuited, or discontinue such Action after Issue joined, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff, the Defendant shall recover his full Costs as between Attorney and Client, and have the like Remedy for the same as any Defendant hath by Law in other Cases; and although a Verdict shall be given for the Plaintiff in such Action, such Plaintiff shall not have Costs against the Defendant unless the Judge before

Protection of Persons acting in execution of the Act.

before whom the Trial shall be shall certify his Approbation of the Action and of the Verdict obtained thereupon.

Proceedings not to be quashed or removed by Certiorari.

VIII. And be it enacted, That no Order, Judgment, or other Proceeding made touching or concerning the Matters aforesaid, or touching and concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removable by Certiorari, or any Writ or Process whatsoever, into any Superior Court of Jurisdiction in any such Colony.

Definition of the Words "Governor," and "Waste Lands."

IX. And be it enacted, That the Word "Governor," as employed in this Act, is intended to describe the Officer for the Time being administering the Government of any of the Colonies aforesaid; and the Words "Waste Lands of the Crown," as employed in this Act, are intended to describe any Lands in the said Colonies whether within or without the Limits allotted to Settlers for Location, and which now are or hereafter shall be vested in Her Majesty, Her Heirs and Successors, and which have not been already granted or lawfully contracted to be granted by Her Majesty, Her Heirs and Successors, to any other Person or Persons in Fee Simple, and which have not been dedicated or set apart for some public Use.

Her Majesty may by Order in Council delegate certain Powers to the Governor.

X. And be it enacted, That it shall and may be lawful for Her Majesty by any such Order in Council as aforesaid, to delegate to the Governor of any of the Colonies aforesaid (on such Conditions as Her Majesty shall see fit to impose) all or any of the Powers hereby vested in Her Majesty, save only so far as respects the Powers so to be exercised by Her Majesty as aforesaid by and with the Advice of Her Privy Council.

Recited Act not to apply to Land situate in New Zealand.

XI. And be it enacted, That from and after the passing of this Act the said recited Act shall not apply to Land situate in the Colony of *New Zealand:* Provided nevertheless, that nothing herein contained shall extend to invalidate any Act done in the said Colony in pursuance of the said recited Act before or within One Month after the passing of this Act shall have been made known by Proclamation by the Governor of the said Colony to the Inhabitants thereof.

Recited Act repealed.

XII. And be it enacted, That the said recited Act, so far as it is repugnant to this present Act, or would prevent the Execution thereof, shall be and the same is hereby repealed.

Commencement of Act.

XIII. And be it enacted, That this Act shall take effect and have the Force of Law in each of the said Colonies of *New South Wales, Southern Australia,* and *Western Australia* from and after a Day to be specified by the Governor of each of such Colonies in some Proclamation to be issued by him for that Purpose.

CAP. CV.

An Act for constituting Commissioners of Railways. [28th *August* 1846.]

3 & 4 Vict. c. 97. 5 & 6 Vict. c. 55. 7 & 8 Vict. c. 85. 8 & 9 Vict. cc. 20. 33.

'WHEREAS by an Act passed in the Fourth Year of the Reign of Her Majesty, intituled *An Act for regulating Railways;* and by another Act passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and by another Act passed in the Eighth Year of the Reign of Her Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament; and for other Purposes relating to Railways;* and by Two other Acts passed in the last Session of Parliament, for consolidating in One Act certain Provisions usually inserted in Acts authorizing the making of Railways, respectively, and by sundry Local Acts of Parliament, certain Powers with respect to Railways are vested in the Lords of the Committee of Her Majesty's most Honourable Privy Council for Trade and Foreign Plantations; but it is expedient that a separate Department be constituted for these Purposes, and for other Purposes relating to Railways:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for Her Majesty, by Warrant under the Royal Sign Manual, to appoint any Number, not more than Five Persons, to be Commissioners of Railways, and from Time to Time, at Her Pleasure, to remove all or any of the said Commissioners, and to appoint others in their Stead, and to appoint One of the said Commissioners to be their President; and any Two of the said Commissioners shall be competent to act in the Execution of the Powers vested in them by this Act; and upon any Vacancy in the Number of the said Commissioners, it shall be lawful for the surviving or continuing Commissioners, not being less than Two, to act, and their Acts shall be as valid as if no such Vacancy had occurred; and every such Appointment or new Appointment, and also the Day on which the said Commissioners shall begin to act in execution of this Act, shall be published in the *London Gazette.*

Her Majesty empowered to appoint Commissioners of Railways, One of whom to be President, and from Time to Time to remove them.

Power of Board of Trade transferred to Commissioners.

II. And be it enacted, That from and after the Day which shall be so specified in the *London Gazette* as the Day on which the said Commissioners shall begin to act in execution of this Act, all the Powers, Rights, and Authority now vested in or exercised by the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations by virtue of the recited Acts, or by any other Act of Parliament, or otherwise howsoever, with respect to any Railway or intended Railway, shall be transferred to and vested in and exercised by the Commissioners of Railways, as fully as if they had been named in the said several Acts of Parliament instead of the Lords of the said Committee; and all Provisions of the said Acts shall be deemed to apply to the said Commissioners instead of the Lords of the said Committee; and all Proceedings now pending before the Lords of the said Committee, or carried on under their Authority,

Authority, shall be continued and carried on by and before the said Commissioners, who shall have and exercise the same Powers, Rights, and Authority in respect of all such Proceedings as if they had been originally commenced before the said Commissioners.

An Office to be provided, under the Direction of the Treasury.

III. And be it enacted, That an Office shall be provided in *London* or *Westminster*, under the Directions of the Commissioners of Her Majesty's Treasury, for the Use of the Commissioners appointed under this Act, at or to which all Notices and other Documents shall be given or sent which are now by Law required to be given or sent at or to the Office of the Lords of the said Committee.

Documents sealed by Commissioners to be Evidence.

IV. And be it enacted, That the Commissioners of Railways shall cause a Seal to be made for the Purposes of their Commission, and all Orders and other Documents proceeding from the said Commissioners, and purporting to be sealed or stamped with the Seal of the said Commissioners, and signed by Two or more of the said Commissioners, shall be received as Evidence of the same respectively in all Courts and before all Justices and others, without any further Proof thereof.

Commissioners to appoint a Secretary, Officers, &c.

V. And be it enacted, That the said Commissioners may appoint and at their Pleasure remove a Secretary and so many other Officers and Servants as to them, subject to the Approval of the Commissioners of Her Majesty's Treasury, shall appear necessary for carrying on the Business of the said Commission.

Payment of Salaries to Commissioners, Officers, and Servants.

VI. And be it enacted, That the President and Two other Commissioners, and the Secretary, Officers, and Servants of the said Commissioners, shall be paid by such Salaries as shall be from Time to Time appointed by the Commissioners of Her Majesty's Treasury, not exceeding the Sum of Two thousand Pounds in the Case of the President, and the Sum of One thousand five hundred Pounds in the Case of either of the Two other paid Commissioners, and in the Case of the Secretary and other Officers and Servants of the said Commission such fit Salaries as shall be from Time to Time appointed, with due Reference to their several Stations and the Duties they will have to perform.

President not disqualified to sit in Parliament.

VII. And be it enacted, That the Office of the said President shall not be deemed such an Office as shall render him incapable of being elected or of sitting or voting as a Member of the Commons House of Parliament, or as shall avoid his Election if returned, or render him liable to any Penalty for sitting or voting in Parliament.

Unpaid Commissioners not disqualified to sit in Parliament.

VIII. And be it declared and enacted, That the Office of any other of the said Commissioners who shall not be entitled to receive a Salary by reason of his Appointment to such Office, shall not be deemed such an Office as shall render him incapable of being elected or of sitting or voting as a Member of the Commons House of Parliament, or as shall avoid his Election if returned, or render him liable to any Penalty for so sitting or voting; and if any such unpaid Commissioner shall be a Member of the House of Commons at the Time of his Appointment, his Acceptance of such Appointment shall not avoid his Election or vacate his Seat in Parliament; and for the Purpose of distinguishing which Commissioners are qualified to sit in Parliament under this Act, the Warrant appointing any such Commissioner shall specify that he will not be entitled, by virtue of such Appointment, to receive any Salary or Remuneration whatsoever.

Commissioners to exercise Powers now vested in the Board of Trade.

IX. 'And whereas in some Cases Railway Companies have exceeded the Powers given to them under 'the Acts constituting them, or have otherwise acted contrary to the Provisions of the said Acts, or of 'the general Acts for regulating Railways;' be it enacted, That it shall be the Duty of the said Commissioners to prevent any such unlawful Proceedings, by the Exercise of any Powers now vested in the Lords of the said Committee.

Commissioners to report to Her Majesty and both Houses of Parliament upon any Case specially referred to them.

X. And be it enacted, That it shall be the Duty of the said Commissioners to examine and report to Her Majesty and both Houses of Parliament upon any Subject relating to any Railway, or proposed Railway, which shall be specially referred to them for their Opinion by Her Majesty, or by either House of Parliament; and in the Case of any Application to Parliament for any Act for making or maintaining any Railway, it shall be their Duty, if so directed by Her Majesty or by the Authority of either House of Parliament, to inquire and report, on local Inspection or otherwise,—

Firstly, Whether there are any Lines or Schemes competing with the proposed Railway:

Secondly, Whether by such Bill it is proposed to take Powers for uniting with such Railway, or proposed Railway, any other Railway or Canal, or to purchase or lease any Railway, Canal, Dock, Road, or other public Work, Undertaking, or Easement:

Thirdly, Whether by such Bill it is proposed to constitute any Branch Railway, or any other Work in connexion with the proposed Railway:

Fourthly, Whether any Plans, Maps, and Sections of any such proposed Railway which, pursuant to any Order of either House of Parliament, shall have been deposited in their Office, are correct, and if not, in what Particulars and how far they are incorrect, and whether or not, in the Opinion of the Commissioners, such Errors as they shall find are material to the Object for which such Plans and Sections are required.

Commissioners empowered to inspect and survey proposed Railways. 4 & 5 Vict. c. 30.

XI. And be it enacted, That for the Purposes aforesaid the said Commissioners shall be empowered, by themselves, or by such Inspectors as they shall appoint for that Purpose, to inspect and survey any proposed Line of Railway, and for the Purposes of any such Survey they and their Inspectors shall have all the Powers which under an Act passed in the Fifth Year of the Reign of Her Majesty, intituled *An Act to authorize and facilitate the Completion of a Survey of* Great Britain, Berwick-upon-Tweed, *and the* Isle of Man, any Officers or Persons appointed by or acting under the Orders of the Master General and Board of Ordnance have for the Purpose of making and carrying on any Survey authorized by the last-recited Act; and all the Provisions of the last-recited Act in anywise relating to any such Survey

shall be deemed to apply, so far as they are applicable, to any Survey which may be directed by the said Commissioners under this Act, provided that all Allowances and Payments made under this Act of the same Kind as those which by the last-recited Act are to be paid out of the Aids granted by Parliament to Her Majesty on account of the Board of Ordnance, and also all other Expences incurred by the Commissioners in making such Survey and Inspection, shall be paid by the Provisional Committee or Directors or other Persons who shall be the Promoters of the said intended Railway; and in case of Nonpayment of the same in any Case, the Amount of such Allowances, Payments, and Expences shall be deemed a Specialty Debt due to Her Majesty from such Committee Men, Directors, and other Persons, and each of them severally, and shall be sued for and recovered accordingly.

Act may be amended, &c.

XII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. CVI.

An Act for making preliminary Inquiries in certain Cases of Application for Local Acts.

[28th *August* 1846.]

'WHEREAS it is expedient that Facilities should be given for procuring more complete and trustworthy Information previous to Inquiries before either House of Parliament on Applications in certain Cases for Local Acts:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in any Case where it is intended to make an Application to Parliament for an Act for the Establishment of any Waterworks, or for draining, paving, cleansing, lighting, or otherwise improving any Town, District, or Place, or for making, maintaining, or altering any Burial Ground or Cemetery, or for continuing, altering, or enlarging any of the Powers or Provisions contained in any Act or Acts relating to any of the Purposes aforesaid, a Notice in Writing of such Intention to apply to Parliament in the next ensuing Session for an Act for any of the above Objects shall on or before the last Day of *November*, or in case such Day shall fall on a *Sunday* then on the Day preceding, in each Year, be sent or delivered to the Office of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings; and such Notice shall be signed by the Promoters of such intended Work, or by some Person duly authorized on their Behalf, and shall be accompanied by a Statement in duplicate of the intended Objects and Provisions of the proposed Act, and with such Plans, Sections, Books of Reference, or other Documents, if any, as are required by the Standing Orders of either House of Parliament to be deposited at any public Office.

Notice to be given to the Commissioners of Woods, &c. of Intention to apply for an Act of Parliament.

Commissioners of Woods, &c. to appoint Officer to make preliminary Inquiry, and to report thereupon to Parliament.

II. And be it enacted, That in any Case where such Notice as aforesaid shall have been given to the said Commissioners it shall be lawful for the said Commissioners, on being satisfied with the Security for Payment of the Expences, as herein-after provided, within One Calendar Month from the Time of their receiving such Notice, to appoint, by Writing under their Hands or the Hands of any Two of them, One or more Person or Persons of competent Skill to be a surveying Officer for that Purpose, who shall proceed to such Town, District, or Place, and make such local Examination and Survey of the District which such proposed Act will effect, and of the Neighbourhood thereof, and such Inquiries relative to the Extent of the Provisions of the proposed Act, and investigate such other Matters relating thereto as the said Commissioners shall order; and after such Examination the said Commissioners shall report thereupon to both Houses of Parliament on or before the First Day of *March* in each Year.

Notice of Inquiry to be given by surveying Officer.

III. And be it enacted, That such surveying Officer shall give Fourteen Days public Notice of the Time and Place when and where he will attend within such Town, District, or Place for the Purpose of making such Examination, by Advertisement in the public Papers usually circulated in the Town, District, or Place, or by affixing such Notice on the public Buildings or Places where public Notices are usually affixed, or in such other Manner as shall appear to him sufficient to make his Appointment generally known in such Town, District, or Place.

Power to summon certain Persons, and to examine upon Oath.

IV. And be it enacted, That such surveying Officer shall be empowered to summon before him the Promoters of such intended Work, or any Person on their Behalf, or any Person or Persons whose Name or Names shall be signed to any Notice of an intended Application to Parliament sent or delivered to the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings under the Provisions of this Act, and to require them to produce Copies of all such Surveys, Plans, Sections, Estimates, and other Documents relating to such intended Application as are ordered to be deposited at any public Office in compliance with any Standing Orders of either House of Parliament; and such surveying Officer may require any Overseer or other Person having the Custody of any Map or Survey made in pursuance of the Provisions of any Act of Parliament, or of any Book containing any Rate made for the Relief of the Poor in any Parish, or for any Purpose or Place wholly or in part within any District over which such Examination shall extend, to produce such Map, Survey, or Book, and to allow the same to be inspected by such surveying Officer; and such surveying Officer shall have Power to administer an Oath to such Overseers or other Persons, and to the Promoters, and to any other Persons examined on their Behalf, and to any Persons who may present themselves before such surveying Officer for Examination by him; and all such Persons so examined shall be required to answer upon Oath all such Questions as may be put to them by such surveying Officer touching any Matter upon which such surveying Officer may deem it necessary to examine such Persons, in pursuance of the Duties imposed upon him

him under the Authority of this Act; and any such Person, being duly summoned by such surveying Officer, who shall wilfully neglect or refuse to attend such Summons, or to produce such Plans, Sections, Maps, Books, or other Documents as he may be required to produce under the Provisions herein-before contained, or to answer upon Oath such Questions as may be put to him by such surveying Officer under the Powers herein contained, shall be liable to forfeit and pay a Penalty not exceeding Five Pounds.

Penalty may be recovered before Justices.

V. And be it enacted, That such Penalty may be recovered before any Two or more Justices having Jurisdiction within such Town, District, or Place; and on Conviction of the Offender, and in default of Payment of any such Penalty, such Justices shall be empowered and required to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under their Hands and Seals; and such Penalty shall be paid to the Overseers of the Parish or Township within which such Conviction shall take place, in aid of the Rate for the Relief of the Poor.

Expences of Inquiry to be paid by the Promoters.

VI. And be it enacted, That all the Costs, Charges, and Expences attending the said local Examination and Survey, together with such Sums as the said Commissioners shall fix for the Remuneration of the said surveying Officer, shall be paid by the Promoters of the said intended Application, and the Amount of such Expences shall in all Cases be ascertained by the said surveying Officer; and it shall be lawful for the said Commissioners, previous to the Appointment of any such surveying Officer, to make an Examination under the Provisions herein-before contained, to require the said Promoters to deposit any Sum of Money, or to give such other Security for the Payment of the said Costs, Charges, and Expences, as to the said Commissioners shall seem fit; and the Certificate of the said surveying Officer, certifying the Amount of Expences so incurred in such local Examination, shall be taken as Proof in all Proceedings at Law and in Equity of the Amount of the Costs incurred in such Examination: Provided always, that it shall not be lawful for any such surveying Officer to include in such Certificate any Charge for the Attendance of any Persons who may voluntarily present themselves before such surveying Officer for Examination by him under the Provisions herein-before contained.

Certificate of surveying Officer.

Notices to be given to the Admiralty where Applications relate to Ports or navigable Rivers.

VII. And be it enacted, That where it is intended to make Application to Parliament for an Act relating to any Port or Harbour, or to any Tidal Water, or to any navigable River, or in any Manner directly or indirectly affecting the same, Notice thereof shall be given to the Lord High Admiral or to the Lords Commissioners for executing the Office of Lord High Admiral in the Manner herein-before directed for giving Notice of the Intention to make Application to Parliament for the other Acts above specified to the Office of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and in all respects whatsoever the Lord High Admiral or the said Lords Commissioners shall make a similar Inquiry and Report, and shall perform all the same Duties, and have all the same Powers, with respect to the Inquiry into such intended Acts whereof Notice is to be given to him or them, as is herein-before enacted in regard to the Office of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, with respect to the Acts whereof Notice is to be given to such Office, as amply to all Intents and Purposes as if all the Provisions herein-before enacted in regard to the Proceedings of such Office with respect to such Acts had been repeated Word for Word in regard to the Lord High Admiral or Lords Commissioners aforesaid, and to the Acts whereof Notice is required to be given to him or them.

Interpretation of Act.

VIII. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there is something in the Subject or Context repugnant to such Construction; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number.

Act may be amended, &c.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. CVII.

An Act to facilitate the Employment of the labouring Poor for a limited Period in the distressed Districts in *Ireland*. [28th *August* 1846.]

'WHEREAS by reason of an apprehended Failure of a Portion of the Potato Crop of the present 'Season in *Ireland* it is expedient to make Provision for facilitating and encouraging the Employ-'ment of the Poor in Districts where Distress may prevail:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whenever, on Representation of the Existence of Distress in any District, it may seem expedient to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* that an Extraordinary Presentment Sessions for any Barony, Half Barony, County of a City, or County of a Town in *Ireland*, the County of the City of *Dublin* excepted, should assemble and make Presentments for the Execution of public Works in such District, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, from Time to Time, by a Notice to be published in the *Dublin Gazette* and also in One or more Newspapers circulating in the respective District, and of which Notice Copies shall be posted in the usual Places for posting public Grand Jury Notices in such District, to direct and require that an Extraordinary Presentment Sessions for such Barony, Half Barony, County of a City, or County of a Town, as the Case may be, shall meet and assemble at such Place or Places in such District, for the Purposes of

On Representation of Existence of Distress in any District, Lord Lieutenant may require an Extraordinary Presentment Sessions to be assembled, for the Presentment of Works under this Act.

of this Act, on such Day or Days and Hours as shall be specified in such Notice, not being sooner than Ten nor later than Fifteen Days after the Publication of such Notice in the Gazette as aforesaid; and it shall and may be lawful for every Justice of the Peace for the County, County of a City, or County of a Town respectively, not being a Stipendiary Magistrate, to attend, and such Justices respectively, and the Cess-payers associated with them respectively, as herein-after mentioned, are hereby required to assemble and to hold such Extraordinary Presentment Sessions respectively, for the Purposes of this Act, in such Place or Places and at such Time or Times as shall have been so appointed.

Justices to hold Sessions for the Purposes of this Act at the Times and Places appointed.

How Sessions are to be constituted.

II. And be it enacted, That the Justices or Justice present at every such Extraordinary Presentment Sessions, together with the Number of the Cess-payers appointed by the Grand Jury at the then preceding Assizes of the County, County of a City, or County of a Town in which such Sessions shall be held, to be associated with the Justices at the Ordinary Presentment Sessions to be holden next after such Assizes, for the Purposes of an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Presentment of public Money by Grand Juries in* Ireland, for the Barony, Half Barony, or the County of a City, or County of a Town, as the Case may be, for which such Extraordinary Presentment Sessions shall be holden, shall constitute such Extraordinary Presentment Sessions; and the Provisions contained in the said recited Act of the Sixth and Seventh Years of the Reign of King *William* the Fourth, relative to the Selection of a Chairman, and of the Cess-payers to be associated with the Justices or Justice at Presentment Sessions, and to the casting Voice of such Chairman, shall, so far as the same are applicable, extend to such Extraordinary Presentment Sessions under this Act, and the Secretary of the Grand Jury and the County Surveyor or Surveyors shall attend thereat, and also an Officer or Person appointed by the Commissioners of Public Works in *Ireland*, if the said Lord Lieutenant or other Chief Governor or Governors shall so think fit to direct.

6 & 7 W. 4. c. 116.

Extraordinary Presentment Sessions may make Presentments for public Works.

III. And be it enacted, That any such Extraordinary Presentment Sessions are hereby authorized and required to make Presentments for public Works within the District for which such Sessions shall be held, specifying in all such Presentments the maximum Amount which shall be raised for the Execution of any such Work; and the said Extraordinary Presentment Sessions shall sit from Day to Day until all the Business which may come before them of the Nature hereby described be despatched, or may adjourn for any Period not exceeding Three Days; and every such Presentment so made by such Sessions shall be as valid and effectual for the Purposes of this Act as if the same had been duly presented by the Grand Jury, and fiated by the Court at any Assizes or Presenting Term.

A Schedule of Works presented shall be signed by the Chairman, and transmitted to the Lord Lieutenant for his Sanction, and the Approval of the Treasury.

IV. And be it enacted, That the Chairman at such Sessions shall cause to be made out, and shall sign with his Name, a Schedule of all Works which shall have been duly approved and presented at such Sessions respectively, and the Sums presented for the same, and shall deposit such Schedule with the Secretary of the Grand Jury of such County, County of a City, or County of a Town, who within Three Days shall transmit to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* a Copy, signed by himself, of such Schedule of Works so presented at such Presentment Sessions; and it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors, if he or they shall so think fit, to cause the same to be reported upon by the Commissioners of Public Works, and to be afterwards transmitted to the Commissioners of Her Majesty's Treasury, for their Sanction and Approval.

Treasury may make Advances for such Works to the Board of Works, and authorize the Board of Works to execute them, and render an Account to the Treasury.

6 & 7 Vict. c. 44.

V. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury from Time to Time to authorize the Commissioners of Public Works in *Ireland* to execute the said Works so presented and specified in any such Schedule of Works, or such of the said Works, or such Part of them, as the said Commissioners of the Treasury shall think fit, at and for an Amount not exceeding the Amount so presented for each such Work respectively, or proportionate Part of it; and it shall be lawful for the said Commissioners of Public Works in *Ireland*, with the Approval of the Commissioners of Her Majesty's Treasury, to advance out of any Monies applicable to Loans at the Disposal of the said Commissioners of Public Works under the Provisions of the Act of the Seventh Year of the Reign of Her present Majesty, intituled *An Act to amend the Act for carrying on Public Works in* Ireland, or any Act or Acts to amend the same, the several and respective Sums of Money so presented for each and every such Work, or proportionate Part of it, so authorized to be by them executed, to be by the said Commissioners of Public Works applied and expended respectively to and for and in the Execution of the said several and respective Works so to be executed by them, and to be accounted for to the said Commissioners of the Treasury, or for the said Commissioners of Her Majesty's Treasury to direct, if they shall so think fit, the Advance of the said several and respective Sums out of the Produce of the Consolidated Fund.

The Board of Works shall proceed to execute such Works as are authorized to be proceeded with, subject to Approval of the Lord Lieutenant.

VI. And be it enacted, That the said Commissioners of Public Works shall, upon the Receipt of any such Warrant of the said Commissioners of the Treasury, cause the Execution or Construction of any such respective Works therein authorized to be proceeded with, subject nevertheless to such Directions as they may from Time to Time receive from the said Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and shall for such Purpose have and use all such Powers and Authorities as they are by any of the Acts now in force for the Extension and Promotion of Public Works in *Ireland* invested with for the Construction of any Road or Bridge or other Work for the Construction whereof a Grant shall have been sanctioned by the said Commissioners of the Treasury, and also all Rights, Powers, Authorities, and Privileges of any County Surveyor or Contractor acting under and by virtue of the

the said Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Presentment of public Money by Grand Juries in* Ireland. 6&7W.4.c.116.

County Surveyors to assist in such Works, as directed by the Lord Lieutenant or Commissioners of Public Works.

VII. And be it enacted, That the several County Surveyors in *Ireland*, and their Assistants, do and shall, from and after the passing of this Act, in addition to all their other Duties, obey, perform, and execute, either alone or conjointly with or subject to the Direction of any other Person or Persons to be appointed for that Purpose by the said Commissioners of Public Works, all such Orders and Directions as the Commissioners of Public Works shall from Time to Time issue and transmit to them or any of them respecting the planning, laying out, superintending, or overseeing any such Work or Works within their respective Counties, as shall be specified in and by such Orders or Directions; and all and every the Powers and Authorities or Provisions given or contained in the Acts for consolidating and amending the Laws relating to the Presentment of public Money by Grand Juries in *Ireland*, with reference to the Execution of Works thereunder, shall, as far as the same are applicable, extend and apply to the executing of such Works as aforesaid by the County Surveyor or his Assistants; and any such County Surveyor or Surveyors or Assistants (in addition to his or their usual Salary) shall, in consideration of such Employment for the Purposes of this Act, receive such further Remuneration as the said Lord Lieutenant or other Chief Governor or Governers shall deem fit and sufficient.

Advances from the Treasury to be repaid by compulsory Presentment by half-yearly Instalments.

VIII. And be it enacted, That the Monies from Time to Time to be advanced, pursuant to the Provisions of this Act, by the Commissioners of Her Majesty's Treasury, for the Execution of any Works under this Act, in any County, County of a City, or County of a Town, shall be repaid by Grand Jury Presentments, by half-yearly Instalments, not less than Four and not exceeding Twenty in Number, as the Commissioners of Her Majesty's Treasury shall direct, with Interest at the Rate of Three Pounds Ten Shillings *per Centum per Annum;* and the Commissioners of Public Works shall from Time to Time certify to the Secretary of the Grand Jury of each such County, County of a City, or County of a Town in which respectively such Works shall have been executed the Amount of the Instalment or Instalments so to be repaid; and each such Secretary of the Grand Jury shall lay such Certificate before the Grand Jury of such County, County of a City, or County of a Town, at the next Assizes or Presenting Term after he shall receive the same; and it shall be lawful for every such Grand Jury, and they are hereby required, to present the Sum mentioned in every such Certificate relating to such County, County of a City, or County of a Town to be raised and levied in the Manner herein-after mentioned off the respective Baronies or Half Baronies, County of a City, or County of a Town in respect whereof the Works for which any such Monies shall be so advanced by the said Commissioners shall have been presented; and the Treasurer of such County, County of a City, or County of a Town shall pay the Sum so presented by the Grand Jury, when and as by him received, into the Bank of *Ireland*, to the Credit of the Paymaster of Civil Services, on account of Loans under this Act, or in such other Manner as the said Commissioners of the Treasury shall direct; provided always, that such Treasurer shall issue a separate Warrant for the Levy of the Sum mentioned in any such Certificate; and if the Grand Jury of any County, County of a City, or County of a Town shall fail to present the Sum, or any Part thereof, contained in any such Certificate, relating to such County, County of a City, or County of a Town, the Treasurer of such County, County of a City, or County of a Town shall and he is hereby required to insert such Sum, or such omitted Part thereof, in such separate Warrant for raising such Monies as if such Sum had been duly presented by such Grand Jury to be raised in manner herein-after mentioned off the respective Baronies or Half Baronies properly chargeable therewith as aforesaid, or County of a City, or County of a Town, (as the Case may be,) and the same shall be raised and levied off such Barony or Half Barony, County of a City, or County of a Town, (as the Case may be,) accordingly, as if the same had been so presented; and the said Treasurer shall pay over the Amount, when by him received, as herein-before provided in the Case of such Money being presented by the Grand Jury.

In case the Grand Jury fail to present, Treasurer may insert such Sum in the Warrant, which shall be levied as if it had been presented.

Such Sums to be assessed and levied like the Poor Rate, according to 1&2 Vict. c. 56. &c.

IX. And be it enacted, That any Sum of Money so to be raised and levied off any Barony, Half Barony, County of a City, or County of a Town, under the Provisions of this Act, shall be charged upon and applotted, raised, and levied upon and from the Occupiers of and other Persons rateable in respect of Lands and Hereditaments within such Barony, Half Barony, County of a City, or County of a Town respectively, and rated under the then last preceding Rate or Rates made or from Time to Time made in respect of the same under the Provisions of an Act of the First and Second Years of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in* Ireland, and any Act amending the same, and shall be payable by the respective Rate-payers who under the said last preceding Rate or Rates shall have paid or contributed or been liable to pay or contribute Rate in respect of Property in such Barony, Half Barony, County of a City, or County of a Town, according to the several Valuations and Proportions according to which respectively such last preceding Rate or Rates shall have been so made, charged upon, and payable by the Rate-payers in respect of such Lands or Hereditaments respectively; and any such Sum of Money shall be applotted, assessed, and levied by the respective High Constable or Collector of Grand Jury Cess for such Barony, Half Barony, or Place, as a Poundage Assessment, equally upon the net annual Value of the several Lands and Hereditaments within such Barony, Half Barony, County of a City, or County of a Town respectively, rated as aforesaid, as such net annual Value shall have been stated in such last preceding Rate or Valuation as aforesaid; and on Receipt of the respective County Treasurer's Warrant as aforesaid such High Constable or Collector is hereby authorized and required to levy the Money therein mentioned, and to give to the Parties paying the same Receipts, which

which shall not be subject to Stamp Duty; and such Money shall and may be collected and levied, sued for, and recovered by such and the same Ways and Means as any Grand Jury Cess, or the Money applotted on the several Persons liable to pay any Grand Jury Cess, may be collected and levied, and with like Powers, Authorities, and Privileges to any such Collector as in case of the levying of any Grand Jury Cess.

Condition of Bond to be entered into by Collectors of Grand Jury Cess.

X. And be it enacted, That the Condition of every Bond of a Collector of Grand Jury Cess, to be hereafter given or executed by way of Security for duly collecting and paying public Money, shall contain a Condition for his duly collecting and paying to the Treasurer of the County, County of a City, or County of a Town in which such Collector shall act, on or before the First Day of the next Assizes, all such Money as he shall be authorized to levy under this Act; and such Bond shall be exempt from Stamp Duty, and shall be subject to all Provisions now applicable to any Bond to be given or executed by any Collector of Grand Jury Cess.

Copies of Rate may be taken for Purposes of this Act.

XI. And be it enacted, That for the Purpose of ascertaining the rateable Property, and the Rate-payers, within any such Barony, Half Barony, County of a City, or County of a Town as aforesaid, it shall and may be lawful for the respective Collector of Grand Jury Cess to apply to the Guardians of the Union or respective Unions within which such respective Lands shall be situate; and such respective Guardians are hereby required to permit and suffer such Collector, or any Person authorized by him, in Writing and under his Hand, to take a Copy or Copies of so much of any such last preceding Rate or Rates or Valuation as aforesaid as relates to any of such respective Lands or Hereditaments within any such District; and in case any Person or Persons having the Custody of any such Rate or Rates, or Valuation, refuse to permit or shall not permit such Collector, or Person so authorized by him, to take such Copy or Copies thereof or Extracts therefrom respectively as aforesaid, the Person or Persons refusing or not permitting such Copy or Extract to be made shall for each and every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Proportion of Assessment to be deducted from Rent.

XII. And be it enacted, That when any Person occupying such Lands or Hereditaments within any such District shall be liable to pay a Rent in respect of the same, he may deduct from such Rent, for each Pound of the Rent which he shall be liable so to pay, One Half of the Sum which he shall have paid as such Assessment in respect of each Pound of the net annual Value (whether such Rent shall be greater or less than such net annual Value), and so in proportion for any less Sum than a Pound.

Where more than One Rent is paid.

XIII. And be it enacted, That where any Person receiving Rent in respect of any such rateable Property within such District shall also pay a Rent in respect of the same, he shall be entitled to deduct from the Rent so paid by him a Sum bearing such a Proportion to the Amount of such Assessment deducted from the Rent received by him as the Rent paid by him bears to the Rent received by him: Provided always, that every Lessor assessed instead of any Occupier of rateable Property shall be entitled to deduct from any Rent paid by him in respect of such Property a Sum bearing such a Proportion to One Half of the Assessment on such Property as the Rent paid by him bears to the net annual Value of such Property.

Receipts to be accepted by Persons entitled to Rents, in lieu of Sums authorized to be deducted.

XIV. And be it enacted, That in all Cases the Receipt for any such Sum of Money so to be levied as aforesaid shall be accepted by every Person entitled to receive Rent in respect of the same Property, in lieu of such a Sum of Money, and in full consideration of such Portion of Rent, as the Person tendering such Receipt is hereby entitled to deduct from such Rent by reason of his Payment of the Sum for which such Receipt shall be given: Provided always, that no such Deduction shall be held to prejudice the Right of any Landlord to recover the Possession of any Hereditaments by Ejectment for Nonpayment of the Rent thereof, in any Case where the remaining Portion of the Rent shall be unpaid.

Expences of Secretary of Grand Jury in attending Sessions, and Remuneration to Collector, to be presented by Grand Jury.

XV. And be it enacted, That the Grand Jury of any County, County of a City, or County of a Town in which any such Extraordinary Presentment Sessions shall be held as aforesaid shall, without Application to the Presentment Sessions, present, to be levied off the County at large, County of a City, or County of a Town, to be paid to any such Secretary of the Grand Jury of the same, such Sums of Money as shall be actually expended or incurred by him for Expences out of Pocket in or in respect of Attendance at any such Extraordinary Presentment Sessions, and shall likewise present, to be paid to any such Collector as aforesaid, such Remuneration for the Collection of such Assessment as is payable in the Case of the Collection of Grand Jury Cess, and such further Sum as he may have reasonably incurred for the Expence of obtaining Copies of any such Rate or Valuation, and also a reasonable Remuneration for making such Applotment as aforesaid.

Board of Works empowered to take Lands, &c. rendering Satisfaction in manner herein mentioned.

XVI. And be it enacted, That the said Commissioners of Public Works shall and may and they are hereby empowered, themselves, their Agents, Surveyors, Workmen, and all other Persons by them employed and authorized, at all such Times as to the said Commissioners may seem fit and convenient, to enter into and upon any Lands or Grounds whatsoever which it may be deemed proper or necessary to survey for the Purpose of making any Road or other Work under the Provisions of this Act; and that the said Commissioners shall have Power and Authority to take and acquire all such Ground as may be necessary for making the said Roads or other Works, such Satisfaction to be rendered therefor to the Proprietor or Proprietors, Occupier or Occupiers, as may be determined in manner herein-after mentioned.

When any Ground shall be taken for Works

XVII. And be it enacted, That when any public Work shall be presented or executed under the Provisions of this Act it shall be lawful for any Occupier or Owner of any Ground taken and occupied for the Purpose of such Work to demand and obtain from the Officer of the said Commissioners of Public

Public Works, or the County Surveyor, as the Case may be, by whom such Work shall have been or shall be executed, a Certificate under his Hand, which such Officer or Surveyor is hereby required to give, stating the Quantity of Ground belonging to such Occupier or Owner which shall have been so taken and occupied for the Purpose of such Work, and an Estimate of the average annual Value of such Ground, the Tenure of such Occupier or Owner thereof, and an Estimate of the total Damage sustained by him or either of them by the taking and occupying of such Ground for the Purpose of such Work; and upon giving or tendering such Certificate it shall be lawful for such Officer or Surveyor as aforesaid to proceed in the Execution of such Work, without the Interruption of any Person; and it shall be lawful for any such Owner or Occupier, or either or each of them, at the Assizes next following the giving of the said Certificate, or at the next subsequent Assizes, upon giving Ten Days Notice previously to such Assizes respectively, to the Secretary of the Grand Jury, of the Amount of Damages intended to be claimed, to have a Traverse for Damages entered in the Crown Book in respect of such Damage sustained by him; and thereupon such Traverse shall be tried in like Manner, and like Proceedings shall be had, and like Presentment made in respect of the same, and subject to like Provisions as far as the same can be applied, as in the Case of Traverses entered for Damages under the Acts for consolidating and amending the Laws relating to the Presentment of public Monies by Grand Juries in *Ireland:* Provided always, that whenever the Sum mentioned in the said Certificate shall not exceed the Sum of Ten Pounds, it shall and may be lawful for the Person and Persons to whom such Certificate shall be given, either to make Application to the Grand Jury at the Assizes next following the giving of such Certificate, or the next subsequent Assizes, for the Amount of Damages specified in such Certificate, not exceeding the Extent aforesaid; and thereupon it shall be lawful for the Grand Jury to present, without previous Application to Presentment Sessions, such Sum or Sums of Money, not exceeding the Amount aforesaid, for the Use of such Owner or Occupier, or each of them, as the Case may be, in respect of the Damage sustained by him or them, as they, upon Inspection of such Certificate, shall deem reasonable, to be raised off the Barony or Half Barony in which such Ground shall be situated, and to such Presentment no Traverse shall be allowed or received; but in case such Owner or Occupier shall not think fit to make such Application to the Grand Jury, it shall be lawful for him, at the Assizes next following the giving of the said Certificate, or at the next subsequent Assizes, upon giving Ten Days Notice previously to such Assizes to the Secretary of the Grand Jury of the Amount of Damages intended to be claimed, to have a Traverse for Damages entered in the Crown Book in respect of such Damage sustained by him; and thereupon such Traverse shall be tried in like Manner, and like Proceedings shall be had, and like Presentment made in respect of the same, and subject to the like Provisions as far as the same can be applied, as in the Case of Traverses entered for Damages under the Acts for consolidating and amending the Laws relating to the Presentment of public Monies by Grand Juries in *Ireland.*

under this Act, Owners, &c. of Land taken to obtain from the Board of Works or County Surveyor a Certificate of the Value, &c. of the same, upon Production of which Grand Jury to present a Sum of Money for Damage sustained.

In case Owner, &c. shall not make Application to Grand Jury, he may apply to the Assizes, and traverse for Damages.

XVIII. 'And whereas from the large Size of Baronies and Half Baronies in Parts of *Ireland* it may 'in some Cases be expedient that Presentment Sessions as aforesaid should be held for less Districts 'than a Barony or Half Barony;' be it enacted, That the Lord Lieutenant or Chief Governor or Governors of *Ireland* for the Time being, by and with the Advice of the Privy Council of *Ireland,* may, if he or they shall think fit, constitute any Number of Parishes in any Barony or Half Barony into a District for the Purposes of this Act, and may direct a Presentment Sessions to be held in and for any such District so to be constituted; and the Justices of the Peace resident in such District so constituted, and Five Cess-payers to be chosen by Ballot out of the Twenty Cess-payers resident within such District who shall be rated to the highest Amount to the County Cess, shall constitute such Sessions; and all the Powers to be exercised for any Barony or Half Barony by the Baronial or Half Baronial Presentment Sessions under this Act shall be exercised by such Sessions so constituted as aforesaid within any such District, and all the Powers, Clauses, and Provisions of this Act in respect of any Baronial or Half Baronial Presentment Sessions shall be extended and applied to such Sessions so held in and for any such District constituted as aforesaid, so far as the same may be applicable, in respect to all Applications for Works to be executed within such District, in the Manner provided for by this Act, and for the Execution of such Works, and for a Payment of the Sums to be advanced for the Execution thereof, in the same Manner as if such Sessions were held for a Barony or Half Barony under this Act.

Lord Lieutenant may, in certain Cases, constitute Districts less than Baronies or Half Baronies, with the same Powers as to Baronial and Half Baronial Presentments.

XIX. And be it enacted, That in the Construction of this Act, as regards the County of *Dublin,* the Word "Treasurer" shall include the "Finance Committee;" and the Word "Assizes" shall include the "Presenting Term;" and the Expressions "Collectors" and Collector of Grand Jury Cess shall include the High Constable.

Interpretation of Act.

XX. And be it enacted, That no Presentment Sessions shall be holden, nor shall any such Work as aforesaid be commenced, under the Provisions of this Act, after the Fifteenth Day of *August* One thousand eight hundred and forty-seven.

No Presentment Sessions to be held after 15th Aug. 1847.

XXI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be amended, &c.

CAP. CVIII.

An Act to provide additional Funds for Loans and Grants for Public Works in *Ireland*.

[28th *August* 1846.]

7 W. 4. & 1 Vict. c. 21.

9 & 10 Vict. c. 1.

'WHEREAS an Act was passed in the First Year of the Reign of Her present Majesty, intituled *An Act to amend the Acts for the Extension and Promotion of Public Works in* Ireland, and by the said Act the Commissioners of Public Works in *Ireland* acting in execution of the said Act, and the other Acts therein referred to, are authorized to make Advances by way of Grant and Loan respectively for the Purposes and to the Amount in the said Act mentioned and limited: And whereas another Act was passed in the present Session of Parliament, intituled *An Act for the further Amendment of the Acts for the Extension and Promotion of Public Works in* Ireland, and by the said Act it is enacted, that it shall be lawful for the said Commissioners of Public Works, with the Sanction of the Commissioners of Her Majesty's Treasury, to make additional Advances by way of Grant to an Amount not exceeding in the whole the Sum of Fifty thousand Pounds, for the Purposes and subject to the Provisions of the said Act, and the several Acts therein mentioned and referred to: And whereas in consequence of the urgent Demand for the Employment of the Poor, arising from the Failure of the Potato Crop in *Ireland*, the said Sum of Fifty thousand Pounds by way of Grant, and an equal Sum by way of Loan, were found insufficient for the Purposes of the said Act, and the Works applied for under the said last-recited Act have been estimated at a Sum of Four hundred and fifty thousand Pounds, and the said Commissioners of Her Majesty's Treasury have sanctioned and undertaken the Advances necessary for the Execution of such Works to the Amount of a Sum not exceeding Four hundred and fifty thousand Pounds in the whole, for the Purposes of the said Acts; that is to say, one Moiety thereof, *videlicet*, a Sum not exceeding Two hundred and twenty-five thousand Pounds, in the way of Grant, and the other Moiety, *videlicet*, a Sum not exceeding Two hundred and twenty-five thousand Pounds, in the way of Loan:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the said Commissioners of Her Majesty's Treasury, or any Three or more of them, to cause to be issued, from Time to Time as they may find necessary, out of the growing Produce of the Consolidated Fund of *Great Britain* and *Ireland*, in addition to the said Sum of Fifty thousand Pounds by the said Act of the present Session authorized, any further Sum or Sums of Money, not exceeding in the whole the Sum of One hundred and seventy-five thousand Pounds, to make up and meet the said Sum not exceeding Two hundred and twenty-five thousand Pounds, being the said Moiety in the way of Grant for the several Purposes mentioned in the said Act of the present Session, and the several Acts therein recited, or any of them.

Treasury may advance an additional Sum of 175,000*l.* in the way of Grant;

and 225,000*l.* by way of Loan.

II. And be it enacted, That the other Moiety of the said Sum not exceeding Four hundred and fifty thousand Pounds, being a Sum not exceeding Two hundred and twenty-five thousand Pounds, shall be supplied by way of Loan in like Manner as other Loans by the said Commissioners of Public Works, out of the Funds applicable for the Purposes of Loans under the said recited Acts, and the other Acts now in force or to be passed during the present Session of Parliament, for the Extension and Promotion of Public Works in *Ireland*, or any of them.

One Moiety to be repaid by Grand Jury Presentment.

III. And be it enacted, That a Moiety of the Monies heretofore advanced, or so to be from Time to Time advanced under the said Two first-recited Acts therein referred to, and this Act, or any of them, for the Promotion of any Public Work in any County, County of a City, or County of a Town, shall be repaid by Grand Jury Presentment at such Time and in such Manner as the said Commissioners of Her Majesty's Treasury shall appoint and direct; and the Commissioners of Public Works shall, from Time to Time as they may be directed by the Commissioners of the Treasury, certify to the Secretary of the Grand Jury of each such County, County of a City, or County of a Town, the Money so to be repaid, and each such Secretary shall lay such Certificate before the Grand Jury of such County, County of a City, or County of a Town at the next Assizes after he shall receive the same; and it shall be lawful for such Grand Jury and they are hereby required to present the Sum mentioned in every such Certificate to be raised either off the County at large, or off the Barony or Half Barony or other Division in which the Work to which such Certificate may relate shall have been executed, as they may think fit; and the Treasurer of such County shall pay the Sum so presented, when and as by him received, into the Bank of *Ireland*, to the Credit of the Paymaster of Civil Services "on account of Repayment of Loans for Public Works," to be by such Paymaster carried to the same Account as other Monies received in Payment of Loans for Public Works: Provided always, that if the Grand Jury of any County, County of a City, or County of a Town shall fail to present the Sum mentioned in any such Certificate, the Treasurer of such County, County of a City, or County of a Town shall and he is hereby required to insert such Sum in his Warrant for raising the Monies presented at the same Assizes as if such Sum had been presented by such Grand Jury to be raised off the County at large, County of the City, or County of the Town, and the same shall be raised and levied off such County at large, County of the City, or County of the Town accordingly as if the same had been so presented; and the said Treasurer shall pay over the Amount, when by him received, as herein-before provided in the Case of such Money being presented.

If the Grand Jury fail to present, the Treasurer shall include the Amount in his Warrant.

Owners, &c. of Land taken for

IV. And be it enacted, That when any public Road or other Work shall have been or shall or may hereafter be made, altered, or improved, under the Provisions of the said recited Acts of the First and Ninth Years

Years of the Reign of Her present Majesty, intituled respectively as aforesaid, it shall be lawful for any Occupier or Owner of the Ground taken and occupied or required for the Purpose of making, altering, or improving such Road or other Work, to demand and obtain from the Officer of the said Commissioners of Public Works by whom such Work shall have been or shall be executed a Certificate under his Hand (which such Officer is hereby required to give), stating the Quantity of Ground belonging to such Occupier or Owner taken, occupied, or required for the Purpose of making, altering, or improving any such Road or other Work, and an Estimate of the average annual Value of such Ground, the Tenure of such Occupier or Owner thereof, and an Estimate of the total Damage sustained by him by the making, altering, or improving such Road or executing such other Work; and upon giving or tendering such Certificate it shall be lawful for such Officer as aforesaid to proceed in the Execution of the necessary Works for making, altering, or improving such Road or other Work without the Interruption of any Person; and, any thing in the said Two first-recited Acts, or any of the Acts therein referred to, to the contrary notwithstanding, it shall be lawful for any such Owner or Occupier, giving Ten Days previous Notice to the Secretary of the Grand Jury of the County, County of the City or Town, in which such Ground shall be situate, to make Application to the Grand Jury at the Assizes next following the giving of such Certificate, or the next subsequent Assizes, for the Amount of Damages specified in such Certificate, whereupon it shall be lawful for the Grand Jury of such County, County of a City or Town, to present, without previous Application to Presentment Sessions, such Sum or Sums of Money for the Use of such Owner or Occupier in respect of the Damage sustained by him as they, upon Inspection of such Certificate, shall deem reasonable, to be raised off the Barony or Half Barony in which such Ground shall be situate, and to such Presentment no Traverse shall be allowed or received; but in case such Owner or Occupier shall not think fit to make such Application to the Grand Jury, it shall be lawful for him, at the Assizes next following the giving of the said Certificate, or at the next subsequent Assizes, upon giving Ten Days Notice previously to such Assizes to the Secretary of the Grand Jury of the Amount of Damages intended to be claimed, to have a Traverse for Damages entered in the Crown Book in respect of such Damage sustained by him; and thereupon such Traverse shall be tried in like Manner, and like Proceedings shall be had, and Presentment made in respect of the same, and subject to like Provisions, as far as the same can be applied, as in the Case of Traverses entered for Damages under the Acts for consolidating and amending the Laws relating to the Presentment of public Monies by Grand Juries in *Ireland*.

the Purposes of the Act to obtain from the Officer of the Commissioners for Public Works a Certificate of the Value, &c. of the same, upon Production of which Grand Jury shall present a Sum of Money for Damage sustained.

In case Owner, &c. shall not make Application to Grand Jury, he may apply to the Assizes, upon giving Notice.

V. 'And whereas the Monies now at the Disposal of the Commissioners of Public Works in *Ireland*, 'to be advanced by way of Loan, are insufficient for the Purpose of making the Advances by way of Loan 'herein-before mentioned, and the other Advances which the said Commissioners may be called upon 'to make under the Provisions of the several Acts now in force for the Promotion of Public Works in '*Ireland*;' be it therefore enacted, That out of the Sum not exceeding Three hundred and sixty thousand Pounds *per Annum* which by the Act of the Fifth Year of the Reign of Her present Majesty, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund, to a limited Amount, for carrying on Public Works and Fisheries, and Employment of the Poor, and to amend the Acts authorizing the Issue of Exchequer Bills for the like Purposes*, the Commissioners of Her Majesty's Treasury are authorized to charge on the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and which they are authorized to direct to be paid to the Account of the Commissioners for the Reduction of the National Debt during the Term of Five Years next ensuing the Fifth Day of *April* One thousand eight hundred and forty-two, it shall be lawful for the Commissioners of Her Majesty's Treasury to direct the Commissioners for carrying into execution the said Act of the Fifth Year of the Reign of Her present Majesty to transfer from their Account with the Commissioners for the Reduction of the National Debt to the Account kept by the last-mentioned Commissioners with the Commissioners of Public Works in *Ireland* a Sum not exceeding One hundred and forty-five thousand Pounds, to be at the Disposal of the said Commissioners of Public Works in *Ireland* for the Purposes of the Loans herein-before mentioned, and the other Loans which the said Commissioners of Public Works may be called upon to make under the Provisions of the Acts now in force for the Extension and Promotion of Public Works in *Ireland*.

The Treasury may direct the Commissioners for Execution of the Act 5 & 6 Vict. c. 9. to transfer 145,000*l.* to the Commissioners of Public Works.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

Act may be amended, &c.

CAP. CIX.

An Act to authorize a further Issue of Money in aid of Public Works of acknowledged Utility in poor Districts in *Ireland*. [28th *August* 1846.]

'WHEREAS by an Act passed in the First and Second Years of the Reign of His late Majesty 'King *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works* 1 & 2 W. 4. c. 33. '*in* Ireland, and by another Act of the First Year of Her present Majesty, intituled *An Act to amend the* 7 W. 4. & '*Acts for the Extension and Promotion of Public Works in* Ireland, and by another Act of the First and 1 Vict. c. 21. 'Second Years of Her present Majesty, intituled *An Act to authorize a further Issue of Exchequer Bills* 1 & 2 Vict. c. 88. '*for Public Works and Fisheries, and Employment of the Poor, and to amend the Acts relating thereto*, 'and by another Act of the Sixth and Seventh Years of Her present Majesty, intituled *An Act to amend* 6 & 7 Vict. c. 44. '*the Acts for carrying on Public Works in* Ireland, and by another Act of the present Session of 'Parliament, intituled *An Act for the further Amendment of the Acts for the Extension and Promotion* 9 & 10 Vict. c. 1. '*of Public Works in* Ireland, the Commissioners for the Execution of the first-recited Act were autho-

'rized, with the Consent of the Commissioners of Her Majesty's Treasury, to apply, by way of Grant, 'Sums of Money to a certain Amount limited in the said recited Acts in aid of Public Works in *Ireland:* 'And whereas the several Sums specified in the said recited Acts have been applied to the Purposes 'therein stated: And whereas in certain Districts in *Ireland* the Population is in a State of Destitution, 'and such Districts are too poor themselves to bear the whole Expence of Works of acknowledged Utility 'required for the Improvement of the said Districts; and it is expedient with a view to the internal 'Improvement of those Districts, and the Employment of the Labouring Poor therein, that Aid should 'be afforded in the Execution of such Works by the Grant of Public Money, to be applied solely in aid 'of Works of acknowledged Utility required in such Districts, and in Cases only in which the Repay- 'ment of Loans to the Amount of at least a Moiety of the estimated Expence of such Works shall have 'been secured in the Manner described in the said recited Acts, and in which such Contributions shall 'have been made as the Commissioners of Her Majesty's Treasury shall think fit to require from the 'Individuals principally interested in the Works:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Commissioners of Public Works in *Ireland* acting in the Execution of the said recited Acts, under the like Provisions and Regulations as are therein contained, to make such additional Issues by way of Grant as they may be authorized to make by the Commissioners of Her Majesty's Treasury to an Amount not exceeding in the whole the Sum of Fifty thousand Pounds, and for the Commissioners of Her Majesty's Treasury, or any Three or more of them, to cause to be issued from Time to Time, as they may find necessary, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or by the Issue of Exchequer Bills, in addition to the several Sums specified in the above-recited Acts, any Sum or Sums of Money not exceeding in the whole the said Sum of Fifty thousand Pounds, to be applied for the Purposes of the said Acts and of this Act, as the same are limited and described by this Act as aforesaid.

Commissioners of Public Works in Ireland empowered to make additional Issues by way of Grant.

II. And be it enacted, That all and every the Provisions, Regulations, Powers, Privileges, Advantages, Forfeitures, and Disabilities contained or expressed in the said recited Acts, or any Act amending the same, in respect of the Grants authorized to be made thereunder, shall be applied and extended, so far as the same are applicable, to the Grants to be made under Authority of this Act, as fully and effectually to all Intents and Purposes as if the same were herein repeated and re-enacted.

Extending Provisions of former Acts to Issues made under this Act.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be amended, &c.

CAP. CX.

An Act to amend the Law relating to the Valuation of rateable Property in *Ireland*.

[28th *August* 1846.]

'WHEREAS it is expedient to amend the Laws now in force for the Valuation of Lands and 'Tenements in the several Baronies, Parishes, and other Divisions of Counties in *Ireland:*' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the several Acts for the uniform Valuation of Lands and Tenements in* Ireland; *and to incorporate certain detached Portions of Counties and Baronies with those Counties and Baronies respectively whereunto the same may adjoin or wherein the same are locally situate*, as relates to the Valuation of any County, County of a City, or County of a Town, which shall hereafter be valued under the Provisions of this Act, and to the Apportionment of County or Grand Jury Cess therein, shall be repealed, save so far as the same repeals any other Act or Acts, or Part thereof; provided that the said Act shall continue in full Force in regard to all other Counties, Counties of Cities, and Counties of Towns, until such Time as a Revaluation of the same respectively shall take place as herein-after mentioned under the Provisions of this Act, and for the Purposes of such Revaluation, and from thence-forth the Provisions of this Act shall extend and apply to and be enforced in such last-mentioned Counties, Counties of Cities, and Counties of Towns respectively.

So much of 6 & 7 W. 4. c. 84. as relates to Valuation of Counties hereafter to be valued, and Apportionment of Cess therein, repealed; but recited Act to be in force as to Valuation of other Counties until Revaluation takes place under this Act.

II. And be it enacted, That from and after the passing of this Act the Provisions of this Act shall and may be applied in the following Counties and Counties of Cities; (that is to say,) the Counties of *Dublin, Tipperary, Waterford, Limerick, Cork*, and *Kerry*, and the Counties of the Cities of *Waterford, Limerick, Cork*, and *Kilkenny*.

Counties, &c. herein named to be valued under this Act.

III. And be it enacted, That the Commissioner of Valuation and other Persons heretofore appointed or acting under the said recited Acts, or any of them, in any County, shall, and he and they are hereby authorized and required, notwithstanding the passing of this Act, to continue to discharge and execute their several Duties and Offices, for the Purpose of carrying this Act into execution, without any further or other Appointment thereto, until the Lord Lieutenant of *Ireland* shall otherwise direct.

Persons heretofore appointed to discharge Duties till otherwise directed.

IV. And be it enacted, That whenever the Survey of any County or of any Barony of a County shall have been made and completed under the Direction of the Ordnance Officers, a Map or Plan of such Barony shall be transmitted by some such Officer to the Chief Secretary of the said Lord Lieutenant, from

Whenever Survey of Barony, &c. is completed, a Map or Plan to

from Time to Time, when and as any such Survey shall have been or shall be made and completed, or when and as any such Map or Plan shall be required by such Chief Secretary to be transmitted as aforesaid.

be sent to Chief Secretary of the Lord Lieutenant.

V. And be it enacted, That at any Time after the Receipt of any such Map or Plan it shall and may be lawful for the said Lord Lieutenant to nominate and appoint One fit and proper Person to be Commissioner for the several Counties in *Ireland*, to be called the Commissioner of Valuation for such Counties, who shall hold such Office during the Will and Pleasure of the said Lord Lieutenant, and who shall repair to any County, and make a Valuation of the Houses and Lands within every Barony, Parish, or other Division in such County of which any such Map or Plan shall have been made and delivered as aforesaid, and shall proceed in such Valuation at such Times and in such Manner and under such Regulations as such Lord Lieutenant shall order, direct, and appoint; and the said Chief Secretary shall notify or cause to be notified in Writing to the Secretary of the Grand Jury of every such County the Appointment of such Commissioner of Valuation, and such Secretary shall lay such Notification before the Grand Jury of such County at the next ensuing Assizes.

After Receipt of Map or Plan, Lord Lieutenant may appoint a Commissioner to value the Baronies, &c. so surveyed.

Appointment to be notified to Grand Jury.

VI. And be it enacted, That it shall be lawful for the Lord Lieutenant to appoint such and so many Sub-Commissioners, being professional Valuators, as may be recommended to him from Time to Time by the Commissioner of Valuation as fit and proper Persons to fill that Office, and who shall be removable by the Lord Lieutenant; and every such Sub-Commissioner shall, when directed by the Commissioner of Valuation so to do, attend and act in the hearing and determining of Appeals against the Valuation of Tenements, as herein-after is provided; and every such Sub-Commissioner shall have the same Power to enter into or upon any House or Land as any Commissioner of Valuation or Valuator appointed under the Provisions of the said first-named Act, subject to the same Conditions as are therein provided.

Lord Lieutenant may appoint Sub-Commissioners of Valuation, who shall have Power to enter on Lands, &c.

VII. And be it enacted, That it shall be lawful for the Commissioner of Valuation who shall be appointed under this Act to nominate and appoint any Number of Persons conversant and professionally employed in surveying and valuing Land and Houses, or in Cases of Towns in valuing of Houses only, to be Valuators, and to remove all or any such Valuators from Time to Time, and to nominate any other Person or Persons to be a Valuator or Valuators in the Place and Stead of the Person so removed; and previously to the Appointment of any Person to be a Valuator such Commissioner shall in company with such Person perambulate the whole or any Part of a Barony, in order fully to ascertain his Competence for acting as such Valuator.

Commissioner of Valuation shall appoint Valuators.

Previous to Appointment, Commissioner to perambulate the Barony.

VIII. And be it enacted, That it shall be lawful for the said Lord Lieutenant to give such Orders, Instructions, and Directions for the Conduct of the said Commissioner or Sub-Commissioners and Valuators respectively, and for the Employment of such Clerks or other Persons, in the Discharge of their several Duties under this Act, as to such Lord Lieutenant shall from Time to Time seem fitting and expedient for the due Execution of this Act.

Lord Lieutenant may give Orders as to Conduct of Commissioners and Valuators.

IX. And be it enacted, That in every Valuation hereafter to be made under the Provisions of this Act the Commissioner of Valuation shall cause to be valued every Tenement which is a rateable Hereditament under the Provisions of an Act passed in the Session of Parliament held in the First and Second Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for the more effectual Relief of the Destitute Poor in* Ireland, and shall also cause every such Tenement to be separately valued by the Valuator, and the Valuation thereof shall be made upon an Estimate of the net annual Value, (that is to say,) of the Rent for which, one Year with another, the same might in its actual State be reasonably expected to let from Year to Year, the probable annual average Cost of the Repairs, Insurance, and other Expences, if any, necessary to maintain the Hereditament in its actual State, and all Rates, Taxes, and public Charges, if any, except Tithe Rent-charge, being paid by the Tenant.

Tenements to be valued separately, according to the fair letting Value, according to Provisions of 1 & 2 Vict. c. 56.

X. And be it enacted, That in valuing the Property situated in any of the Towns liable to the Payment of any Rate or Assessment under the Provisions of an Act passed in the Ninth Year of His late Majesty King *George* the Fourth, intituled *An Act to make Provision for lighting, cleansing, and watching of Cities, Towns Corporate, and Market Towns in* Ireland, *in certain Cases*, and in valuing the rateable Hereditaments situated in any of the Cities, Towns, or Boroughs liable to the Payment of any Rate or Assessment under the Provisions of an Act passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in* Ireland, or under the Provisions of any private or local Act for cleansing, watching, improving, paving, or supplying with Water any such City, Town, or Borough, and which are or shall be by Law exempted from the Rate or not rateable to or which shall not be included in the Rate for the Relief of the Poor of the Union wherein the same may be situate, and in the Case of Dwelling Houses valued together with other Property, the said Commissioner of Valuation shall cause to be made and declared separate Valuations of all or any such Hereditaments, Property, and Dwelling Houses; and every such separate Valuation of Property not rateable as aforesaid shall contain in a separate Column a Statement of the Ground of such Exemption; and the said Commissioner of Valuation shall transmit a Copy of such separate Valuation to the Town Council or Commissioners appointed under any such Act for the City, Town Corporate, or Market Town in which the said Property or Dwelling Houses may be situate; and thereupon the Provisions contained in an Act passed in the Session of Parliament held in the Sixth and Seventh Years of Her present Majesty Queen *Victoria*, intituled *An Act to amend an Act of the Third and Fourth Years of Her present Majesty, for the Regulation of Municipal Corporations in* Ireland, shall be deemed to apply to such separate Valuation, in like Manner as if the same had been made under the Provisions of the said last-mentioned Act.

Property not rateable under 9 G. 4. c. 82. to be separately valued for municipal Purposes under 6 & 7 Vict. c. 93.

6 & 7 Vict. c. 93.

XI. And

Lord Lieutenant may, upon Applications from Town Councils, direct a Valuation to be made according to the net annual Value.

XI. And be it enacted, That on the Application of the Town Council of any City, Town, or Borough in *Ireland* to the Lord Lieutenant, he may, if he shall think fit so to do, direct the Commissioner of Valuation to make a Valuation in Tenements, according to the net annual Value of such City, Town, or Borough, and to transmit a Copy thereof to the Mayor or Town Clerk of such City, Town, or Borough; and from and after the Receipt of such Valuation the several Rates and Taxes to be assessed upon such City, Town, or Borough for the Support of the Poor, or under the before-mentioned Act for the Regulation of Municipal Boroughs in *Ireland*, or under the before-mentioned Act of the Ninth Year of His late Majesty King *George* the Fourth, or under any local Act, or for County Cess, shall be raised off the Persons liable to pay the same according to such Valuation so signed and amended, and no other, unless and until the same shall be revised or revalued under the Provisions of this Act: Provided always, that such Valuation shall not affect the relative Proportion of the County Cess to be borne by such City, Town, or Borough.

Proviso.

Annual average Cost of Landlord's Repairs and Insurances to be ascertained under 3 & 4 Vict. c. 108.

XII. And be it enacted, That in valuing the rateable Hereditaments situated in any of the Boroughs named in the Schedules (A.) and (B.) annexed to the Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in* Ireland, or in any other Town to which a Charter of Incorporation may under the said Act be granted, the said Commissioner of Valuation shall cause to be estimated, in addition to the net annual Value of each Tenement, as herein-before directed, the probable annual average Cost of the Landlord's Repairs and Landlord's Insurance.

Commissioner and Valuators may enter any Land, Houses, Gardens, &c. in execution of this Act.

XIII. And be it enacted, That it shall and may be lawful for any Commissioner appointed or continued under this Act, and for any Valuator or Valuators appointed under this Act, from Time to Time to enter into and upon any Land or House for the Purpose of making or carrying on any Valuation authorized by this Act: Provided always, that in every Case in which it shall be necessary for any such Commissioner or Valuator to enter any House, or any walled Garden or Orchard or Pleasure Ground, and when the Owner or Occupier thereof may oppose or refuse to allow such Entry, such Commissioner or Valuator shall give Three Days Notice to the Owner or Occupier of such House, Garden, Orchard, or Pleasure Ground, requiring to be permitted to enter the same; and at any reasonable Time after the Delivery of such Notice it shall be lawful to make such Entry, such Commissioner and Valuators doing as little Damage as may be in the Execution of the Powers to them granted by this Act, and making reasonable Satisfaction (if required) to the Owners of and other Persons interested in any such Houses, Lands, Gardens, Orchards, or Pleasure Grounds which shall or may be any way hurt or damnified in or by the Execution of any of the Powers of this Act; and this Act shall be sufficient to indemnify such Commissioner and Valuators, and all Persons acting in aid or under the Orders of any of them, in the Execution of this Act.

Valuators shall enter Valuation of each Parish in a separate Field Book, and transmit the same, when signed, to the Commissioner of Valuation.

XIV. And be it enacted, That the said Valuator shall enter the Particulars of the Valuation of each and every Parish, and of each and every Townland and Tenement within the same, when and as each such Valuation shall be completed, in a separate and distinct Field Book, to be appropriated to each and every such Parish respectively, and to be distinguished and entitled as the Survey and Field Book of each such particular Parish respectively, distinguishing the Union and Barony in which such Parish or Townland shall be situate, and the Value of each Tenement within such Parish, and the Name of the immediate Lessor or reputed Lessor and Occupier of every Tenement; and such Valuators shall sign every such Book with their several Names, in their several and respective Handwritings, with the Date of completing such Valuation; and such Valuators shall transmit or deliver every such Field Book of every such Parish, so signed, to the Commissioner of Valuation for the County in which every such Parish shall be situate.

Parts of Unions without Boundary of Counties to be valued.

Proviso.

XV. And be it enacted, That when a Part only of any Union shall be included within the Limits of any of the Counties to be valued under this Act, the Commissioner of Valuation, on the Application of the Poor Law Commissioners, shall make a new Valuation in Tenements, according to the net annual Value of the Portions of such Unions as may extend beyond the Limits of the said Counties respectively: Provided always, that such Valuation shall *not* affect the relative Proportion of County Cess to be borne by any Barony, Parish, or Townland not included within the Limits of the County to be so valued.

Lists of Tenements, when valued, to be sent to the Clerk of Guardians, and to Town Council of any City, &c. interested therein.

Day, &c. for hearing Appeals to be specified at Foot of Lists.

XVI. And be it enacted, That when and so soon as the Valuation of all the Parishes within any Barony or County of a City or County of a Town to be valued under this Act, as the Case may be, shall be completed, the Commissioner of Valuation shall prepare and make out a List or Table of the several Tenements contained in each Townland or other Denomination in every such Parish, according to the net annual Value; and the said Commissioner of Valuation shall transmit a sufficient Number of printed Copies of such Lists, in the Form (A.) set forth in the Schedule annexed to this Act, to the Clerk of the Board of Guardians of any Union in which any Townland contained in such Schedule is situated, and to the Town Council of any City, Borough, or Town interested therein; and the said Commissioner of Valuation shall specify at the Foot of the Lists of Tenements in each Parish herein-before directed to be made the Day and Place appointed by him for hearing Appeals against the Valuation of the separate Tenements contained in the said Lists, as is herein-after provided.

Notice of Places in which Parish Lists may be inspected to be

XVII. And be it enacted, That every Clerk of any Board of Guardians to whom printed Copies of any such Lists shall be transmitted as aforesaid shall forthwith on the Receipt of the said Lists cause to be affixed a Notice on the principal outer Door of the Church and of any One Roman Catholic Chapel and of any One Presbyterian Meeting House within every Parish belonging to the Union in which any Townland

Townland contained in such Lists is situate, stating the Time and Place at which the said Lists may be inspected, and shall at all reasonable Hours on every Day, from and after the Receipt of the said Lists, for Twenty-eight Days then next ensuing, leave at the Workhouse of the Union, at the Station of each Party of Constabulary, and at such other Place (if any) as may be selected by the Board of Guardians, Copies of the said Lists, to be inspected by any Occupier of Lands or Tenements within the Parish, or any Rate-payer in respect of any rateable Hereditament therein, and shall permit such Occupier or Rate-payer to take Extracts therefrom at all reasonable Times, as aforesaid; and if any such Copy or Copies of the said Lists shall be destroyed or defaced at any Time within Fourteen Days after lodging the same, the Clerk of the Board of Guardians shall transmit a new Copy or Copies of every such List, and so from Time to Time when any such Copy shall be defaced or destroyed.

affixed on Church and Chapel Doors, &c.

Copies of such Lists to be renewed when defaced, &c.

XVIII. And be it enacted, That at any Time within Forty Days after the posting of the said Notice as aforesaid any Person aggrieved by the Valuation of any Tenement in the said List contained may send or deliver to the Clerk of the Board of Guardians a Notice in Writing, duly signed by him the said Person aggrieved, of his Intention to appeal against the said Valuation, and the Ground of Appeal shall be stated in such Notice; and the Clerk of the Board of Guardians shall forthwith transmit the said Notices of Appeal to the Commissioner of Valuation; and the said Commissioner of Valuation shall thereupon prepare a Statement of the Notices of Appeal, and the Grounds thereof respectively, in each Parish, and shall transmit the said Statement to the said Clerk, who on Receipt of the said Statement shall lay it before the Board of Guardians at their next Meeting.

Persons aggrieved by Valuation may appeal on giving Notice to Clerk of Guardians, who shall transmit same to Commissioner, &c.

XIX. And be it enacted, That on the Receipt of any such Notice or Notices of Appeal as aforesaid the Commissioner of Valuation may, if he shall think fit, send down a Valuator or Valuators who shall not have been previously employed in making the original Valuation, to examine and value the several Tenements the Valuation whereof has been appealed against, and any other Tenement the Valuation whereof it may be necessary to consider in the hearing of such Appeals, and shall direct Notices to be given to all Persons where Valuations may be altered on such Appeal, including those who have appealed, of the Day and Place appointed by him for hearing such Appeals.

On Receipt of Notices of Appeals Commissioner may cause Tenements to be valued again before hearing.

XX. And be it enacted, That the Commissioner of Valuation shall direct Two Sub-Commissioners to hear and determine the Appeals against the Valuation of the Tenements in each of the Parishes of the said Barony or County of a City or County of a Town, as the Case may be, such Sub-Commissioners not having been previously employed in making or examining such Valuation, and shall furnish them with the Notices of Appeal, or Copies thereof, which may have been transmitted by the Clerk of the Board of Guardians, as herein-before directed; and the said Sub-Commissioners shall meet at the Day and Place appointed for the hearing of such Appeals; and the said Clerk shall attend the said Sub-Commissioners, and produce the List of Tenements in the said Parish; and it shall be lawful for such Sub-Commissioners to adjourn their Meeting from Time to Time and from Place to Place, as they shall see fitting and convenient.

Sub-Commissioners to meet and hear and determine the Appeals.

XXI. And be it enacted, That the Commissioner of Valuation shall cause to be produced before such Sub-Commissioners all the Field Books which shall have been transmitted to such Commissioner from the Valuators of any Parish; and it shall be lawful for such Sub-Commissioners to send their Precept or Precepts, under their Hands and Seals, to any Person or Persons whomsoever, to attend and appear and be examined before such Sub-Commissioners; and all and every Person or Persons who shall be called upon or summoned by any such Precept shall and they and he are and is hereby required and directed to attend such Sub-Commissioners at such Time and Times and Place and Places as shall be appointed; and it shall be lawful for such Sub-Commissioners and they are hereby authorized and empowered to examine any Person or Persons upon Oath, or by way of Affirmation or Declaration, (as the Case may be,) and such Sub-Commissioners or either of them shall and they are hereby authorized and empowered to administer such Oath, or Affirmation or Declaration, to any Person or Persons respectively; and all and every such Persons or Person shall answer upon Oath or Affirmation as aforesaid to all Questions which shall be put to them by such Sub-Commissioners or either of them; and if any Person or Persons shall, upon his, her, or their Examination before such Sub-Commissioners, wilfully and corruptly give false Evidence, every such Person so offending, and being duly thereof convicted, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by any Law in force and effect in *Ireland* Persons guilty of Perjury are subject and liable to.

Field Books to be produced before Sub-Commissioners, who may summon Witnesses;

and examine them on Oath.

Persons giving false Evidence liable to be punished for Perjury.

XXII. And be it enacted, That if upon the hearing of any such Appeal it shall appear to the Sub-Commissioners that there is any just Cause of Complaint against such Valuation or any Part thereof, by reason of the Valuation not having been made on a just and proper Estimate of the net annual Value of any Tenement or Tenements, as is herein-before directed, or on any other account whatsoever, it shall be lawful for such Sub-Commissioners, if they shall see fit, to alter or amend such Valuation; and the said Sub-Commissioners shall make out and sign a Statement of all the Cases in every Parish in which they shall have altered the Value of any Tenement, or otherwise amended the Valuation, or refused to do so, and shall within Six Days transmit the said Statement, so signed, to the Clerk of the Board of Guardians, or other Person by this Act required to act in lieu of such Clerk, who shall forthwith make the same public by all and every the same Ways and Means by which the Lists of Tenements in the Form (A.) to this Act annexed are herein-before required to be made public: Provided always, that in all Cases in which no Clerk shall have been appointed to the Board of Guardians of any Union it shall be lawful for the Poor Law Commissioners to appoint a Person to act in his Stead.

Sub-Commissioners may alter or amend Valuation, and shall transmit a Statement of the same to Clerk of Guardians.

If no Clerk the Poor Law Commissioners to appoint one.

XXIII. And

Persons aggrieved may appeal from Sub-Commissioners to Sessions of the Peace.

XXIII. And be it enacted, That if any Person or Persons shall find himself or themselves aggrieved by any Order or Decision of such Sub-Commissioners, it shall be lawful for such Person or Persons to appeal to the next Sessions of the Peace to be held, in the Presence of the Assistant Barrister or Recorder, in and for the County, County of a City, or County of a Town in which such Order or Decision shall have been made, provided One Calendar Month shall intervene between the signing of such Statement and the first Day of the Sessions of such District; or if such Sessions shall be held before the Expiration of One Calendar Month next after the signing of such Statement, then such Appeal shall be made to the next following Sessions.

Persons appealing to give Notice to Commissioner of Valuation.

If Cause of Appeal require Valuation to be altered, Appellant to give like Notice, &c.

Provisions of 1 & 2 Vict. c. 56., 2 & 3 Vict. c. 1., and 6 & 7 Vict. c. 92., which require Recognizances to be entered into, &c. extended to this Act.

Proviso as to Costs awarded against Commissioners.

XXIV. And be it enacted, That the Person or Persons so appealing as aforesaid shall give or cause to be given at least Fourteen Days Notice in Writing of his or their Intention of appealing as aforesaid, and of the Matter and Cause thereof, to the Clerk of the Board of Guardians, who shall forward the same without Delay to the Commissioner of Valuation, as the Respondent in the said Appeal; and if the Cause of Appeal shall be such as to require Alteration to be made in the Valuation of any Tenement for which any other Person or Persons is or are liable to be rated, the Appellant shall give a like Notice to such other Person or Persons; and the Justices and Assistant Barrister or Recorder to whom such Appeal shall be made shall not examine or inquire into any other Cause or Ground of Appeal than such as is stated and specified in the Notice of Appeal; and the Provisions of the said Act passed in the Session of Parliament held in the First and Second Years of Her present Majesty, and of an Act passed in the Second Year of Her said Majesty, intituled *An Act to amend an Act of the First and Second Year of Her present Majesty, for the more effectual Relief of the destitute Poor in* Ireland, and of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her said Majesty, intituled *An Act for the further Amendment of the Act for the more effectual Relief of the destitute Poor in* Ireland, which require certain Recognizances to be entered into by Parties appealing against a Conviction or Poor Rate under the said Acts, and which empower the Justices and Assistant Barrister or Recorder to award Costs to the Party appealing or appealed against, and which relate to the Jurisdiction of the Sessions of the Peace in certain Cases, shall extend to Appeals made to the Sessions of the Peace under this Act: Provided always, that if the Costs of such Appeal shall be awarded against the Commissioner of Valuation or the Sub-Commissioners, such Costs, when paid by such Commissioner or Sub-Commissioners, together with the necessary Costs incurred by such Commissioner or Sub-Commissioners in defending such Appeal, shall be deemed to be and charged as Part of the Expence of the Valuation.

Decision of Justices, &c. to be final.

XXV. And be it enacted, That the Justices and the Assistant Barrister or Recorder before whom any Appeal shall be brought are hereby empowered and required to hear and determine the Matter of such Appeal, and to make such Order therein as to them shall seem fit, which Order shall be final and conclusive on all Parties.

Board of Guardians to pay Expences of the Clerk, &c.

XXVI. And be it enacted, That the Guardians of the Poor of the Union shall, out of any Funds under their Control, pay to the Clerk of the Guardians the reasonable Expences which he shall have incurred in the Execution of this Act, as well as a reasonable Remuneration for his Expences when absent from the Workhouse under the Requirements of this Act.

List of Tenements to be sent to Boards of Guardians, &c. when the Valuation is completed.

XXVII. And be it enacted, That so soon as the Valuation of any Union shall have been finally completed in the Manner aforesaid, the said Commissioner of Valuation shall transmit to the Board of Guardians of the Union in which any Townland or Townlands comprised in the said Valuation is or are situate, and to the Town Council of any City, Town, or Borough interested therein, a Copy of the Valuation of the several Tenements in the said Townland or Townlands, in the Form (B.) to this Act annexed, signed by him the said Commissioner of Valuation.

Certain Rates to be made only upon Persons liable according to the Valuation.

Proviso.

XXVIII. And be it enacted, That every Rate for the Relief of the destitute Poor in every Union which shall be made after Thirty Days from the Time when the Board of Guardians shall have received the Valuation of all the Townlands comprised in the Union, and every Rate made by any Town Council, shall be made upon the Persons liable to pay the same according to the Valuation so signed and transmitted as aforesaid by the Commissioner of Valuation, and upon no other: Provided always, that nothing herein contained shall be construed to prevent the Board of Guardians, or the Town Council, or the Assistant Barrister and Justices, on Appeal, from altering the Name of any Occupier or immediate Lessor in such Valuation, in case of any Change of Abode or Possession or of any Error or Omission of the Name of such Lessor or Occupier.

So much of Acts 1 & 2 Vict., 2 Vict., and 6 & 7 Vict. c. 92. as authorizes Justices, &c. to quash Rate not to apply to any Rate made in conformity with this Act.

XXIX. And be it enacted, That so much of the said Act passed in the Session of Parliament held in the First and Second Years of the Reign of Her Majesty Queen *Victoria*, and so much of the said Act passed in the Second Year of Her said Majesty, and so much of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her said Majesty, intituled *An Act for the further Amendment of an Act for the more effectual Relief of the destitute Poor in* Ireland, as may authorize any Justices or Assistant Barrister or Recorder, on Appeal being made to them at Quarter Sessions, to amend, alter, or quash any Rate, on account of the net annual Value assigned therein to any Tenement, shall not extend or apply to any Rate for the Relief of the destitute Poor made and assessed on such Tenement in conformity with the Valuation thereof signed by the Commissioner of Valuation as aforesaid.

Revision of Valuation in certain Cases to

XXX. And for the Purpose of the Poor Law Assessment, and to provide for the necessary Alteration and Revision of the said net Tenement Valuation from Time to Time, in the Cases of those Tenements the Limits whereof shall become altered, or whereof the Value shall be changed by any Building being erected

erected thereon, or thrown down or destroyed, as the Case may be, be it enacted, That within Ten Days after the First Day of *February* in each Year after the Completion of any such Valuation every Collector of Poor Rates within the said Union shall lay before the Board of Guardians of the Union for which he is a Collector a List of all the Tenements situate within every Townland in the said Union which is within his District the Value of which Tenements shall require Revision for any of the Reasons aforesaid, and the Clerk of the Union shall prepare from the said Lists a full and complete List of all such Tenements, and shall transmit the same, within Twenty Days from such First Day of *February*, to the Commissioner of Valuation, with the Opinion of the said Board of Guardians whether a Revision is necessary on account of such Changes or Alterations; and in Cities, Boroughs, or Towns in which the Provisions of the said Acts of the Ninth Year of the Reign of King *George* the Fourth, and of the Fourth Year of the Reign of Her present Majesty, or either of them, or any local Act empowering Trustees or any other local Body to make local Assessments, shall be in force, the Collector of Poor Rate and the Collector of Borough Rate or Town Rate respectively shall prepare a like List of Alterations of Tenements as aforesaid, and shall deliver the same to the Town Clerk of the Borough or of the Town Council, to be laid before the Town Council, who, if they shall think fit so to do, shall forward the same to the Commissioner of Valuation.

take place after the Lapse of One Year.

XXXI. And be it enacted, That after the Receipt of the said List, whether from the Clerk of the Board of Guardians or the Clerk of the Town Council, and within such reasonable Time thereafter as shall be convenient and suitable, the said Commissioner of Valuation shall, if he shall think fit, authorize the Board of Guardians or the Town Council, as the Case may be, to appoint a fit and proper Person to revise the Tenements so requiring Revision, or the said Commissioner of Valuation shall himself cause a Revision to be made of the net annual Value of the Tenements in the several Townlands and Parishes of the said County the Limits or Value whereof shall have been altered as aforesaid, whether such Tenements so altered in Limits or Value shall have been included in the said Lists or not, and so soon as the said Revision shall have been made shall make out and prepare a List of the Tenements so revised as aforesaid, and shall sign the same, and shall transmit a List of such Tenements therein as are rateable to the Poor Rates of any Union to the Guardians of the said Union, in the Form (C.) to this Act annexed, and shall also make and transmit to the Town Council or Commissioners appointed under the said Act of the Ninth Year of His late Majesty King *George* the Fourth a separate Valuation of any such Property or Dwelling Houses as he is herein-before required to value separately, and which shall not have been previously so valued by him as herein-before directed, or which having been previously so valued by him shall require further Valuation for either of the Causes aforesaid.

Commissioner of Valuation shall cause a Revision to be made of such Tenements, and transmit Lists of revised Tenements to the Board of Guardians or the Town Council.

XXXII. And be it enacted, That any Person aggrieved by the Valuation of any Tenement contained in the said Lists of revised Tenements shall have the like Power and Right of Appeal to the Sessions of the Peace as is herein-before given to any Person aggrieved by the Valuation of any Tenement contained in the said Lists of Tenements in Form (C.) to this Act annexed, subject to the same Conditions, and to be exercised in the same Manner and to the same Extent, as the said Power and Right of Appeal in the Case last mentioned.

Appeal may be made to Quarter Sessions against revised Valuation of Tenements.

XXXIII. And be it enacted, That in any Rate to be made after Thirty Days from the Receipt of the said finally revised List of Tenements by the Board of Guardians of any Union or Town Council, the Tenements included in the said List shall be rated according to the Value thereof as set forth in the said List, in place of that specified in such first Lists.

Assessment to Poor Rates thereafter to be made accordingly.

XXXIV. And be it enacted, That it shall be lawful for the Grand Jury of any of the Counties valued under this Act to direct from Time to Time, if they shall think fit so to do, that the Applotment of all County Rates for such County, or any Barony within such County, shall be made according to the Valuation contained in the List of Tenements comprehended within each Townland in every such Barony or Parish within such County; and the Grand Jury of such County shall have Power from Time to Time to appoint an Applotter or Applotters to apportion on the Occupiers of the several Tenements contained in any such Townland or Townlands in such County the Amount of County Cess to be borne by every such Tenement according to such Valuation as aforesaid, but nothing herein contained shall authorize the Levy of County Cess on Houses whose annual Value shall not exceed Five Pounds.

Grand Jury may direct an Applotment to be made according to Valuation contained in List.

Houses exempt under 5*l.* Value.

XXXV. And be it enacted, That it shall be lawful for the Grand Jury of any County in *Ireland*, if they shall so think fit, to direct that the Applotment of all County Rates shall from Time to Time be made upon the several Tenements contained in any Townland of such County in proportion to the Value of each such Tenement, as compared with the gross Amount of the Value of the Townland in which it is situate, as specified in the Valuation Lists prepared as herein-after mentioned by the Commissioner of Valuation, under the Provisions of this Act in that Behalf, or any former Act or Acts for the uniform Valuation of Lands and Tenements in *Ireland*, and by reference to the Maps and Field Books made out under the Direction of the said Commissioner for the Purpose of such uniform Valuation; and in such Case it shall be lawful for such Grand Jury from Time to Time to appoint an Applotter or Applotters to apportion accordingly on each such Tenement the Amount of County Cess to be borne by the same respectively.

Grand Jury may direct Applotment to be according to the uniform Valuation.

XXXVI. And be it enacted, That it shall be lawful for the Grand Jury in such respective Cases and they are hereby authorized to present such Sum as they shall think fair and reasonable to be paid for the due Preparation of the first Applotment to be made according to either of the Valuations aforesaid: Provided always, that for every subsequent Applotment, or Correction of any such Applotment as aforesaid, the

Expence of Applotment may be presented by Grand Jury.

the Amount to be presented for such subsequent or corrected Applotment shall not exceed One Farthing in the Pound on the gross Amount of the Sum applotted.

If no Applotters appointed by Grand Jury they shall be appointed under 6 & 7 W. 4. c. 116.;

XXXVII. And be it enacted, That if the Grand Jury shall not in either of the Cases aforesaid have appointed an Applotter or Applotters, then the respective Applotter or Applotters shall be appointed under the Provisions of an Act of the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in* Ireland, and shall make an Applotment pursuant to the Directions given by the Grand Jury for either of such Modes of Applotment as aforesaid, as the Case may be.

who shall applot according to last-recited Act if no Directions be given.

XXXVIII. And be it enacted, That in case no Order or Direction be given as aforesaid by the Grand Jury as to the Manner in which Applotments and Assessments for Grand Jury Cess shall be made as aforesaid, the same shall be applotted and assessed according to the Provisions of the said Act of the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth.

In addition to the Tenement Valuation an additional Valuation to be made for the Purposes of County Assessments, according to the Prices of agricultural Produce.

XXXIX. And be it enacted, That, in addition to the Tenement Valuation according to the net annual Value, an additional Valuation for the Purposes of County Assessment shall be made with reference to the average Prices of the several Articles of agricultural Produce in the said recited Act of the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, and herein-after specified; (that is to say,)

Wheat at the general average Price of Ten Shillings *per* Hundred Weight of One hundred and twelve Pounds:

Oats at the general average Price of Six Shillings *per* Hundred Weight of One hundred and twelve Pounds:

Barley at the general average Price of Seven Shillings *per* Hundred Weight of One hundred and twelve Pounds:

Potatoes at the general average Price of One Shilling and Seven-pence *per* Hundred Weight of One hundred and twelve Pounds:

Butter at the general average Price of Sixty-nine Shillings *per* Hundred Weight of One hundred and twelve Pounds:

Beef at the general average Price of Thirty-three Shillings *per* Hundred Weight of One hundred and twelve Pounds:

Mutton at the general average Price of Thirty-four Shillings and Sixpence *per* Hundred Weight of One hundred and twelve Pounds:

Pork at the general average Price of Twenty-five Shillings and Sixpence *per* Hundred Weight of One hundred and twelve Pounds.

Valuation of Houses for County Assessment.

XL. And be it enacted, That for the Purposes of County Assessment all Houses comprised in the County Valuation hereby directed to be made shall be valued at the Sum or Rent for which each House could be let by the Year, deducting therefrom One Third Part of such Sum or Rent; and no House valued at a less Sum or Rent by the Year than Five Pounds shall be included in the said Valuation.

Outbuildings and Appurtenances to be valued with the House.

XLI. And be it enacted, That for the Purposes of such County Valuation all Outbuildings, Barns, Stables, Warehouses, Yards, and Offices belonging or contiguous to any House and occupied therewith by One and the same Person or by the same Persons, or his or their Servants, as one entire Concern or undivided Tenancy or Holding, shall be valued together with such House, and be deemed and taken to be Parcel thereof.

All Flour Mills, &c., with their effective Water-power, to be valued.

XLII. And be it enacted, That for the Purposes of such County Valuation all Flour, Corn, Flax, or other Mills or Buildings erected for manufacturing or other Purposes, together with the Water-power thereof, shall be included in such Valuation, provided that the Water-power of any such Mill or Manufactory be only valued so far as it may be actually used, and that such Valuation shall not extend to or include the Value of any Machinery contained within such Mill or Manufactory.

Commissioner of Valuation shall distinguish all Houses of a public Nature, or used for charitable Purposes, which shall be exempted from Applotment, &c. for County Cess, &c.

XLIII. And be it enacted, That for the Purposes of such County Assessment, in making out the Lists or Tables of Valuation herein-after mentioned, of the several Parishes within each Barony, and of the Townlands or other Sub-Denominations or Divisions of Land within every such Parish, as herein-after specified, the Commissioner of Valuation shall distinguish all Houses, Lands, or Tenements of a public Nature or used for charitable Purposes, and the Value of the same shall be deducted from the gross Amount of the Valuation of the Houses, Lands, and Tenements comprised in each such List or Table; and all such Houses, Lands, or Tenements so distinguished and deducted shall be exempt from Applotment or Assessment for or towards all County Cess Charges and Parish Rates whatsoever, so long as they shall continue to be of a public Nature or used for charitable Purposes; and the Lists, Tables, or Valuations so reduced shall be deemed to be the Lists, Tables, or Valuations whereby all Grand Jury Rates shall be assessed and levied, as herein-after provided.

No Houses to be exempted unless altogether of a public Nature, or used exclusively for charitable Purposes.

XLIV. And be it enacted, That for the Purposes of such County Assessment no Houses, Lands, or Tenements shall be deemed to be of a public Nature or used for charitable Purposes, within the Meaning of this Act, unless such Houses, Lands, or Tenements shall be altogether of a public Nature, or used exclusively for charitable Purposes; provided nevertheless, that the Committee of Appeal and Committee of Revision respectively in each County shall, as herein-after provided, have Power and Authority to consider and determine the Justice and Propriety of all such Exemptions, and to make Order allowing or disallowing the same accordingly.

XLV. And

Grand Juries at Assizes shall appoint Committees of Appeal for each Barony, and a general Committee of Revision for the County.

XLV. And be it enacted, That at the next ensuing Assizes after the Receipt of the Notification of the Appointment of such Commissioner of Valuation (or at any succeeding Assizes, if need be,) the Grand Jury of such County shall nominate and appoint Committees for the several Baronies within every such County respectively, each consisting of not less than Three nor more than Five of such Grand Jurors, or Persons who have served upon Grand Juries, together with any Number of Magistrates, not more than Five, resident within such County, each to be called a Committee of Appeal on Valuations for the Barony or Baronies to be named and appropriated to each Committee; and every such Committee shall sit and meet within the Barony or Baronies for which such Committee shall be appointed, at such Times as shall be required for the Execution of the Purposes of this Act; and such Grand Jury shall also in like Manner nominate and appoint One General Committee, to consist of not less than Seven nor more than Twelve Persons who have served on Grand Juries, or who are Magistrates resident within such Counties, to be called a Committee of Revision of Valuations for the County, and such Committee shall sit and act under the Directions of this Act; and when it shall happen that any such Committee of Appeal or Committee of Revision respectively shall not have assembled, or shall not have received Notice to assemble, at any Time previous to the Assizes next ensuing such their Appointment respectively, the Grand Jury at such next ensuing Assizes shall nominate and appoint a Committee or Committees of Appeal, and a Committee of Revision, as the Case shall require, either by Re-appointment of the former Members or any of them, or by the Appointment of any other Person or Persons to be Members of such Committees respectively; and the Appointment of such Committee shall be made, and Lists thereof respectively shall be delivered, by such Grand Jury, to the Court, before any Presentment for any Road or Bridge shall be fiated by the Judge at any such Assizes.

Lord Lieutenant may appoint Assessors to such Committees. As to Decisions of Questions by Committees.

XLVI. And be it enacted, That it shall be lawful for the said Lord Lieutenant, on the Application of any such Commissioners, or when it shall seem expedient to him so to do, to appoint any practising Barrister to be an Assessor to any such Committee, either to assist such Commissioner, or in the Place or instead of such Commissioner; and such Commissioner, or in his Absence such Assessor, shall attend and act as Chairman of such Committee of Appeal or Revision; and such Committee so constituted shall decide on all Questions which shall come before them by a Plurality of Voices; and in case any such Committee shall be equally divided, the Commissioner of Valuation, or in his Absence the Assessor, being Chairman, shall have the casting Vote.

On Receipt of Valuation Lists Commissioner of Valuation to reduce the net annual Valuation of Townlands to the relative Scale, &c.

XLVII. And be it enacted, That when the net annual Value of the several Tenements contained in the Valuation Lists of the several Parishes and Townlands in any Barony or County of a City or County of a Town shall have been approved of by the Sub-Commissioners of Valuation, or in case of Appeal shall have been amended by them, or by the Justices and Assistant Barrister, and when such Lists shall have been received by the Commissioner of Valuation, he shall make such proportionate Alterations in such net annual Valuation as may be requisite to reduce such Valuation to the relative Scale of Value deduced from the Table of the average Price of agricultural Produce and of Houses as herein-before mentioned; and the Sum of the Value so reduced within any Townland shall be deemed to be the Value of such Townland for such Grand Jury or County Purposes.

Commissioner shall make out from such Lists a List of the Parishes, Townlands,&c., and transmit it to the High Constable, with Notice of the Day of Appeal.

XLVIII. And be it enacted, That the Commissioner of Valuation shall prepare and make out from such Lists of Townlands the Valuation of which shall have been so reduced a complete List or Table, in the Form (D.) to this Act annexed, of such reduced Valuation of the several Parishes within such Barony, and of the Townlands within every such Parish respectively, distinguishing the Number of Acres contained in every Townland within such Parish, and the total Value of the Land and Houses in every such Parish respectively, according to the Survey thereof and of such Valuation thereof; and such Commissioner of Valuation shall transmit printed Copies of such List, in the Form (D.) annexed to this Act, to the High Constable or other Collector of the County Cess or Grand Jury Rate in or for the Barony, and shall at the Foot of such List specify the Day and Place appointed by such Commissioner of Valuation for the meeting of the Committee of Appeal, and which Day shall not be longer than Six Weeks after the Day of the Transmission of such List to such High Constable.

High Constable shall send Copies to Churchwardens, who shall post them on Church and Chapel Doors, &c. If Lists destroyed new ones to be posted up.

XLIX. And be it enacted, That every Constable or Collector to whom any such List shall be transmitted as aforesaid shall transmit Copies of each such List to the Churchwardens or Churchwarden of every Parish within such Barony; and every such Churchwarden, within Ten Days after the Receipt of such List, shall post and affix a Copy thereof on the principal outer Door of the Church, and of any One Roman Catholic Chapel and of any One Presbyterian Meeting House within such Parish, there to remain affixed for Two successive *Sundays* after the affixing thereof; and if any such Copy of any such List shall be removed from the Church or other Place where the same shall have been posted or affixed as aforesaid, or shall be destroyed or defaced, at any Time within Fourteen Days after the affixing the same, the Churchwardens or Churchwarden shall post and affix, or cause to be posted and affixed, a new Copy of every such List on the Door of such Church, Chapel, or Meeting House respectively, and so from Time to Time when any such Copy shall be so destroyed or defaced.

Churchwardens shall call a Vestry to consider the Lists, and determine on the Necessity or Propriety of appealing against them.

L. And be it enacted, That within Ten Days next after the Receipt of the Copy of any such List as aforesaid public Notice shall be given by the Churchwardens or Churchwarden, in the usual Manner of Notices given for holding Vestries in such Parish, that a Select Vestry will be holden in and for such Parish, on some Day to be named in such Notice, not being less than Ten Days nor more than Fourteen Days from the *Sunday* on which any such List shall have been first affixed on the Door of the Church and other Place or Places of Public Worship in such Parish, for the Purpose of taking such List into consideration,

consideration, and to determine on the Necessity or Propriety of appealing against such List; and such Vestry so assembled shall proceed to take such List into consideration, and may adjourn from Time to Time to any Day not more than Ten Days distant from the first Day of Meeting.

Select Vestry shall consist of Persons having paid 20s. per Annum to County Cess, or being Justices of the Peace, or Freeholders of 20l. or upwards.

LI. And be it enacted, That no Person shall be admitted or entitled to attend or to vote at any such Select Vestry to be holden for the Purposes last aforesaid, except such Persons as are hereafter described; (that is to say,) such Persons as shall have actually paid and satisfied County Cess Charges or Grand Jury Rates for Lands or Tenements in such Parish to the Amount of Twenty Shillings within Twelve Calendar Months next preceding the Day of holding any such Vestry, and Persons who shall be Justices of the Peace, qualified to act as such within such Parish, and Persons seised respectively of Freehold Estate situate within such Parish of the Value of Twenty Pounds or upwards (not arising from a Rent-charge), and duly registered as such under any Act or Acts in force relating to the Election of Members of Parliament in *Ireland*, and of which Registry such Persons shall produce a Certificate signed by the Clerk of the Peace; and if any Person shall attend or vote, or shall claim or offer to attend or vote, at any such Select Vestry, not being qualified in such Manner as is herein-before stated, every such Person shall for every such Offence forfeit the Sum of Ten Pounds.

Penalty for voting not being qualified.

If Vestry agree to appeal for the Parish or for any Townland, a Memorandum thereof and of the Grounds of Appeal shall be sent to the Commissioner of Valuation.

LII. And be it enacted, That if on the first Day of the Meeting of such Vestry, or at any adjourned Meeting of such Vestry which shall be held on any Day not more than Ten Days distant from such first Day of Meeting, it shall be determined that an Appeal shall be made against any Valuation contained in such List, in respect of the Valuation of the whole of such Parish, as compared with any other Parish within the Barony, or if it shall appear to such Vestry that the Owners or Occupiers of the greater Portion in Extent and Value of Lands situate in any Townland within the Parish in which such Vestry shall be held shall be desirous of appealing against the Valuation of any such Townland, as compared with that of any other Townland or Townlands within the said Barony, it shall be lawful for such Vestry to direct that such Appeal shall be made by such Vestry on behalf of such Parish, or by certain Persons to be named at such Vestry on behalf of the Owners or Occupiers of Land within any such Townland as aforesaid; and a Memorandum of the Agreement to make such Appeal, or some Minute or Entry of the same, and of the Grounds of such Appeal, shall be stated in Writing, and shall be entered in the Books of such Vestry, or in some Book to be kept for that Purpose, and shall be signed by the Chairman of such Vestry and Four other Persons present at such Vestry; and a Copy of the Memorandum of such Agreement, and the Grounds of such Appeal, shall be transmitted by the Chairman of such Vestry, within Two Days after such Meeting, to the Commissioner of Valuation for the County in which such Parish shall be situate, and shall be held to be sufficient Notice on the Part of such Parish or Townland of their Intention to appeal.

Select Vestry may appeal against any Valuation contained in any Table or List, or against the Formation of the same, &c.

LIII. And be it enacted, That it shall and may be lawful for any Select Vestry to appeal against any Valuation contained in any Table or List, or against the Formation of any Table or List prepared under Authority of this Act, on the Ground of any Houses, Lands, or Tenements having been improperly considered as of a public or charitable Nature, and distinguished or deducted from any List or Valuation accordingly, whether such Houses, Lands, or Tenements be situate in the Parish wherein such Vestry may be holden, or in any other Parish of the same Barony; and that such Appeal shall be determined upon, and a Memorandum of the Agreement so to appeal made, and like Notice thereof given, as in Case of Appeal on any Ground whereupon it may be lawful to appeal by virtue of the Provisions of this Act.

Where no Churchwarden High Constable to transmit Copies of Valuation List to Two Landholders, who shall summon a Special Vestry for the Consideration of the same.

LIV. And be it enacted, That in any Parish or Place in which there may be no Churchwarden or Churchwardens the High Constable shall transmit Copies of the Valuation List to some Two Landholders resident within such Parish or Division, who shall post the same in like Manner as the Churchwardens of any Parish have been herein-before required to do, and shall summon a Special Vestry to meet for the Consideration of such List, at some convenient Time and Place within such Parish or Place, and notify the Time and Place appointed for the meeting of such Vestry, by Notices to be posted in like Manner as the said Lists are herein-before directed to be posted; and the Special Vestry so summoned shall have all such Power and Authorities in respect of such Lists, and appealing against the same or any Part thereof, and shall be constituted in like Manner, and subject to the same Rules and Regulations, as any Special Vestry summoned by any Churchwardens for the Purposes of this Act.

Notice to be given by Commissioner to Secretary of Grand Jury, and by Secretary of Grand Jury to Committee of Appeal, of Day and Time appointed for hearing Appeals.

LV. And be it enacted, That the Commissioner of Valuation by whom such List of the Valuations of the several Parishes and Townlands in any Barony of any County shall be transmitted to the High Constable or Collector, as by this Act is required, containing such Notice of the Day and Place appointed by such Commissioner for the hearing Appeals against any Valuation specified in such List, shall, within Seven Days next after the transmitting such List to such High Constable or Collector, give and transmit Notice in Writing to the Secretary of the Grand Jury of such County of the Day and Place so appointed for the hearing of such Appeals; and such Secretary of the Grand Jury shall give Notice of the Day and Place so appointed for the hearing of such Appeals, by Letters addressed to each and every of the Persons who shall have been nominated and appointed by the Grand Jury in pursuance of this Act to be the Committee of Appeal against Valuations in and for such Barony; and such Secretary of the Grand Jury shall also give Notice of such Day and Place of meeting by an Advertisement to be inserted in some public Newspaper usually circulated in such County, in some Publication of such Newspaper Fourteen Days at least before the Day appointed for such Meeting.

Committee of Appeal may

LVI. And be it enacted, That it shall be lawful for such Committee of Appeal to assemble at the Day and Place appointed, for the hearing of all Appeals of which such Notice shall have been given as aforesaid,

said, and that such Place shall be the usual Place of holding Sessions of the Peace within the Barony, unless some other Place shall be specially appointed in the Notice for the sitting of such Committee of Appeal and for the hearing such Appeals; and it shall be lawful for such Committee of Appeal to adjourn from Time to Time as they shall see fitting and convenient.

hold Meetings, and adjourn from Time to Time.

LVII. And be it enacted, That the Commissioner of Valuation shall produce or cause to be produced before such Committee of Appeal all or any of the Tenement Valuation Lists which shall have been approved or amended by the aforesaid Sub-Commissioners of Valuation, or by the Justices and Assistant Barrister of the County, in case the same shall be required by such Committee; and it shall be lawful for such Committee of Appeal to send their Precept or Precepts under their Hands and Seals, or the Hands and Seals of any Two of them, or under the Hand and Seal of the Commissioner of Valuation, or in his Absence of the Assessor to be appointed as aforesaid, to any Person or Persons whomsoever, to attend and appear and be examined before such Committee of Appeal; and all and every Person or Persons who shall be called upon or summoned by any such Precept shall and they and he are and is hereby required and directed to attend such Committee of Appeal, at such Time and Times and Place and Places as shall be appointed; and it shall be lawful for such Committee of Appeal, or any Member thereof, and they and he is and are hereby authorized and empowered, to examine any Person or Persons upon Oath (or Affirmation), and such Committee or any Member thereof (Three or more of the Members of such Committee being present) shall and may and are and is hereby authorized and empowered to administer such Oath or Affirmation to any Person or Persons respectively; and all and every such Persons or Person shall answer upon Oath or Affirmation as aforesaid to all Questions which shall be put to them by such Committee or any Member thereof; and if any Person or Persons shall, upon his, her, or their Examination before such Committee, wilfully and corruptly give false Evidence, every such Person so offending, and being thereof duly convicted, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by Law in force and effect in *Ireland* Persons guilty of Perjury are subject and liable to.

Valuation Lists shall be produced before Committee of Appeal, who may summon Witnesses;

and examine them on Oath.

Persons giving false Evidence liable to Punishment for Perjury.

LVIII. And be it enacted, That if upon the hearing of such Appeal it shall appear to such Committee of Appeal that there is any just Cause of Complaint against such Valuation or any Part thereof, either by reason of the Disproportion of the Valuation of any Parish or Townland, as compared with the Valuation of any other Parish or Townland, or by reason of the Valuation not having been made with reference to the relative Scale of Value fixed for such Valuation by this Act, it shall be lawful for such Committee of Appeal, if they shall think fit, to alter or amend such Valuation, or, if they shall consider a new Valuation to be necessary, to direct that a new Valuation shall be made of any Parish or Townland or Parishes or Townlands contained in such Valuation, by some Valuator or Valuators, not being the same who were employed or engaged in making the Valuation appealed against; and such Committee shall order that such new Valuation shall be made, and produced before such Committee on a Day to be appointed for that Purpose by the said Committee, to which Day it shall be lawful for such Committee of Appeal to adjourn accordingly; and at such adjourned Meeting of such Committee of Appeal it shall be lawful for the said Committee of Appeal, and they are hereby authorized and required, to compare such new Valuation with the former Valuation of the same Parish or Townland or Parishes or Townlands appearing in the Field Books made on the first Valuation thereof respectively, and to make such Alterations or Amendments in the Amount of such first Valuation, or otherwise to confirm the same in such Manner as to such Committee of Appeal shall appear to be consistent with the Justice of the Case.

Committee of Appeal may direct Revaluation, or amend or confirm the original Valuation.

LIX. And be it enacted, That it shall be lawful for such Committee of Appeal to ascertain and allow the Amount of any Costs incurred by or on behalf of any Parish in the bringing and hearing of any such Appeal; and the Amount of all such Costs, so ascertained and allowed, shall be assessed and applotted by the Churchwardens or Churchwarden of such Parish, either on the Inhabitants of the whole of such Parish, or on the Inhabitants of any Townland or Townlands within such Parish in respect of which such Appeal shall have been made, and shall be levied on such Inhabitants in like Manner and in such Proportions as any Assessment or Applotment on any such Inhabitants in respect of any Church Rates or other Parish Charges may be assessed, applotted, and levied.

Costs by Parishes on Appeal may be ascertained by Committee, and levied as other Parish Rates.

LX. And be it enacted, That in case of Appeal the Decision of such Committee of Appeal shall be conclusive in all Cases where such Decision shall be concurred in and approved of by the Commissioner of Valuation, or in his Absence by the Assessor to be appointed as aforesaid, and sitting as Chairman of such Committee of Appeal: Provided always, that in case it shall happen that such Commissioner of Valuation or Assessor respectively sitting as such Chairman as aforesaid shall disagree from the Decision of such Committee of Appeal, it shall and may be lawful for such Commissioner or Assessor to submit such Decision to the Committee of Revision for such County, at the Time when the Valuation of all the Baronies within the County shall be submitted to the Review of such Committee of Revision in manner herein-after mentioned; but until the Decision of such Committee of Revision shall have been obtained the Valuation determined on by the Majority of the Committee of Appeal shall be acted on in the same Manner as if such Appeal to the Committee of Revision had not been made by the Commissioner of Valuation or his Assessor.

Decision of Committee of Appeal conclusive, if Commissioner or Assessor assent, otherwise to be subject to the Review of the Committee of Revision.

LXI. And be it enacted, That where an Appeal shall have been made to any Committee of Appeal, under the Provisions of this Act, by or on behalf of any Parish, or the Owners or Occupiers of Land within any Townland of any Parish, against the Valuation or any Part of the Valuation of the same, or of any other Parish or Townland or Townlands within the same Barony, and it shall appear to such Committee of Appeal that just Cause has been shown to warrant such Committee to direct that a new Valuation

Committee of Appeal may direct a new Valuation to be made of certain Parishes, &c. although no

Appeal shall have been lodged in respect thereof.

Except in a certain Case, Valuation to be conclusive.

Valuation shall be made of any such Parish or Parishes, Townland or Townlands, in respect of or on behalf whereof such Appeal may have been made, then and in such Case it shall and may be lawful for the said Committee of Appeal, with the Consent of the Commissioner of Valuation for such County or of his Assessor, to direct that a new Valuation shall in like Manner be made of any other Parish or Parishes, Townland or Townlands, within the same Barony, the Valuation whereof shall appear to the said Committee to have been defective or erroneous in the same respects, or to which the same Ground of Appeal may appear justly applicable, although no such Appeal shall have been made in respect of or on behalf of such other Parish or Parishes, Townland or Townlands: Provided always, that, except in such last-mentioned Case, such Valuation shall be conclusive in all Cases where no Appeal shall have been made to such Committee of Appeal against any such Valuation within the Time directed by this Act.

When the Valuation of any Barony has been made and decided on, a List of the several Parishes, and the Divisions of Land within the same, shall be prepared and published.

During the Period herein described, all County Cess, &c. shall be levied according to the Proportions specified in such List.

LXII. And be it enacted, That when and as the Valuation of any Barony within a County shall have been made by such Valuators, and transmitted to the Commissioner of Valuation, and decided on by the Committee of Appeal, the said Commissioner of Valuation shall prepare and make out, in the Form of the Schedule (D.) to this Act annexed, a List or Table of the several Parishes within such Barony, and of the several Townlands within each such Parish, distinguishing the Number of Acres contained in every such Parish and Townland, and the Value of the Lands and Houses in each such Parish or Townland respectively, according to the Survey and Valuation thereof so decided upon; and each such List or Table shall be signed by the said Commissioner of Valuation or his Assessor and Three Members of the said Committee of Appeal, and shall be transmitted, so signed, to the Chief Secretary of the said Lord Lieutenant, and a Copy thereof shall be published in some Newspaper circulated in the County to which such Valuation shall relate; and from and after the End of the Assizes next ensuing the Day of such Publication, and until the End of the Assizes next ensuing the Day on which the List and Valuation of all the Baronies within the same County, as completed and agreed on by the first or preliminary Committee of Revision appointed under the Provisions of this Act, shall have been published, but no longer, all Grand Jury Rates, and the usual and accustomed Proportion of all County Cess Charges whatsoever imposed or to be imposed on such Barony by Presentments of the Grand Jury, or to be raised off such Barony or any Parish and Division thereof, and all Parish Rates imposed or to be imposed or levied off any Parish or Townland of such Barony under the Authority of any Law or Statute, shall be assessed and levied off such Barony, and off every Parish and Townland therein, according to the Proportions specified in such List and Valuation so signed and published as herein-before directed.

Publication of List, &c. not to affect relative Proportion borne by Barony.

LXIII. Provided always, and be it enacted, That the Publication of the List and Valuation of any Barony by Order of the Committee of Appeal, under the Provisions of this Act, shall not alter or affect the relative Proportion of County Cess or Charges which by any Laws or Usage may be or have been borne by such Barony as compared with any other Barony or Baronies.

Commissioner to deliver Copy of Lists to Treasurer of County.

LXIV. And be it enacted, That when and so soon as the Valuation of all the Parishes within any Barony shall be completed the Commissioner of Valuation shall make out a Copy of the Valuation Lists of each Parish, and shall deliver such Copy of the Valuation Lists, attested by his Signature, to the Treasurer of the County, who shall keep the same in his Office.

When Valuations of all the Baronies in any County are completed, Commissioner shall send List thereof to Secretary of Grand Jury, who shall summon the Committee of Revision.

LXV. And be it enacted, That when and so soon as the Valuation of all the Baronies within any County shall have been made by such Valuators as aforesaid, and transmitted to the Commissioner of Valuation, and decided on by such Committee of Appeal, the said Commissioner shall prepare and make out a List or Table in the Form contained in Schedule (E.) to this Act annexed, of all the several Baronies within such County, specifying the Number of Acres within each such Barony, according to the Survey made thereof by the Officers of Ordnance, and the total Value of the Lands and Houses in such Barony, according to the Valuation thereof by such Valuators pursuant to the Directions of this Act, and shall transmit a Copy of such List or Table, signed by such Commissioner, and dated on the Day of the Transmission thereof, to the Secretary of the Grand Jury of such County, and shall at the Foot of the Copy of such List specify the Day appointed by such Commissioner of Valuation for the meeting of the Committee of Revision of the said County at the County Court House of the said County, for the Revision of the Valuation of the said Baronies, which Day shall not be sooner than Eight Weeks next after the Date of the Copy of such List signed by such Commissioner; and such Secretary of the Grand Jury shall give Notice of the Day and Place appointed for the Revision of such List, by Letters addressed to each and every of the Persons who shall have been nominated and appointed by the Grand Jury in pursuance of this Act to be the Committee of Revision for such County; and such Secretary of the Grand Jury shall also give Notice of such Day and Place of Meeting of such Committee of Revision, by an Advertisement to be inserted in some public Newspaper usually circulated in such County, in some Publication of such Newspaper Six Weeks at least before the Day appointed for such Meeting.

Notice to be given of Meeting of Committee of Revision.

Committee of Revision may examine Valuations of Baronies in the Lists, and amend the same so as to make them just and proportionate with each other.

LXVI. And be it enacted, That at the Day appointed for the Meeting of such Committee of Revision the Members of such Committee of Revision, together with the Commissioner of Valuation or his Assessor, shall meet together in the Court House of such County, and shall there proceed to inquire and consider and determine whether the several Baronies of the said County have been equally and properly valued, pursuant to the Directions of this Act, with reference to the relative Scale of Value fixed for such Valuation by this Act, and also with reference to the respective Valuations of the several Baronies as compared with each other; and the said Commissioners of Valuation shall produce or cause to be produced before the said Committee of Revision, if they shall require the same, all the Lists containing the Valuation of the several Parishes within the several Baronies of the said County, and such Lists shall and

and may be consulted, perused, and examined by the said Committee of Revision, or any Member thereof; and if upon such Examination or otherwise it shall appear to such Committee of Revision that any excessive or defective Valuation has been made of any Barony, or that the relative Scale of Value required by this Act has not been adhered to in such Valuation, or on any account whatsoever, it shall be lawful for such Committee of Revision to correct any Errors which may appear to them upon Examination and Inquiry to have been made in such Valuations, so as to make the Valuation of the respective Baronies just and equal and in due Proportion with each other; and it shall be lawful for such Committee of Revision to adjourn from Time to Time as they shall see fitting and convenient.

Committee of Revision may alter Valuation of any Division of a Barony.

LXVII. And be it enacted, That when any such Committee of Revision shall think fit to alter the Amount of the Valuation of any Barony, as compared with any other Barony, it shall and may be lawful for them to alter the Amount of the Valuation of any Parish or Townland of such Barony, in such Manner and to such Extent as the said Committee shall think just with regard to the Reason or Principle on which the gross Amount of the Valuation of such Barony may have been altered by them.

Fractions of a Pound may be rejected from Valuation of Barony, &c.

LXVIII. And be it enacted, That all fractional Parts of a Pound Sterling may be rejected from the total Value of any Barony, Parish, or Townland as stated in any List and Valuation prepared under Authority of the said recited Acts or this Act for the Purpose of computing the Proportions in which the same shall be respectively rated.

When Committee of Revision come to a Decision, the List to be signed, and a Copy published. After the End of the Assizes next ensuing the Publication of the Valuation, all Charges and Rates shall be levied according to that Valuation.

LXIX. And be it enacted, That when the Committee of Revision shall have come to a Decision the List of the several Baronies, and the Valuation thereof, as confirmed or amended, shall be signed by the Commissioner of Valuation or by the Assessor, and by Three at least of the Members of the said Committee of Revision appointed by the Grand Jury, and a Copy thereof, according to the Form of the Schedule (F.) to this Act annexed, or in such other Form as shall be approved by the Judge and Grand Jury at any Assize to be holden for such County, shall be published in some public Newspaper circulated in the County to which such List and Valuation so signed shall relate; and from and after the End of the Assizes next ensuing the Day on which such List and Valuation so signed shall be published as aforesaid all County Cess and Charges whatsoever, and all Grand Jury Rates imposed or to be imposed on any such County by Presentments of the Grand Jury, or to be raised off such County, or any Barony, Parish, or Townland thereof, and all Parish Rates imposed or to be imposed or levied or to be levied under the Authority of any Act or Acts of Parliament shall be assessed and levied off such County, and off every Barony, Parish, or Townlands therein, according to the Proportions specified in such List and Valuation so published, until and unless the same shall be revised or altered by a Committee of Revision re-assembled as herein-after provided, and no longer.

List and Valuation of the Baronies, when finally settled by Committee of Revision, shall be published in the Dublin Gazette.

LXX. And be it enacted, That a Copy of the Schedule agreed upon and signed as aforesaid by the Committee of Revision, according to the Form of the Schedule (F.) to this Act annexed, or in such other Form as shall be approved by the Judge and Grand Jury at any Assizes to be holden for such County, shall be transmitted to the Chief Secretary of the Lord Lieutenant, and he shall cause the same to be published in the *Dublin Gazette* within Thirty one Days next after he shall have received such Lists, so signed by such Commissioner and Committee, or Three Members hereof; and the several Field Books and other Documents shall be transmitted by the Commissioner of Valuation to the Office of the Chief Secretary to the Lord Lieutenant of *Ireland* in *Dublin Castle*, to be there arranged and kept as may be most for Convenience and Security, and a Copy of such Field Books shall be furnished by such Commissioner of Valuation to the Treasurer of the County.

After such Publication all County Cess shall be levied according to the Sums and Proportions in such Valuation.

LXXI. And be it enacted, That from and after the End of the Assizes next ensuing the Day on which such List and Valuation, so signed and settled by the said Committee of Revision as aforesaid, shall be published in the *Dublin Gazette*, all County Cess Charges whatsoever, and all Grand Jury Rates imposed or to be imposed on such County, by Presentments of the Grand Jury, or to be raised off such County or any Barony, Parish, or Townland thereof, shall be levied according to the Proportions specified in such List and Valuation so published, and not otherwise, any Law, Usage, or Custom, or any former Assessment or Valuation, to the contrary in anywise notwithstanding.

A new Valuation to be made of every County Fourteen Years after former Valuation, either under this Act or former Acts.

LXXII. And for the Purpose of providing for the necessary Revision of the Valuations made under the Provisions of this Act in consequence of Changes that may have taken place in the gross Amount of the Value of the several Townlands, be it enacted, That at or after the Termination of Fourteen Years from the Period of the meeting of the Committee of Revision of any County, or of the Committee of Appeal for any County of a City or County of a Town, with reference to the Valuation under this Act or any former Act or Acts for the uniform Valuation of Lands and Tenements in *Ireland*, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, if he shall think fit so to do, to direct the Commissioner of Valuation to commence a new Valuation of any County, County of a City, or County of a Town in *Ireland*, and shall cause Notice to be given to the Grand Jury of such County, County of a City, or County of a Town, previous to such Direction by Letter from the Chief Secretary of the Lord Lieutenant, addressed to the Secretary of the Grand Jury of such County, County of a City, or County of a Town, and also cause Notice to be given to the Clerk of the Boards of Guardians of the several Unions or Parts of Unions contained within such County, and the said Commissioner shall proceed therein as in the first Valuation of the said County made under the Provisions of this Act, and the Grand Jury of the said County, County of a City, or County of a Town, and all Officers thereof, and every public Officer or other Person duly authorized, shall perform all Acts required to be done by them or him, in the same Manner and within the same Periods as herein-before is provided for the first Valuation of the said County, County of a City, or County of a Town, and shall have

have the same Powers, Privileges, and Immunities, in the Performance of their respective Duties; and the said new Valuation, when completed, shall have the same Effect and Operation, to all Intents and Purposes, as the former Valuation, and shall supersede the same; and that which is hereby enacted in relation to such first Valuation shall apply in due Course, and under the same Circumstances and Conditions, to such new Valuation as aforesaid.

Counties valued under the Provisions of former Acts to be valued again under this Act, if Grand Jury shall apply.

LXXIII. And be it enacted, That on the Application of the Grand Jury of any County which has been valued under the Provisions of any former Acts or Act for the uniform Valuation of Lands and Tenements in *Ireland*, it shall be lawful for the Lord Lieutenant to direct the Commissioner of Valuation to value such County again, in conformity with the Provisions of this Act, and thereupon the Provisions of this Act shall apply to such County in like Manner as to any County herein-before specified which has not been valued by the said Commissioner of Valuation before the passing of this Act.

For Revisions, latest Publication of Ordnance Survey to be used.

LXXIV. And for the Purpose of determining the Contents of Tenements from the Detail afforded by the Ordnance Survey of *Ireland*, be it enacted, That in all Revisions of the Valuation the latest revised Publication of any of the Plans of such Ordnance Survey shall be used by the Valuators employed in that Behalf.

Salary not exceeding Three Guineas a Day, with travelling Expences, to be paid to Commissioner.

LXXV. And be it enacted, That from and after the passing of this Act it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to order and direct that a Salary, not exceeding the Rate of Three Guineas *per* Day, shall be paid to the Commissioner of Valuation appointed under the Authority of the said first-mentioned Act or this Act, during the Time he shall be so employed, together with such Allowance for travelling and other Expences, not to exceed One Guinea *per* Day, as may be ordered and directed by the Lord Lieutenant.

Payment may be made to Assessor.

LXXVI. And be it enacted, That it shall be lawful for the Lord Lieutenant to order and direct such Payment and Allowances as he shall think fit and sufficient to be made to any Assessor who may be appointed to assist the Commissioner of Valuation during the Period such Assessor shall be employed in the Performance of such Duty.

Salary not exceeding Thirty Shillings a Day, with Expences, to be paid to Sub-Commissioner, &c.

LXXVII. And be it enacted, That it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors to order and direct that a Salary shall be paid to each and every Sub-Commissioner who may be appointed under this Act, not exceeding the Rate of One Pound Ten Shillings *per* Day for every Day that such Sub-Commissioner shall be employed on the hearing and determining of Appeals as aforesaid, together with a further Allowance for the actual Expences incurred by him for travelling and Hotel Expences while he shall be so employed as aforesaid.

Valuator, Surveyor, &c. to be paid as agreed on by Commissioner, not exceeding Twenty Shillings a Day.

LXXVIII. And be it enacted, That every Valuator, Surveyor, Measurer, Draftsman, Writing Clerk, or other Person or Persons shall be entitled to receive, for his Trouble, any Sum to be fixed and agreed upon by the Commissioner of Valuation, provided that such Sum shall in no Case exceed the Rate of Twenty Shillings *per* Day for every Day during which such Person shall be employed under the Orders of the Commissioner of Valuation, upon a Certificate signed by such Commissioner, stating that such Person was so employed for the Number of Days stated in such Certificate, and that such Person diligently conducted himself in the Execution of this Act in a Manner satisfactory to such Commissioner.

Salaries and Allowances of Commissioner, &c. to be paid as under 6 & 7 W. 4. c. 84.

LXXIX. And be it enacted, That so much of the first-mentioned Act as relates to the advancing and defraying the Salary and Allowance for travelling and other Expences of the Commissioner of Valuation, and the Salaries and Allowances payable to any Person employed in carrying the said Act into execution, shall extend and apply to the defraying and advancing the Salaries and Allowances of the said Commissioner of Valuation and Sub-Commissioners, and of any Valuator, Surveyor, Measurer, Draftsman, Writing Clerk, or other Person employed as aforesaid in carrying the said first-mentioned Act and this Act into execution; and such last-mentioned Salaries, Allowances, and Sums shall be defrayed, advanced, repaid, presented, levied, and provided for in the same Manner, and by the same Ways and Means, and subject to the same Regulations, as the Salary and Allowances payable to the Commissioner of Valuation or such other Person under the Provisions of the said first-mentioned Act.

Treasury may advance Money out of Consolidated Fund for paying the Salaries, &c.

Advances to be made to such Persons and under such Rules as Lord Lieutenant shall direct.

Amount of such Expences to be repaid by Presentment.

LXXX. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury to order and direct that any such Sum or Sums of Money as they shall think proper shall be advanced quarterly from the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, for the defraying the Salaries of the said Commissioner of Valuation, and the Allowances which shall be from Time to Time payable to the Persons employed in carrying this Act into execution; and all such Advances shall be made to such Persons, at such Times, in such Manner, and under such Rules and Regulations as shall from Time to Time be ordered and directed by such Lord Lieutenant, and as shall be signified in the usual Manner by the said Commissioners of Her Majesty's Treasury; and it shall be lawful for such Chief Secretary or Under Secretary to certify to the Grand Jury of any and every County within which any such Persons shall be employed the Amount of Money which shall have been paid to the Commissioner of Valuation and to the several Persons employed within such County in the Execution of this Act, out of the Advance authorized by this Act; and thereupon it shall and may be lawful for the Grand Jury of any and every such County respectively, and they are hereby authorized and required, to make Presentment of the Amonnt of such Expences as stated in such Certificate to be raised off the County at large, or the several Baronies therein, or of any Part of a Poor Law Union therein, in such Manner and in such Proportions as the Lord Lieutenant shall direct; and when and so soon as the Sum so to be presented as aforesaid shall be raised and received by the Treasurer of any County, such Treasurer shall pay over the same to such Bank or Person as the Commissioners of the Treasury, or any Three or more of them, shall think fit to direct.

LXXXI. And

Commissioner to transmit Statements of Progress of Valuation, &c.

LXXXI. And be it enacted, That Ten Days previously to the Commencement of each Assizes the Commissioner of Valuation shall transmit to the Secretary of any Grand Jury of any County which shall be in the Course of Valuation a Statement of the Progress made in such Valuation, together with the Amount of the Expenditure on the same up to the Period when such Return shall be made.

Penalty on High Constable, Churchwarden, Commissioner, &c. neglecting their Duty in Execution of this Act.

LXXXII. And be it enacted, That if any Clerk to any Board of Guardians, High Constable, or other Collector of County Cess or Grand Jury Rates, or any Churchwarden of any Parish, or any Landholder hereby required to act in lieu and stead of a Churchwarden, or any Commissioner of Valuation or any Valuator appointed by such Commissioner, or any Secretary of the Grand Jury, shall omit or neglect or refuse to do any Matter or Thing which such High Constable, or Collector, Churchwarden, Landholder, Commissioner, Valuator, or Clerk of the Peace, are by this Act required and directed to do in the Execution of this Act, in manner required by this Act, every Person so offending shall forfeit a Sum not exceeding Twenty Pounds and not less than Five Pounds, in the Discretion of the Justices before whom such Offender shall be convicted.

Penalties may be recovered before Two Justices of the Peace.

LXXXIII. And be it enacted, That all Penalties and Forfeitures inflicted or imposed by this Act may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of any Two Justices of the Peace for the County or Place in which such Penalty shall be incurred, upon Complaint to them for that Purpose exhibited, and shall afterwards be levied, as well as the Costs of such Proceedings, in case of Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal of such Justices; and such Justices are hereby authorized and required to summon before them any Witness or Witnesses, and to examine such Witness or Witnesses upon Oath (or Affirmation) of and concerning such Offences, Matters, or Thing, and to hear and determine the same; and the Overplus (if any) of the Money so levied or recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be returned, upon Demand, to the Owner or Owners of the Goods or Chattels so seized or distrained; and in case such Penalties or Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justices to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justices, for his or their Appearance before such Justices on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justices are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for any One of such Justices, or any other Justice of the Peace for such County or Place as aforesaid, and such Justice is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offender or Offenders to be committed to the Gaol of such County or Place, there to remain, without Bail or Mainprize, for any Term not exceeding Two Calendar Months, unless such Penalties or Forfeitures respectively, and all reasonable Charges, shall be sooner paid and satisfied; and one Moiety of such Penalties or Forfeitures, when so levied, shall be paid to the Person who shall sue or prosecute for the same, and the other Moiety shall be paid and applied to the Use of the Poor of the Parish in which such Offence shall be committed, in such Manner as such Justices shall direct and appoint.

Application of Penalties.

Form of Conviction.

LXXXIV. And for the more easy and speedy Conviction of the Offenders against this Act, be it enacted, That the Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the following Form of Words (as the Case shall happen), or in any other Form of Words to the same Effect; (that is to say,)

'} BE it remembered, That on the Day of in
'to wit. } the Year of our Lord *A.B.* is convicted before us, Two of Her Majesty's
'Justices of the Peace of the said County [*or* City *or* Town, *as the Case may be*], by virtue of an Act
'passed in the Tenth Year of the Reign of Her present Majesty Queen Victoria, intituled "An Act"
'[*here set forth the Title of this Act*], of having [*here set out the Offence, and when and where committed*],
'contrary to the said Act, for which Offence we do adjudge the said to have forfeited
'the Sum of .

'Given under our Hands and Seals, the Day and Year above written.'

Persons aggrieved by Conviction may appeal to Quarter Sessions, giving Ten Days Notice, and Security.

LXXXV. Provided always, and be it enacted, That it shall be lawful for any Person who shall think himself or herself aggrieved by any such Conviction to appeal to the Justices of the Peace at the next General or Quarter Sessions of the Peace to be holden for the County or Place; and every Person appealing against such Conviction shall (if there be sufficient Time after the Cause of Complaint shall have arisen) first give or cause to be given Ten Days Notice at least in Writing of his or her Intention of bringing such Appeal, and of the Matter thereof, to the Justices whose Conviction shall be so appealed against, and within Seven Days next after the Date of such Notice shall enter into a Recognizance before some Justice of the Peace for the County or Place, with Two sufficient Sureties, conditioned to try such Appeal, and to abide by or submit to the Order thereon, and to pay such Costs as shall be awarded by the Justices at such Quarter Sessions or any Adjournment thereof; and for Want of sufficient Time for giving such Notice previous to the Quarter Session next after the Cause of any such Complaint shall have happened, then such Appeal, after such Notice and under such Recognizance, may be made at the Second General or Quarter Sessions of the Peace to be holden for such County or Place; and the Justice at such First or Second Sessions, or any Adjournment thereof, upon due Proof of such Notice having been

given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and shall award such Costs to the Parties appealing or appealed against as they the said Justices shall think proper; and the Determination of such Justices at such Sessions shall be final, binding, and conclusive to all Intents and Purposes; and it shall be lawful for the said Justices at such Sessions, by their Order or Warrant, to levy such Costs so awarded by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse or neglect to pay the same, and for Want of sufficient Distress to commit such Person or Persons to the Common Gaol or House of Correction for the said County, there to remain for any Time not exceeding Two Calendar Months, or until Payment of such Costs.

Costs of Appeal recoverable by Distress.

Proceedings not to be quashed for Want of Form.

LXXXVI. And be it enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act shall be quashed for Want of Form, nor be removed nor removable by Certiorari or any other Writ or Process whatsoever into any of Her Majesty's Courts of Record at *Dublin;* and where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons or Conviction, or in the Warrant of Distress or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage (if any) in an Action on the Case; but no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity as aforesaid if Tender of sufficient Amends hath been made, by or on behalf of the Party distraining, before such Action commenced.

Limitation of Actions.

Notice.

Tender of Amends.

Venue.

General Issue.

General Avowry in Replevin.

LXXXVII. And be it enacted, That no Action, Suit, or Proceeding shall be commenced or prosecuted against any Justice of the Peace, or any Commissioner of Valuation, or against any Valuators, or against any other Person or Persons, for any thing done in pursuance of this Act, until Thirty Days Notice thereof shall be given to such Justice or Commissioner or Valuator, or other Person or Persons, nor after sufficient Satisfaction or Tender of Amends hath been made to the Party or Parties aggrieved, nor after the Expiration of Three Calendar Months next after the Fact committed; and every such Action or Suit or Prosecution shall be laid or brought in the County, County of a City, or County of a Town where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action, Suit, or Prosecution shall and may, at his or their Election, plead specially, or the General Issue Not Guilty, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if any Replevin shall be brought for any Cattle, Goods, or Chattels seized or taken by virtue or in pursuance of this present Act, it shall and may be lawful and sufficient to and for any Person or Persons who shall be Defendant or Defendants or Avowant or Avowants in any such Replevin to avow, plead, or make cognizance generally that he or they took the same Cattle, Goods, or Chattels as a Distress, by force of the Statute in that Case made and provided, without more particularly setting forth this Act, or the Cause of making and detaining the said Distress or Distresses, or making any other special Plea, Avowry, or Cognizance, any thing herein contained to the contrary notwithstanding; and if it shall appear that the Matter on which the Cause of Action arose was done, or that the Distress replevied was made, in pursuance and by Authority of this Act, or that such Action or Suit shall have been brought before Thirty Days Notice thereof wa given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County, County of a City, or County of a Town than as aforesaid, then the Jury shall find for the Defendant or Defendants or Avowant or Avowants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or shall discontinue his, her, or their Action, Suit, or Prosecution after the Defendant shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, Defendant or Defendants or Avowant or Avowants shall recover Double Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in other Cases of Costs given by Law.

Costs.

Construction of Terms in this Act.

LXXXVIII. And be it enacted, That in the Construction of this Act the Words "Lord Lientenant" shall be understood to mean Lord Lieutenant or other Chief Governor or Governors of *Ireland;* the Word "Inhabitant" to include every one rated to the Grand Jury Cess; the Words "Town Council" and "Council" shall include "Town Commissioners" under the said Act of the Ninth Year of His late Majesty King *George* the Fourth, or any Trustees or other Body empowered by Law to make local Assessments; "Clerk of the Guardians" and "Clerk" shall be understood to mean and include Clerk of the Guardians of the Poor for the Union; and that all Provisions and Directions in this Act contained relating to Counties shall extend to all Counties, Counties of Cities, Counties of Towns, and Towns Corporate in *Ireland*, except such Parts of the County of *Dublin*, or the County of the City of *Dublin*, as lie within the Municipal Boundary of the said City; and that all the Acts and Duties by this Act required to be performed by the several Grand Juries at the Assizes for any County shall and may, in the County of *Dublin*, or the County of the City of *Dublin*, be performed at the Presenting Terms by the Grand Juries duly met and impannelled; and that all Provisions and Directions relating to Baronies shall extend to Half Baronies and to all other Divisions of Counties being greater than Parishes; and that all Provisions and Directions relating to Parishes shall extend to all Chapelries or Divisions of Parishes or extra-parochial Divisions, and to all Unions of Parishes, as if the same were One Parish, in Cases where any such Union or Division shall be rateable as One Parish; and that all Provisions and Directions

Directions relating to Townlands shall extend to all Divisions and Sub-Denominations of Lands less than and being comprised within any Parish; and that where any Parish or Union shall be situate in more than One County or Barony, or partly in a County and partly in a County of a City, County of a Town, or Town Corporate, the several Parts of such Parish shall be valued as a distinct Parish in the several Baronies or Counties, or Counties of Cities or Counties of Towns, or Towns Corporate, to which they shall contribute to the Payment of any County Cess Charges or Grand Jury Rate; and that in the Valuation of any County of a City or Town, under the Provisions of this Act, such Documents as are hereby in other Counties required to be transmitted to the High Constable of a Barony or other Collector of County Cess therein shall be transmitted to the Clerk of the Peace of the said County of a City or Town, and that all Acts required to be done in other Counties by the Constable of a Barony or other Collector of County Cess shall be done by the Clerk of the Peace for the said County of a City or Town.

LXXXIX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament. Act may be amended, &c.

SCHEDULES to which this Act refers.

FORM (A.)

PRIMARY VALUATION of TENEMENTS.

County of
Union
Barony
Parish
Townland

Letter and Number in Field Book.	Name of Occupier.	Name of immediate Lessor.	Description of Tenement.	Extent of Land.			Net annual Value of Land.	Net annual Value of Dwelling House.	Total net annual Value.
				A.	R.	P.			

FORM (B.)

VALUATION of TENEMENTS rateable to Poor Rates.

County of
Union
Barony
Parish
Townland

Letter and Number in Field Book.	Name of Occupier.	Name of immediate Lessor.	Description of Tenement.	Extent of Land.			Net annual Value of Dwelling House.	Net annual Value of Land.	Total net annual Value.	Probable annual Cost of Landlord's Repairs and Insurance when Tenement is in a Borough comprised in Schedules (A.) or (B.), 3 & 4 Vict. c. 108., or in a Town incorporated under that Act.
				A.	R.	P.				

FORM (C.)

REVISED VALUATION of TENEMENTS rateable to Poor Rates.

County of
Union
Barony
Parish
Townland

Letter and Number in Field Book.	Present distinctive Letter or Number of Tenement.	Name of Occupier.	Name of immediate Lessor.	Description of Tenement.	Extent of Land. A.	R.	P.	Net annual Value of Dwelling House.	Net annual Value of Land.	Total net annual Value.	Probable annual Cost of Landlord's Repairs and Insurance when Tenement is in a Borough comprised in Schedules (A.) or (B.), 3 & 4 Vict. c. 108., or in a Town incorporated under that Act.

FORM (D.)

Barony of B. in the County of C.

VALUATION OF LANDS, &c. within the several Parishes and Townlands in the said Barony, made in pursuance of the Act 10 Vict. c. ., for the uniform Valuation of Lands in Ireland.

	Acres.	Annual Value of Lands and rateable Value of Houses.	Total in each Parish. Acres.	Value.
Parish of A.:	No.	£	No.	£
Townland D. - - -	250	120		
——— E. - - -	100	100		
——— F. - -	50	25		
Total in the Parish of A. -			400	245
Exemptions in the Parish of A.				
Parish of G.:				
Townland H. - - -	60	100		
——— I. - - - -	47	37		
——— K. - - -	160	240		
Total in the Parish of G. -			267	377
Exemptions.				
&c. &c. &c.				
TOTAL in Barony - -			667	622

The Meeting of the Committee of Appeal, named for the said Barony by the Grand Jury of the said County, is appointed for the Day of next, at the Court House at [*or at any other Place fixed for the Meeting*].

Dated this Day of 18 .

C. V.,
Commissioner of Valuation for the County of *C.*

To the High Constable [*or* Collector of the Cess]
for the Barony of

A Copy of this List is to be transmitted by the High Constable [*or* Collector] to the Churchwardens of the several Parishes within the said Barony of *B.*, and to be posted in manner directed by this Act.

Letters to be addressed to *C. V.*, at

FORM

FORM (E.)

County of C.

VALUATION OF LANDS, &c. within the several Baronies in the said County, made in pursuance of the Act 10 Vict. c. ., for the uniform Valuation of Lands in Ireland.

Baronies.	Parishes.	Acres.	Annual Value of Lands, &c.	Total in each Barony.	
				Acres.	Value.
		No.	£	No.	£
A.	B.	140	90		
	Exemptions.				
	F.	200	100		
	Exemptions.				
	Total of Barony A. - -			340	190
I.	K.	400	200		
	Exemptions.				
	N.	80	40		
	Exemptions.				
	Total of Barony I. - -			480	240
&c.	&c.	&c.	&c.	&c.	&c.
	TOTAL of all the Baronies in the County -				

The Meeting of the Committee of Revision, named by the Grand Jury of the said County, is appointed for the Day of next, at the County Court House at , for the Revision of the foregoing Valuation.

Dated this Day of 18 .

C.V.,
Commissioner of Valuation of the said County.

The Secretary of the Grand Jury is required by the said Act to give Notice of the Day and Place above appointed to each and every Member of the said Committee of Revision, and also to advertise the same in some public Newspaper circulated in the said County, Fourteen Days at least before the said Day of Meeting.

FORM (F.)

County of C.

VALUATION OF LANDS, &c. within the several Baronies in the said County, finally confirmed and agreed on by the Committee of Revision appointed by the Grand Jury of the said County, in pursuance of the Act 10 Vict. c. ., for the uniform Valuation of Lands in Ireland.

Baronies.	Parishes.	Acres.	Annual Value of Lands, &c.	Total in each Barony.	
				Acres.	Value.
		No.	£	No.	£
A.	B.	140	20		
	Exemptions.				
	F.	200	100		
	Exemptions.				
	Total of Barony A. - -			340	120
I.	K.	80	200		
	Exemptions.				
	N.	400	40		
	Exemptions.				
	Total of Barony I. - -			480	240
&c.	&c.	&c.	&c.	&c.	&c.
	TOTAL of all the Baronies in the County -				

C.D.,
Commissioner of Valuation for the County of *C.*

E.F., *G.H.*, *I.K.*, } Members of the Committee of Revision for the said County.

County Court House,
Day of 18 .

CAP.

CAP. CXI.

An Act to amend the Law in *Ireland* as to Ejectments and Distresses, and as to the Occupation of Lands. [28th *August* 1846.]

'WHEREAS it is expedient to amend the Law in *Ireland* as to Ejectments and Distresses, and as to 'the Occupation of Lands:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in all Cases of Ejectment for Nonpayment of Rent the Amount claimed to be due for Rent, and the Times at which the same accrued, shall be stated upon the Declaration or Summons in Ejectment or Civil Bill, which Statement shall be written or printed thereon in the following Form, or as near thereto as the Nature of the Case will admit; (that is to say,) "The Lessor of the Plaintiff [*or* "the Plaintiff" *in Case of a Civil Bill*] claims being for Years Rent up to the Day of and if the Amount thereof be paid to the Lessor of the Plaintiff [*or* "the Plaintiff" *in case of a Civil Bill*] or his Attorney, together with the Costs, before the Day of being the First Day of ["the ensuing Term" *to be here inserted in Proceedings in the Superior Courts*, "the next Sessions" *in Civil Bills*,] further Proceedings will be stayed;" and the Lessor of the Plaintiff, or the Plaintiff in the Case of a Civil Bill Ejectment, or his Attorney, shall, upon either of them respectively being required so to do, specify in Writing the Demand for the Plaintiff's Costs of such Ejectment, and upon Payment or Tender, within the Time so specified, of the Rent so specified, together with the Costs, if specified as aforesaid, to the Lessor of the Plaintiff, or Plaintiff, or his Attorney, or in case the Costs shall not be specified upon such Requisition, then on Payment within the Time aforesaid of such Rent to such Lessor of the Plaintiff, Plaintiff, or Attorney, and upon Delivery or Tender within the Time aforesaid to such Lessor of the Plaintiff, Plaintiff, or Attorney of an Undertaking in Writing signed by some Person served with such Ejectment to pay the Plaintiff's Costs up to the Time of such Payment, when taxed, all further Proceedings in such Ejectment shall cease and be stayed accordingly: Provided always, that the Defendant in any such Ejectment shall be at liberty, notwithstanding such Payment, to have the Costs taxed, and if any Part of the Costs demanded shall be disallowed upon the Taxation, the Attorney for the Lessor of the Plaintiff, or Plaintiff, shall pay back to the Defendant the Sum so disallowed, and if more than One Sixth of such Costs shall be disallowed, shall also pay to the Defendant the Costs of such Taxation.

In all Ejectments for Nonpayment of Rent the Amount of Rent claimed shall be stated.

II. And be it enacted, That it shall be lawful for the Defendant in any Action of Ejectment for Nonpayment of Rent in any Superior Court against whom Judgment shall not have been obtained in such Ejectment by Leave of such Court or of a Judge of such Court, at any Time before Notice of Trial shall have been served, upon a Side Bar Rule obtained for that Purpose, or in such Manner or according to such Course of Practice as the Judges of the Superior Courts of Law, or any Eight or more of them, of whom the Chiefs of each of the said Courts shall be Three, shall prescribe, as hereinafter mentioned, to pay into Court a Sum of Money for Rent, with Liberty to the Plaintiff to proceed further in such Action at his Peril, the Defendant by such Rule undertaking to pay the Costs theretofore incurred to be taxed by the proper Officer, and in case of Nonpayment of the same to suffer the Plaintiff in taking such Money out of Court, either on an Affidavit of a proper Demand and Service of such Rule, to move for an Attachment against the Defendant so undertaking, or to sign final Judgment in such Ejectment; and when such Sum of Money shall be so paid into Court for Rent, if the Plaintiff or his Lessor shall not accept thereof, with Costs to be taxed by the proper Officer, in full Discharge of the Action, then upon the Trial of the Issue in such Cause, if it shall appear upon the Evidence that no greater Sum was due for Rent from the Defendant to the Lessor of the Plaintiff at the Time of the Service of such Ejectment than the Sum so paid into Court, the Verdict shall be entered for the Defendant: Provided always, that if final Judgment shall be signed for the Plaintiff in such Ejectment in consequence of the Defendant not paying the Costs incurred pursuant to his Undertaking as aforesaid, it shall not be lawful to issue Execution thereon without the Leave of the Court first had and obtained: Provided also, that if any Ejectment for Nonpayment of Rent be in other respects sustainable, a Mistake or Error in the Statement of the Amount of Rent claimed to be due shall not defeat such Ejectment, except in the Case where the full Rent due has been paid into Court as aforesaid, or lodged with the Clerk of the Peace as hereafter provided, and the Landlord afterwards proceeding to a Trial or a Hearing shall fail to prove more to be due for Rent than the Sum so paid into Court, or lodged with the Clerk of the Peace.

In such Ejectments in the Superior Courts Money may be paid into Court for Rent and Costs.

III. And be it enacted, That if the Tenant or Tenants, or his or their Assignee, or any Person served with an Ejectment, shall at any Time before the Writ for Execution in any Ejectment for Nonpayment of Rent in any Superior Court shall be executed pay or tender to the Lessor or Landlord, his Executors or Administrators, or his or their Agent or Attorney in such Cause, all the Rent and Arrears then due, together with the Costs or a Sum sufficient to cover such Costs, then and in such Case all further Proceedings on the said Ejectment shall cease and be discontinued: Provided always, that the Lessor of the Plaintiff or his Attorney shall, upon being required so to do, furnish to the Defendant a Statement of the Sums claimed for the Plaintiff's Costs, and proceed to a Taxation thereof forthwith; and upon such Taxation, if any Part of such Costs which shall have been paid shall be disallowed, the Attorney for

At any Time before Execution issued in Ejectment for Nonpayment of Rent, upon Payment or Tender of the Rent and Costs, the Proceedings shall be stayed.

for the Lessor of the Plaintiff shall pay back to the Defendant the Sum so disallowed, or if more than One Sixth of the Costs demanded shall be disallowed, shall pay to the Defendant the Costs of such Taxation.

In Civil Bill Ejectments for Nonpayment of Rent the Defendant may, Six Days before the Day of Hearing, lodge with the Clerk of the Peace the Rent and Costs.

IV. And be it enacted, That it shall be lawful for the Defendant in any Civil Bill Ejectment for Nonpayment of Rent, Six clear Days previous to the Day on which by such Civil Bill he is required to appear, to deposit with the Clerk of the Peace a Sum of Money for Rent, together with the Sum of Five Shillings for Costs, for which Deposit the Clerk of the Peace, upon Payment of a Fee of One Shilling, shall give to the Defendant a Certificate according to the Form in the Schedule (C.) hereto annexed, and also a Duplicate of such Certificate, which Certificate and Duplicate shall be free from the Payment of Stamp Duty, and of which Certificate a Copy shall be entered by the Clerk of the Peace in the Book kept by him for entering Decrees in Civil Bill Ejectments; and the Defendant shall, Four clear Days previous to the Day on which he is required to appear as aforesaid, deliver to or leave at the Place of Abode of the Plaintiff, his Agent, Receiver, or Attorney, in such Cause, such Certificate; and in case the Plaintiff or his Attorney in such Cause shall receive from the Clerk of the Peace the Sum so deposited, which the said Clerk of the Peace is hereby required to pay over to the Plaintiff or his Attorney, on Demand, such Receipt and Payment shall be deemed to be in full Discharge of the Rent claimed by such Civil Bill and of Costs; but in case the Plaintiff or his Attorney, after such Certificate shall have been delivered or left as aforesaid, shall not accept the Sum so deposited on or before the Day next previous, or (in case of *Sunday* intervening) on or before the Day next but one previous to the Day on which the Defendant is required to appear as aforesaid, and if upon the hearing of such Civil Bill it shall appear that no greater Sum than the Sum so deposited for Rent was due to the Plaintiff for Rent at the Time of the Service of such Civil Bill Ejectment, and that such Certificate has been delivered or left as aforesaid, it shall be lawful for the Assistant Barrister to dismiss such Civil Bill, with the Costs of all the Proceedings subsequent to the Time of the making of such Deposit, as in other Cases of Dismisses of Civil Bill Ejectments.

In such Civil Bill Ejectments if the Defendant before a Decree pay or tender the Rent and Costs, the Proceedings shall be stayed.

Appeal.

V. And be it enacted, That if the Tenant or the Defendant in any such Civil Bill Ejectment shall at any Time after the Period herein-before limited for making such Deposit for Rent and Costs, and before the signing and issuing of a Decree upon such Civil Bill, pay or tender to the Lessor or Landlord, his Executors or Administrators, or his or their Agent, or the Attorney in such Civil Bill Ejectment, all Rent and Arrears then due, together with the Costs, it shall be lawful for the Assistant Barrister to order all further Proceedings on such Civil Bill to be stayed and discontinued upon Payment of such Costs as he shall deem reasonable to be paid by the Defendant, not exceeding such Costs as would, according to the Law in force, be properly payable at the Time of such Tender: Provided always, that in case of such Tender as last aforesaid, and Refusal to receive the Sum so tendered, such Money shall be lodged in the Hands of the Clerk of the Peace, and shall be paid over to such Landlord or Lessor on Demand: Provided also, that the Decision of the Assistant Barrister in any of the Cases aforesaid shall be subject to such Appeal, and upon such Terms as in other Cases of Civil Bill Ejectments for Nonpayment of Rent.

The Writ or Warrant shall state the Amount due for Rent and Costs, and upon Payment thereof, with Fees, Execution shall be stayed.

Judges to make Rules as to Payment, &c. of Rent and Taxation of Costs.

VI. And be it enacted, That upon every Writ of Habere facias possessionem in any Ejectment for Nonpayment of Rent in any Superior Court, and upon every Sheriff's Warrant under a Decree in any Civil Bill Ejectment for Nonpayment of Rent, there shall be a Statement of the Amount of the Rent then due, to be verified by Affidavit of the Landlord or his Agent, and of the Plaintiff's Costs; and if at any Time before Execution executed the Defendant or Tenant shall pay to the Sheriff the said Sums for Rent and Costs, together with One Moiety of such Sheriff's Fees for such Execution as would be legally payable if such Execution had been executed, such Sheriff shall stay such Execution, subject nevertheless to any Order which may be made by the Court from which such Execution shall have issued, and the Sheriff shall endorse on such Writ, as a Return thereto, the Receipt by him of such Rent, Costs, and Fees: Provided always, that it shall be lawful for the Judges of the Superior Courts in *Dublin*, or any Eight or more of them, of whom the Chiefs of each Court shall be Three, from Time to Time to make Regulations by general Rules and Orders touching the Payment into Court, or to the Sheriff or to the Landlord, or touching the Tender of Rent or Costs in any of the Cases aforesaid, and also touching the Taxation of any such Costs.

The Provisions of the 6 & 7 W. 4. c. 75. as to Civil Bill Ejectments extended to Lands, &c. held under any Grant, &c. for any Term not exceeding 61 Years, and the Rent shall not exceed 20*l.*, &c.

VII. 'And whereas by an Act passed in the Session of Parliament holden in the Sixth and Seventh 'Years of His late Majesty King *William* the Fourth, intituled *An Act to extend the Jurisdiction and 'regulate the Proceedings of the Civil Bill Courts in* Ireland, it is amongst other things enacted, that 'the respective Assistant Barristers in *Ireland* shall and they are hereby authorized and empowered to 'hear and determine within their respective Jurisdictions all Disputes and Differences respecting the 'Possession of any Lands, Tenements, or Hereditaments held under any Grant, Lease, or other 'Instrument for any Term or Interest, the Duration or Extent whereof when originally granted or 'created did not exceed Three Lives, without any Provision for the Renewal thereof, or a Term of 'Sixty-one Years determinable on Three Lives, or a Term of Sixty-one Years absolute, and the yearly 'Rent reserved or payable in respect whereof under such Grant, Lease, or other Instrument shall not 'exceed Twenty Pounds, and in respect of which no Fine exceeding Fifty Pounds was paid on the 'granting or Execution of such Grant, Lease, or other Instrument: And whereas the said Enactment 'does not apply to Disputes respecting the Possession of Lands held under any Grant, Lease, or other 'Instrument for any Term or Interest, the Duration or Extent whereof when originally granted or 'created did not exceed Three Lives, with a concurrent Term of Years not exceeding Sixty-one Years;' be it therefore enacted, That the said recited Enactment shall be extended to and apply to and include Lands.

Lands, Tenements, or Hereditaments held under any Grant, Lease, or other Instrument for any Term of Interest, the Duration or Extent whereof when originally granted or created did not exceed Three Lives with a concurrent Term of Years not exceeding Sixty-one Years, and the yearly Rent reserved or payable in respect whereof under such Grant, Lease, or other Instrument shall not exceed Twenty Pounds, and in respect of which no Fine exceeding Fifty Pounds was paid on the granting or Execution of such Grant, Lease, or other Instrument; and the several Provisions of the said recited Act in relation to Proceedings by Civil Bill as to Disputes and Differences respecting the Possession of Lands, Tenements, and Hereditaments held for the Terms or Interests therein specified shall extend and apply to Lands, Tenements, and Hereditaments held under any Grant, Lease, or other Instrument for any such Term or Interest as in this Enactment specified, as fully and effectually, as to Lands, Tenements, and Hereditaments held for any Term or Interest in the said recited Act specified.

Provisions of recited Act as to Disputes, &c. respecting Possession of Lands extended to those held under any Grant, &c.

VIII. And be it enacted, That it shall be lawful for the Sheriff or his Bailiff or Officer, upon the Consent in Writing of the Lessor of the Plaintiff, or the Plaintiff, or the Attorney for the Plaintiff, to execute any Writ of Habere facias possessionem in any Action of Ejectment or any Civil Bill Decree for the Recovery of the Possession of Lands and Tenements, without removing therefrom or disturbing the Possession or Occupation of any Under-tenant or Occupier who shall at the Time of the Execution of such Writ or Decree sign with his or her Name or Mark, attested by such Sheriff or Officer, an Acknowledgment according to either of the Forms (N° 1 and 2) in the Schedule (A.) to this Act annexed, or as near thereto as the Nature of the Case will admit, which Acknowledgment or Acknowledgments shall be endorsed on or attached to such Writ or Civil Bill Decree, and shall not be subject to any Stamp Duty, and a Copy thereof, if required, shall be delivered by the Sheriff or his Officer under his Hand to the Lessor of the Plaintiff, or the Plaintiff, or his Attorney; and the Execution of any such Writ or Decree in the Manner hereby authorized shall be as valid and effectual to all Intents as if such Writ or Decree had been executed, and the Possession of the Premises had been delivered in common Form of Law; provided that in any such Case, save and except where any such Under-tenant or Occupier shall have attorned as Tenant to the Lessor of the Plaintiff, or the Plaintiff, pursuant to the Form (N° 1) in Schedule (A.) to this Act annexed, it shall be lawful for the Lessor of the Plaintiff, or the Plaintiff, at any Time within Six Calendar Months from such Execution of such Writ or Decree, provided that in case of an Ejectment or Civil Bill Ejectment for Nonpayment of Rent the Lease or Interest shall not have been in the meantime redeemed, on Application to the Court from which such Writ of Execution or Decree issued, to obtain a Renewal of such Writ or Decree to be again executed at the Cost and Charge of such Lessor of the Plaintiff, or Plaintiff, in common Form of Law, as to the whole or as to any Part of the said Lands; and such Renewal shall be without Prejudice to any Right or Interest vested in such Lessor of the Plaintiff, or Plaintiff, by virtue of such first Execution of such Writ or Decree: Provided also, that nothing herein contained shall be construed to prevent any Lessor of the Plaintiff, or Plaintiff, from having any such Writ or Decree executed in common Form of Law, if he shall so think fit.

On executing a Writ or Decree for Possession in Ejectment, the Sheriff, upon the Plaintiff's Consent, may deliver Possession without the Removal of the Under-tenants or Occupiers.

IX. And be it enacted, That the several Assistant Barristers in *Ireland* shall and they are hereby authorized and empowered to hear and determine within their respective Jurisdictions all Disputes and Differences respecting the Possession of Lands, Tenements, or Hereditaments held under an Acknowledgment in or substantially according to the Form (N° 2) in the Schedule (A.) to this Act annexed between the Lessor of the Plaintiff in the Ejectment or the Plaintiff in the Civil Bill Decree to which such Acknowledgment shall refer, or on which the same shall be founded, or any Person claiming or deriving under him, and any Occupier who shall have signed as aforesaid such Acknowledgment, or any Person claiming or deriving under him; and the several Provisions of the said Act of the Sixth and Seventh Years of His said late Majesty King *William* the Fourth in relation to Proceedings by Civil Bill as to Disputes and Differences respecting the Possession of Lands, Tenements, and Hereditaments held for the Terms or Interests therein specified shall extend and be applied to the several Cases in this Enactment specified, as far as the same shall be applicable, as fully and effectually as to Cases of Lands, Tenements, and Hereditaments in the said recited Act specified.

Ejectments under 6 & 7 W.4. c. 75. extended to Lands held under Acknowledgments, according to Form (No. 2) in Schedule (A.) to this Act annexed.

X. And be it enacted, That in all Cases of Distress for Rent cognizable in any Court, whether superior or inferior, the Person making any such Distress shall at the Time of making such Distress deliver to the Person in possession of the Premises for the Rent of which such Distress shall be made, or, in case there shall not be any Person found in possession, shall affix on some conspicuous Part of such Premises a Particular in Writing of the Rent demanded, specifying the Amount thereof, the Time or Times when the same accrued, and the Name and Place of Abode of the Person by whom, and (if the Person who acts in the making of the Distress be not the Party claiming to be entitled to the Rent for which the Distress is made) the Name of the Person by whose Authority such Distress is made, or otherwise such Distress shall be unlawful and void: Provided always, that if the Person by whom or by whose Authority such Distress shall be made shall be the Party substantially and beneficially entitled to the Rent, such Distress shall not be unlawful or void by reason that the Person having the legal Estate in the Reversion is not named in such Notice: Provided also, that if any such Distress shall be in other respects sustainable and well founded, the same shall not be unlawful or void by reason that the Amount of Rent demanded by such Notice shall not be the exact Amount due if the Mis-statement of such Rent in such Notice shall have been made by Mistake, and without Fraud or Malice, or Want of reasonable Care.

In all Cases of Distress for Rent a written Notice of the Rent claimed shall be given.

Distress not unlawful on account of Mistakes, &c.

XI. And

In Cases of Distress for Rent a Tender of the Amount before Sale shall be sufficient to stay Proceedings.

XI. And be it enacted, That in every Case of Distress for Rent a Tender of the Rent in arrear and of the Charges of such Distress at any Time before the Commencement of the Sale of the Property distrained shall be sufficient to stay the Proceedings on such Distress, and to entitle the Person distrained upon to a Return of the Property so distrained; and the Party whose Goods shall be distrained shall be at liberty to plead such Tender in bar to any Avowry or Cognizance, and shall be entitled to recover Damages in an Action on the Case against the Party by whom or by whose Agent or Bailiff the Goods so distrained shall be withheld after such Tender; and for the Purposes of this Act the Bailiff appointed in Writing by the known Agent or Receiver of any Landlord, or of the Person substantially and beneficially entitled to the Rent for which the Distress shall be made, shall be deemed to be the Bailiff of such Landlord or Person so entitled.

No Distress for Rent shall be lawful unless by virtue of a Warrant properly signed.

Warrant free from Stamp Duty.

XII. And be it enacted, That no Distress for Rent made otherwise than by the Landlord of any Premises, or his known Agent or Receiver in Person, shall be lawful, unless made by virtue of a written or printed Warrant or Order to distrain signed by the Landlord or Person substantially and beneficially entitled to the Rent for which the Distress shall be made, or his known Agent or Receiver, directing the Bailiff or other Person to distrain the Tenant or Tenants, Person or Persons named therein, and bearing upon it the Date when and the Name of the Place at which it is signed, nor unless such Warrant or Order shall be signed within Twenty Days next before the Time when such Distress shall be made: Provided always, that such Warrant or Order to distrain shall be free from the Payment of any Stamp Duty.

The Provisions of the 56 G. 3. c. 88. authorizing the distraining of growing Crops for Rent repealed, except as to any Distress commenced before the passing of this Act.

XIII. 'And whereas by an Act passed in the Fifty-sixth Year of His late Majesty King *George* the 'Third, intituled *An Act to amend the Law of* Ireland *respecting the Recovery of Tenements from 'absconding, overholding, and defaulting Tenants, and for the Protection of the Tenant from undue 'Distress*, it is enacted, "that it shall be lawful for every Lessor or Landlord in that Part of the United 'Kingdom of *Great Britain* and *Ireland* called *Ireland*, or his, her, or their Steward, Bailiff, Receiver, 'or other Person or Persons empowered by him, her, or them, to take and seize as a Distress for Arrears 'of Rent all Sorts of Corn and Grass, Hops, Roots, Fruit, Pulse, or other Product whatsoever, which shall 'be growing on any Part of the Estates so demised or holden as a Distress for Arrears of Rent, and the 'same to cut, gather, make, cure, carry, and lay up, when ripe, in the Barns or other proper Place on the 'Premises so demised or holden, and in case there shall be no Barn or proper Place on the Premises so 'demised or holden, then in any other Barns or proper Place which such Lessor or Landlord, Lessors or 'Landlords shall hire or otherwise procure for that Purpose, and as near as may be to the Premises, and 'dispose of the same for Satisfaction of the Rent for which such Distress shall have been taken, and 'of the Charges of such Distress and Sale, in the same Manner as any other Goods and Chattels dis-'trained for Nonpayment of Rent:" And whereas it is expedient that the said recited Enactment should 'be repealed;' be it therefore enacted, That the said Enactment of the said recited Act shall be and the same is hereby repealed, save and except as to any Distress made or commenced before the passing of this Act.

Party distraining for Rent not deemed a Trespasser ab initio by reason of subsequent Irregularity.

XIV. And be it enacted, That where any Distress shall be made for any Rent justly due, and any Irregularity or unlawful Act shall be afterwards done by the Party distraining, or by his Agents, the Distress itself shall not be therefore deemed to be unlawful, nor the Party a Trespasser, *ab initio*, but the Party aggrieved shall receive full Satisfaction for the special Damage sustained thereby, and no more, in an Action of Trespass or on the Case, and where such Plaintiff shall recover he shall be paid his full Costs: Provided always, that no Tenant shall recover for such Irregularity if Tender of Amends hath been made by the Party distraining, or his Agent, before Action brought.

57 G.3. c.93. 7 & 8 G. 4. c. 17.

No Person making any Distress for Rent, Taxes, Rates, &c., where the Sum due shall not exceed 20*l.* to take other Charges than mentioned in the Schedule annexed, nor to charge for any Act, &c. not done.

XV. 'And whereas it is expedient to limit and regulate the Costs of Distresses in *Ireland* as it has 'been done in *England* by an Act passed in the Fifty-seventh Year of His late Majesty King *George* 'the Third, intituled *An Act to regulate the Costs of Distresses levied for Payment of small Rents*, as 'amended by an Act of the Seventh and Eighth Years of the Reign of His late Majesty King *George* 'the Fourth;' be it enacted, That from and after the passing of this Act no Person whatsoever making any Distress for Rent, or for any Rates, Taxes, Impositions, or Assessments, where the Sum demanded and due shall not exceed the Sum of Twenty Pounds for and in respect of such Rent or Rates, Taxes, Impositions, or Assessments, save as herein-after provided, nor any Person whatsoever employed in any Manner in making such Distress, or doing any Act whatsoever in the course of such Distress, or for carrying the same into effect, shall have, take, or receive out of the Produce of the Goods or Chattels distrained upon and sold, or from the Tenant distrained on, or from the Landlord, or from any other Person whatsoever, any other or more Costs and Charges for and in respect of such Distress, or any Matter or Thing done therein, than such as are fixed and set forth in the Schedule (B.) hereunto annexed, and appropriated to each Act which shall have been done in the course of such Distress; and no Person or Persons whatsoever shall make any Charge whatsoever for any Act, Matter, or Thing mentioned in the said Schedule, unless such Act shall have been really done: Provided always, that in any Case in which a less Amount than the Amount specified in the said Schedule shall have been prescribed by any Act or Acts of Parliament, or shall in pursuance of the Provisions of or the Power given by any Act or Acts of Parliament be specified in the Warrant by which the Distress or Levy shall be made, such less Amount only shall be demanded, taken, or levied for or in respect of such Costs and Charges; any thing in this Act to the contrary notwithstanding.

Party aggrieved by any such Practice may

XVI. And be it enacted, That if any Person or Persons whatsoever shall in any Manner levy, take, or receive from any Person or Persons whatsoever, or retain or take from the Produce of any Goods sold for

apply to a Justice of the Peace.

for the Payment of such Rent or Taxes, Rates, Impositions, or Assessments, any other or greater Costs and Charges than are mentioned and set down in the said Schedule, or make any Charge whatsoever for any Act, Matter, or Thing mentioned in the said Schedule and not really done, it shall be lawful for the Party or Parties aggrieved by such Practices to apply to any One Justice of the Peace for the County, City, Town, and acting for the Division where such Distress shall have been made or in any Manner proceeded in for the Redress of his, her, or their Grievance so occasioned, whereupon such Justice shall summon the Person or Persons complained of to appear before the Justices of the Petty Sessions for such District at a reasonable Time to be fixed in such Summons, and such Justices shall examine into the Matter of such Complaint by all legal Ways and Means, and also hear in like Manner the Defence of the Person or Persons complained of; and if it shall appear to such Justices that the Person or Persons complained of shall have levied, taken, received, or had other and greater Costs and Charges than are mentioned or fixed in the Schedule (B.) hereunto annexed, or made any Charge for any Matter or Thing mentioned in the said Schedule, such Act, Matter, or Thing not having been really done, such Justices shall order and adjudge treble the Amount of the Monies so unlawfully taken to be paid by the Person or Persons so having acted to the Party or Parties who shall thus have preferred his, her, or their Complaint thereof, together with full Costs; and in case of Nonpayment of any Monies or Costs so ordered and adjudged to be paid, such Justices shall forthwith issue their Warrant to levy the same by Distress and Sale of the Goods and Chattels of the Party or Parties ordered to pay such Monies or Costs, rendering the Overplus (if any) to the Owner or Owners, after the Payment of the Charges of such Distress and Sale; and in case no sufficient Distress can be had, such Justices shall, by Warrant under their Hands, commit the Party or Parties to the Common Gaol or Prison within the Limits of the Jurisdiction of such Justices, there to remain until such Order or Judgment be satisfied.

Justice may adjudge treble the Amount of Monies unlawfully taken to be paid, with Costs, which may be levied by Distress.

If no sufficient Distress, Justice may commit the Offender.

Justices may summon Witnesses and administer Oaths.

Penalty on refusing to obey such Summons.

XVII. And be it enacted, That it shall be lawful for such Justices, at the Request of the Party complaining or complained against, to summon all Persons as Witnesses, and to administer an Oath to them touching the Matter of such Complaint, or the Defence against it; and if any Person or Persons so summoned shall not obey such Summons without any reasonable or lawful Excuse, or refuse to be examined upon Oath, or, if a Quaker, Moravian, or Separatist, upon solemn Affirmation, then every such Person so offending shall forfeit and pay a Sum not exceeding Forty Shillings, to be ordered, levied, and paid in such Manner, and by such Means, and with such Power of Commitment, as is herein-before directed as to such Order and Judgment to be given between the Party or Parties in the original Complaint, excepting so far as regards the Form of the Order, and herein-after provided for.

If Complaint unfounded, Justice may give Costs, &c.

No Judgment to be given against Landlord unless he personally levies the Distress.

Parties not to be barred of other legal Remedies.

XVIII. And be it enacted, That it shall be lawful for such Justices, if they shall find that the Complaint of the Party or Parties aggrieved is not well founded, to order and adjudge Costs not exceeding Twenty Shillings to be paid to the Party or Parties complained against, which Order shall be carried into effect, and levied and paid in such Manner and with like Power of Commitment as is herein-before directed as to the Order and Judgment founded on such original Complaint: Provided always, that nothing herein contained shall empower such Justices to make any Order or Judgment against the Landlord for whose Benefit any such Distress shall have been made, unless such Landlord shall have personally levied such Distress: Provided also, that no Person or Persons who shall be aggrieved by any Distress for Rent, Taxes, Rates, Impositions, or Assessments, or by any Proceedings had in the course thereof, or by any Costs and Charges levied upon them in respect of the same, shall be barred from any legal or other Suit or Remedy which he, she, or they might have had before the passing of this Act, excepting so far as any Complaint to be preferred by virtue of this Act shall have been determined by the Order and Judgment of the Justices before whom it shall have been heard and determined, and which Order and Judgment shall and may be given in Evidence under the Plea of the general Issue in all Cases where the Matter of such Complaint shall be made the Subject of any Action.

Signature of the Justices Proof of Judgment.

XIX. And be it enacted, That such Orders and Judgments on such Complaint shall be made in the Form in the Schedule (B.) hereunto annexed, and may be proved before any Court by Proof of the Signature of the Justices to such Order and Judgment; and such Orders, as regards Persons who may have been summoned as Witnesses, shall be made in such Form as to such Justices shall seem most fit and convenient.

Brokers and others making any Distress to give Copies of their Charges to the Persons distrained.

XX. And be it enacted, That every Broker, Bailiff, or other Person who shall make and levy any Distress whatsoever shall, if the same shall be demanded by the Party distrained, give a Copy of his Charges, and of all the Costs and Charges of the Distress whatsoever, signed by him, to the Person or Persons on whose Goods and Chattels any Distress shall be levied, although the Amount of the Rent, Taxes, Rates, Impositions, or Assessments demanded shall exceed the Sum of Twenty Pounds, and upon default of so doing he shall be liable to forfeit any Sum not exceeding Forty Shillings, to be recovered before any Two Justices of the Peace acting for such District, and levied under the Warrant of such Justices by Distress and Sale of the Goods of the Person so making default.

Printed Copy of certain Clauses of this Act to be hung up in Sessions Houses.

XXI. And be it enacted, That a fair printed Copy of the Clauses of this Act, and of the Schedule (B.) thereto annexed, which regulate or relate to the Costs of Distresses, shall be hung up in some convenient Place in such Halls or Rooms where the Justices of each and every County, County of a City, or County of a Town in *Ireland* hold either their Quarter or Petty Sessions.

Interpretation of Act.

XXII. And be it enacted, That in the Construction of this Act and the Schedules thereto annexed, unless there be something in the Subject or Context repugnant to such Construction, Words importing the Singular Number only shall include the Plural Number, and Words importing the Plural Number only shall include also the Singular Number; Words importing the Masculine Gender only shall include Females; the

the Word "Landlord" shall extend to any Number of Persons, or to a Body or Bodies Politic, Corporate, Collegiate, Aggregate or Sole, or to any Number of Persons associated together as a Company or Partnership; the Word "Lands" shall extend to Lands, Houses, Tenements, or Hereditaments; and the Term "Assistant Barrister" shall extend to the Chairman of the Sessions of the Peace for the County of *Dublin* and to the Recorder of the City of *Dublin*.

Schedules Part of Act.

XXIII. And be it enacted, That the Schedules to this Act annexed shall be deemed and taken to be Part of this Act.

Act to extend to Ireland only.

XXIV. And be it enacted, That this Act shall extend only to that Part of the United Kingdom called *Ireland*.

Act may be amended, &c.

XXV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

N° 1.

Form of Attornment by Under-tenants or Occupiers of Lands recovered in Ejectment, upon the Execution of a Writ or Civil Bill Decree for delivering Possession where the Under-tenants attorn as Tenants to the Lessor of the Plaintiff, or Plaintiff.

WHEREAS *A.B.* of hath lately recovered Judgment in Ejectment [*or* obtained a Civil Bill Decree] for the Lands and Tenements in the Tenancy or Occupation of the Persons under named respectively. Now we, whose Names are hereunto subscribed, upon the Execution of the Writ of Possession [*or* Decree, *if by Civil Bill*] in the said Cause, according to the Statute in that Behalf, with the Assent of the said *A.B.* [*or* the Attorney for the Plaintiff] in the said Cause, testified by the said Attorney for the Plaintiff signing these Presents, do hereby severally and respectively attorn and become Tenants to the said *A.B.* of the several Farms, Lands, and Tenements situate at the several Places, and for the Terms, and commencing at the Times mentioned and set opposite to our respective Names in the Schedule hereunder written, and do hereby severally agree to pay such respective Rents for the same, and from such several Periods or Times as in the said Schedule expressed; and we have severally given unto the said *A.B.* or his Agent, the Sum of One Penny, in the Name of Attornment and in part of the said Rents. [*Provided always, that if the said Lands and Tenements shall in due Course of Law be redeemed in pursuance of the Statutes in such Case made and provided, these Presents shall thenceforth be void.]

As witness our Hands, this Day of .

Tenants Names.	Farm or Tenement.	Yearly Rent, *or* as the Case may be.	When due.	Term of the Holding.	Commencement of the Term.
		£ s. d.			
C.D.	- - -	5 0 0	May 1 and November 1.	One Year [*or for such Term as may be agreed on*].]	1 November *or* 29 September [*or such Day as may be agreed on*].
E.F.	- - -	- - -	March 25 and September 29.		
G.H.	- - -	1 per Acre	May 1 and November 1.		

Attorney for the Plaintiff.
Sheriff
or
Sheriff's Officer.

Witness,

N° 2.

Form of Acknowledgment by Occupiers of Lands recovered in Ejectment upon the Execution of a Writ or Civil Bill Decree for Delivery of Possession, where the Parties do not agree to an Attornment as Tenants.

WHEREAS *A.B.* of hath lately recovered Judgment in Ejectment [*or* a Civil Bill Decree] for the Lands and Tenements in the respective Tenancy or Occupation of the Persons under named respectively, amongst other Lands and Tenements. Now we, whose Names are hereunder subscribed, upon the Execution of the Writ of Possession [*or* Decree] in the said Cause, according to the Statute in that Behalf, with the Assent of the said *A.B.*

* This Proviso to be added where the Ejectment or Civil Bill Ejectment shall have been for Nonpayment of Rent.

[*or* the Attorney for the Plaintiff] in the said Cause, testified by the said Attorney for the Plaintiff signing these Presents, do hereby severally and respectively acknowledge that we respectively hold or occupy the Lands and Tenements now in our respective Occupation as hereunder specified, by the Leave and Licence and for and on behalf of and at the Will of the said *A.B.* and that we will severally and respectively, when required by the said *A.B.* or his authorized Agent or Receiver, deliver up to the said *A.B.* or his authorized Agent or Receiver the Possession of the said Lands and Premises in our respective Occupation as set opposite to our respective Names in the Schedule hereunder written. [* Provided always, that if the said Lands and Premises shall in due Course of Law be redeemed in pursuance of the Statutes in such Case made and provided, these Presents shall thenceforth be void.]

As witness our Hands this Day of .

Occupiers Names.	Farm or Lands.
C.D. - -	Blackacre.
E.F. - - -	Whiteacre.
G.H. - -	House and Garden in Whiteacre.

Attorney for the Plaintiff.

Witness, Sheriff
or
Sheriff's Officer.

SCHEDULE (B.)

As to Costs on Distresses for Rents, or Rates, Taxes, Impositions, and Assessments.

Form of the Order and Judgment of the Justices before whom Complaint is preferred, where the Order and Judgment is for the Complainant.

In the Matter of the Complaint of *A.B.* against *C.D.*, for a Breach of the Provisions of an Act of the Ninth and Tenth Years of Her Majesty Queen Victoria, intituled "An Act" [*here insert the Title of this Act*], we, *E.F.* and *G.H.*, Justices of the Peace for the County of and acting within the District of do order and adjudge that the said *C.D.* shall pay to *A.B.* the Sum of as a Compensation and Satisfaction for unlawful Charges and Costs levied and taken from the said *A.B.* under Distress for Rent, [*or* Rates, Taxes, Impositions, or Assessments, *or as the Case may be*,] and the further Sum of for Costs on this Complaint.

(Signed) *E.F.*
G.H.

Form of the Order and Judgment of the Justices, where they dismiss the Complaint as unfounded, and with or without Costs, as the Case may be.

In the Matter of the Complaint of *A.B.* against *C.D.* for the Breach of the Provisions of an Act of the Ninth and Tenth Years of Her Majesty Queen Victoria, intituled "An Act" [*here insert the Title of this Act*], we, *E.F.* and *G.H.*, Justices of the Peace for the County of and acting within the District of do order and adjudge that the Complaint of the said *A.B.* is unfounded, and the same is hereby dismissed; [*if Costs are given*], and we do further order and adjudge that the said *A.B.* shall pay unto the said *C.D.* the Sum of for Costs.

(Signed) *E.F.*
G.H.

Schedule of the Limitation of Costs and Charges on Distresses for small Rents, or Rates, Taxes, Impositions, or Assessments, not exceeding Twenty Pounds.

	£	s.	d.
Levying Distress - - - - - - - - -	0	2	0
Man in Possession, per Day each (but not exceeding Two in Number, unless upon Information sworn before a Justice that a Rescue or Violence is apprehended) - -	0	2	0
All Expences of Advertisements, if any such - - - - - - -	0	5	0
Catalogues, Sale, and Commission, and Delivery of Goods, 1*s.* in the Pound on the net Produce of the Sale, if sold by a licensed Auctioneer; otherwise, 6*d.* in the Pound on the net Produce of the Sale.			

* This Proviso to be added where the Ejectment or Civil Bill Ejectment shall have been for Nonpayment of Rent.

SCHE-

SCHEDULE (C.)

Form of the Certificate of the Clerk of the Peace as to the Lodgment of Money by a Defendant for Rent and Costs in a Civil Bill Ejectment Case.

County of
Division of

Plaintiff [*to be here stated and described as in the Civil Bill*].
Defendant [*to be here stated and described as in the Civil Bill.*]

I hereby certify, That *A.B.* of Defendant in this Cause, has [*or* have] this Day deposited with me the Sum of for Rent, and for Costs, pursuant to the Statutes in that Behalf.

Given under my Hand, this Day of

F.G. { Clerk of the Peace for the County of
or, Deputy.

CAP. CXII.

An Act to facilitate and encourage the granting of certain Leases for Terms of Years in *Ireland.* [28th *August* 1846.]

'WHEREAS it is expedient to encourage the leasing of Lands in *Ireland* for Terms of Years, in 'certain Cases, and subject to certain Conditions, as herein-after mentioned;' be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for any Person duly entitled in that Behalf, who shall, after the passing of this Act, demise or let any Lands or Tenements in *Ireland* for any Term of Years not exceeding Thirty-one Years, and not less than Fourteen Years, reserving a yearly Rent not exceeding Fifty Pounds, without the taking of any Fine, Premium, or Foregift, or any thing in the Nature thereof, for the making of such Demise, to execute a Deed of Lease according to the Form and pursuant to the Provisions contained in a certain Act of the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to facilitate the granting of certain Leases*, or according to any of the Forms and pursuant to the Directions contained in the Schedules to this Act annexed; and any such Lease shall be deemed to be within and subject to the Provisions of this Act in relation to Stamp Duty next herein-after contained.

Leases for Terms not exceeding 31 Years, nor less than 14 Years, reserving a Rent not exceeding 50*l.* yearly, may be made according to the Forms in Schedules to 8&9 Vict. c. 124. or to Schedules of this Act.

II. And be it enacted, That for or in respect of any such Lease as aforesaid to be executed according to any of the Forms and pursuant to the Directions contained in the Schedule of this Act, or according to the Form and pursuant to the Provisions contained in the said Act of the Eighth and Ninth Years of Her present Majesty's Reign, in lieu and stead of all other Stamp Duties which would have been chargeable in respect of any such Lease immediately before the passing of this Act, there shall be granted, raised, levied, collected, and paid in *Ireland*, unto and for the Use of Her Majesty, Her Heirs and Successors, a Stamp Duty of One Shilling, and on the Counterpart of any such Lease a Stamp Duty of One Shilling.

Such Leases to be subject to a Stamp Duty of 1*s.* only;

and a Stamp Duty of 1*s.* on the Counterpart.

III. And be it enacted, That the said Duties by this Act granted shall be denominated and deemed to be Stamp Duties, and shall be under the Care and Management of the Commissioners of Stamps and Taxes for the Time being; and that all the Powers, Provisions, Clauses, Regulations, and Directions, Fines, Forfeitures, Pains, and Penalties contained in or imposed by the several former Acts of Parliament relating to any prior Duties of the same Kind or Description in *Great Britain* and *Ireland* respectively, and in force at the Time of the passing of this Act, shall respectively be of full Force and Effect with respect to the Duties by this Act granted, and to the Vellum, Parchment, and Paper, Articles, Matters, and Things, charged and chargeable therewith, and to the Persons liable to the Payment of the said Duties, and shall be observed, applied, enforced, and put in execution for the raising, levying, collecting, and securing of the said Duties hereby granted, and otherwise in relation thereto, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted with reference to the said Duties by this Act granted.

Powers and Provisions of former Acts to be applied to the Duties granted by this Act.

IV. And be it enacted, That every such Deed, executed according to the Form and pursuant to the Directions contained in the Schedules to this Act, unless any Exception be specially made therein, shall be held and construed to include all Outhouses, Buildings, Barns, Stables, Yards, Gardens, Cellars, ancient and other Lights, Paths, Passages, Ways, Watercourses, Easements, and Appurtenances whatsoever, to the Lands and Tenements therein comprised belonging or in anywise appertaining.

Deeds executed according to this Act held to include all Outhouses, &c.;

V. And be it enacted, That any Deed or Part of a Deed, executed as last aforesaid, which shall fail to take effect by virtue of this Act, shall nevertheless be as valid and effectual, and shall bind the Parties thereto, so far as the Rules of Law and Equity will permit, as if this Act had not been made.

Deed failing to take effect by this Act to be valid.

VI. And be it enacted, That in the Construction and for the Purposes of this Act, and the Schedules hereto annexed, unless there be something in the Subject or Context repugnant to such Construction, the Word "Lands" shall extend to all Tenements and Hereditaments of any Tenure; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing, and the converse; and every Word importing the Masculine Gender only shall extend

Construction of Act.

extend and be applied to a Female as well as a Male; and the Word "Person" shall mean and include any Body Politic or Corporate or Collegiate, as well as an Individual.

Schedules, &c. Part of Act. VII. And be it enacted, That the Schedules, and the Directions and Forms therein contained, shall be deemed and taken to be Parts of this Act.

Extent of Act. VIII. And be it enacted, That this Act shall extend to *Ireland* only.

Act may be amended, &c. IX. And be it enacted, That this Act may be amended or repealed by an Act to be passed in this present Session of Parliament.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

Directions as to the Forms in the Schedules to this Act.

1. PARTIES who use any of the Forms in these Schedules may substitute for the Words "Lessee" or "Lessor" any Name or Names.

2. Such Parties may substitute the Feminine Gender for the Masculine, or the Plural Number for the Singular, in any of the Forms in these Schedules.

3. All or any of the Covenants specified in Schedule (C.) may be introduced into or annexed to the Form of the Lease, according to the Agreement of the Parties.

4. Such Parties may introduce into or annex to the Forms any express Exceptions from or express Qualifications thereof respectively, or they may omit or qualify any of the Exceptions contained in the Forms, or they may introduce any other Agreements not inconsistent with the Provisions of this Act.

5. Where the Premises demised shall be of Freehold Tenure, the Covenants by the Lessee shall be taken to be made with and the Proviso for Re-entry to apply to the Heirs and Assigns of the Lessor; and where the Premises demised shall be of Leasehold Tenure, the Covenants by the Lessee and the Proviso for Re-entry shall be taken to be made with and apply to the Lessor, his Executors, Administrators, and Assigns. The Parties may, if they think fit, introduce, either before or after the Proviso for Re-entry, all or any of the Covenants or all or any of the other Provisoes contained in the Schedules (B.) and (C.), and may adopt the Proviso for Re-entry contained in Schedule (C.) instead of the Proviso for Re-entry contained in Schedule (B.)

SCHEDULE (B.)

Form of Lease under the Statute 9th & 10th *Victoria, Chapter* (.)

THIS Indenture, made the Day of One thousand eight hundred and forty [*or other Year*], in pursuance of an Act of the 9th and 10th Years of Her Majesty Queen Victoria, intituled "An Act to facilitate and encourage the granting of certain Leases for Terms of Years in Ireland," between [*here insert the Names of the Parties, and Recitals, if any*] witnesseth, that the said [Lessor *or* Lessors] doth [*or* do] demise unto the said [Lessee] *or* [Lessees], his or their Executors, Administrators, and Assigns, all, *&c.*, [*Parcels*], excepting all Timber and other Trees, Saplings and Underwoods, growing or to grow on the said demised Premises, with full Power of Ingress and Regress for the said [Lessor], his Heirs and Assigns, and others by him or them authorized, to view, cut down, manage, dispose of, or carry away the same; and also excepting all Mines, Minerals, and Quarries, now found or hereafter to be found on the said Premises, with full Power of Ingress and Regress for the said [Lessor], his Heirs and Assigns, and others by him or them authorized to search for, work, dig for, sink Pits for, manage, dispose of, or carry away the same, or the Produce thereof, and also excepting and reserving to the said [Lessor], his Heirs and Assigns, and all Persons by him or them authorized, full Power of Ingress and Regress, to lay out, make, or use any Farm or Occupation Road or Roads on or through the said demised Premises, for the Occupation or Use of the said Premises, or of any other Part of the Lands or Estates of the said [Lessor], his Heirs and Assigns, or to make any Drain or Drains, or Watercourses, on or through the said demised Premises, for the Use of the same, or of any other Part of the Lands or Estate of the said [Lessor], his Heirs and Assigns, the said [Lessor], his Heirs and Assigns, making reasonable Compensation for the Waste, Spoil, and Destruction which shall have been done to the said demised Premises in doing the several Acts aforesaid; and also excepting and reserving all Royalties and Franchises, and all Game, wild Fowl, and Fish, and all Privilege of hunting, hawking, fishing, coursing, shooting, and fowling on the said Premises, with free Liberty of Ingress and Regress to the said [Lessor], his Heirs and Assigns, and others by him or them authorized, for the same, or for exercising the same [*here state any other Exceptions, if any*]; to have and to hold the said Lands and Premises hereby demised, with the Appurtenances, unto the said [Lessee], his Executors, Administrators, and Assigns, from the Day of for the Term of thence ensuing, yielding therefor, during the said Term, the Rent of [*state the Rent, the Times and Mode of Payment, yearly, half-yearly, or otherwise*].

1. And the said [Lessee] doth hereby, for himself, his Heirs, Executors, Administrators, and Assigns, covenant with the said Lessor, that he the said Lessee, his Executors, Administrators, and Assigns, will during the said Term pay unto the said [Lessor] the Rent hereby reserved, in manner herein-before mentioned, without any Deduction whatsoever.

2. Pro-

2. Provided always, and it is expressly agreed, That if the Rent hereby reserved, or any Part thereof, shall be unpaid for Twenty-one Days after any of the Days on which the same ought to have been paid (although no formal Demand shall have been made thereof), then and in such Cases it shall be lawful for the said [Lessor] into and upon the said demised Premises, or any Part thereof in the Name of the whole, to re-enter, and the same to have again, re-possess, and enjoy as of his or their former Estate, any thing herein-after contained to the contrary notwithstanding.

3. And the said [Lessee] doth hereby for himself, his Heirs, Executors, Administrators, and Assigns, covenant with the said [Lessor] that he the said [Lessee], his Executors, Administrators, and Assigns, will also pay all Taxes, Rates, Duties, and Assessments whatsoever, whether parochial, parliamentary, or otherwise, now charged or hereafter to be charged upon the said demised Premises, or upon the said [Lessor], on account thereof (excepting all Taxes, Rates, Duties, or Assessments whatsoever, or any Portion thereof, which the Lessee is or may be by Law exempted from).

4. And also will during the said Term well and sufficiently repair, maintain, amend, and keep the said demised Premises, with the Appurtenances, in good and substantial Repair, together with all Buildings, Windows, Doors, and all other Fixtures, and all Gates, Hedges, Ditches, Fences, Drains, and Things which at any Time during the said Term shall be erected and made, or shall be on the said Premises, when, where, and so often as need shall be.

5. And it is hereby agreed, That it shall be lawful for the said [Lessor] and his Agents, at all seasonable Times during the said Term, to enter the said demised Premises to take a Schedule of the Buildings, Fixtures, Gates, Hedges, Ditches, Fences, Drains, and Things made and erected or being thereupon, and to examine the Condition of the said Premises; and further that all Wants of Reparation which upon such Views shall be found, and for the Amendment of which Notice in Writing shall be left at the Premises, the said [Lessee], his Executors, Administrators, and Assigns, will, within Three Calendar Months next after every such Notice, well and sufficiently repair and make good accordingly.

6. And that the said [Lessee], his Executors, Administrators, and Assigns, shall and will from Time to Time manage, till, and use the Lands hereby demised in a good and husbandlike Manner, and in due and regular Course of good Husbandry, so that the same may not be in any way injured or deteriorated.

7. And that the said [Lessee] will, at the Expiration or other sooner Determination of the said Term, peaceably surrender and yield up unto the said [Lessor] the said Premises hereby demised, with the Appurtenances, together with all Buildings, Erections, and Fixtures now or hereafter to be built or erected thereon, in good and substantial Repair and Condition in all respects, reasonable Wear and Tear and Damage by Fire only excepted.

8. And the [Lessor] doth hereby for himself, his Heirs, Executors, Administrators, and Assigns, covenant with the said Lessee, his Executors, Administrators, and Assigns, that he and they, paying the Rent hereby reserved, and performing the Covenants herein-before on his and their Part contained, shall and may peaceably possess and enjoy the said demised Premises for the Term hereby granted, without any Interruption or Disturbance from the said [Lessor], his Executors, Administrators, or Assigns, or any other Person or Persons lawfully claiming by, from, or under him, them, or any of them.

N.B. The Parties may add, if they please, any of the Covenants or Forms contained in Schedule (C.) of the above Statute.

In witness whereof the said Parties hereto have hereunto set their Hands and Seals.

These, or either of them, may be omitted or struck out at the Pleasure of the Parties.

Statement and Description of Buildings, if any, now existing on the said demised Premises. [*Here state and describe the Buildings, if any.*]

Statement and Description of Buildings allowed by the said Lessor to be erected on the said demised Premises. [*Here state and describe the Buildings so allowed to be erected.*]

(*Witnesses.*) (*Parties Names and Seals.*)

SCHEDULE (C.)

Any of the Covenants specified in this Schedule may be introduced into or annexed to the Form of the Lease, according to the Agreement of the Parties.

1. And also that the said [Lessee] shall not nor will, during the said Term, assign, transfer, underlet, or set over, or otherwise by any Act or Deed procure the said Premises, or any of them, to be assigned, transferred, underlet, or set over, unto any Person or Persons whomsoever, without the Consent in Writing of the said [Lessor], his Executors, Administrators, or Assigns, first had and obtained.

2. And also that the said [Lessee] shall not during the said Term bequeath or devise the said Lands by his Will or Testament, or by any Codicil thereto, unto more than One Person, without the Consent in Writing of the said [Lessor], his Executors, Administrators, or Assigns, first had and obtained.

3. Provided always, That it shall be lawful for the said [Lessee], his Executors or Administrators, or his Assigns, if any such there shall lawfully be, to bequeath or devise the said Premises to any one Person charged with any Sum or Sums of Money for any other Person or Persons, and thereupon it shall be lawful for the Person to whom the said Premises shall be so devised or bequeathed, his Executors or Administrators, or his Assigns, if any such there shall lawfully be, to sell or assign the said Premises for the Residue of the Term thereof to any one Person, for or towards defraying the Charges affecting the same.

4. That

4. That he the said [Lessee], his Executors, Administrators, and Assigns, shall not, nor will at any Time hereafter during the Term hereby granted, build or erect, or permit or suffer to continue built or erected, on the said Lands hereby demised, any Farmers Dwelling Houses, Labourers Houses, or other Messuages whatsoever, except such as he or they shall from Time to Time be expressly authorized to build or erect, or permit to be built or erected by the Licence and Consent in Writing of the [Lessor], or Person for the Time being entitled to the Reversion immediately expectant upon the Term hereby granted.

5. That the said [Lessee], his Executors, Administrators, and Assigns, shall not, nor will at any Time or Times during the Continuance of the Term hereby granted, take Two White or Corn Crops in succession off any Part or Parts of the Lands hereby demised.

6. And further, that the said [Lessee] will not, without the Consent in Writing of the said Lessor, his Heirs or Assigns, burn or permit to be burnt any Part of the Soil or Surface of the said Farm or Lands.

7. Provided always, and it is expressly agreed, That if the Rent hereby reserved, or any Part thereof, shall be unpaid for Twenty-one Days after any of the Days on which the same ought to have been paid (although no formal Demand shall have been made thereof,) or in case of the Breach or Nonperformance of any of the Covenants and Agreements herein-before contained on the Part of the said [Lessee], his Executors, Administrators, and Assigns, then and in either of such Cases it shall be lawful for the said [Lessor] into and upon the said demised Premises, or any Part thereof in the Name of the whole, to re-enter, and the same to have again, re-possess, and enjoy, as of his or their former Estate, any thing herein contained to the contrary notwithstanding.

CAP. CXIII.

An Act to improve the Proceedings in Prohibition and on Writs of Mandamus in *Ireland*.

[28th *August* 1846.]

1 W. 4. c. 21.

'WHEREAS by an Act passed in the First Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to improve the Proceedings in Prohibition and on Writs of Mandamus*, certain Provisions were made relating to Applications for Writs of Prohibition, and to the Proceedings thereon, and to Damages and Costs of such Applications and Proceedings; and it is expedient that the said Provisions should be extended to and be in force in *Ireland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several Enactments contained in the said Statute relating to Applications for Writs of Prohibition, and to Declarations and other Pleadings and Proceedings thereon, and to the Recovery of Costs and Damages therein, shall be and the same are hereby extended to and shall be in force in *Ireland*.

Provisions of 1 W. 4. c. 21. as to Writs of Prohibition extended to Ireland.

Provisions of 19 G. 2. (I.) as to Writs of Mandamus extended to other Cases of Writs of Mandamus.

II. 'And whereas the Provisions contained in an Act passed in the Parliament of *Ireland* in the Nineteenth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for the better Regulation of Corporations*, relating to the Writs of Mandamus, therein mentioned, have been found useful and convenient, and the same ought to be extended to the Proceedings on other such Writs;' be it therefore enacted, That the several Enactments contained in the said last-mentioned Statute relating to the Returns to Writs of Mandamus, and the Proceedings on such Returns, and to the Recovery of Damages and Costs, shall be and the same are hereby extended and made applicable to all other Writs of Mandamus, and the Proceedings thereon, except so far only as the same may be varied or altered by this Act.

For Protection of certain Officers to whom Writs of Mandamus are directed.

III. 'And whereas Writs of Mandamus, other than such as relate to the Offices and Franchises mentioned in or provided for by the said Act made in the Nineteenth Year of the Reign of King *George* the Second, are sometimes issued to Officers and other Persons, commanding them to admit to Offices or do or perform other Matters in respect whereof the Persons to whom such Writs are directed claim no Right or Interest, or whose Functions are merely ministerial in relation to such Offices or Matters; and it may be proper that such Officers and Persons should in certain Cases be protected against the Payment of Damages or Costs to which they may otherwise become liable;' be it therefore enacted, That it shall be lawful for the Court in *Ireland* to which Application may be made for any Writ of Mandamus (other than such as relate to the said Offices and Franchises mentioned in or provided for by the said Act made in the Reign of King *George* the Second), if such Court shall see fit so to do, to make Rules and Orders calling not only upon the Person to whom such Writ may be required to issue, but also all and every other Person having or claiming any Right or Interest in or to the Matter of such Writ, to show Cause against the issuing of such Writ, and Payment of Costs of the Application; and upon the Appearance of such other Person in compliance with such Rules, or in default of Appearance after Service thereof, to exercise all such Powers and Authorities, and make all such Rules and Orders applicable to the Case, as are or may be given or mentioned by or in any Act passed or to be passed during this present Session of Parliament for giving Relief against adverse Claims made upon Persons having no Interest in the Subject of such Claims: Provided always, that the Return to be made to any such Writ, and Issues joined in Fact or in Law upon any Traverse thereof, or upon any Demurrer, shall be made and joined by and in the Name of the Person to whom such Writ shall be directed; but nevertheless

Proviso as to Returns of Writs and Issues joined.

theless the same shall and may, if the Court shall think fit so to direct, be expressed to be made and joined on the Behalf of such other Person as may be mentioned in such Rules, and in that Case such other Person shall be permitted to frame the Return, and to conduct the subsequent Proceedings at his own Expence; and in such Case, if any Judgment shall be given for or against the Party suing such Writ, such Judgment shall be given against or for the Person or Persons on whose Behalf the Return shall be expressed to be made, and who shall have the like Remedy for the Recovery of Costs and enforcing the Judgment as the Person to whom the Writ shall have been directed might and would otherwise have had.

Proceedings not to abate by Death, &c. of the Officer having made the Return.

IV. And be it enacted, That in case the Return to any such Writ shall, in pursuance of the Authority given by this Act, be expressed to be made on behalf of any other Person as aforesaid, the further Proceedings on such Writ shall not abate or be discontinued by the Death or Resignation of or Removal from Office of the Person having made such Return, but the same shall and may be continued and carried on in the Name of such Person; and if a peremptory Writ shall be awarded the same shall and may be directed to any Successor in Office or Right to such Person.

The Costs of Application for a Mandamus to be in the Discretion of the Court.

V. And for making some further Provision for the Payment of Costs on Application for Mandamus, be it enacted, That in all Cases of Applications for any Writ of Mandamus whatsoever in *Ireland* the Costs of such Application, whether the Writ shall be granted or refused, and also the Costs of the Writ, if the same shall be issued and obeyed, shall be in the Discretion of the Court, and the Court is hereby authorized to order and direct by whom and to whom the same shall be paid.

Where Prosecutor intends to object to the Validity of a Return to a Mandamus, he must do so by way of Demurrer.

VI. 'And whereas it is expedient that Parties interested in the issuing of or in the Proceedings upon 'Writs of Mandamus shall be enabled in certain Cases to have the Judgments and Decisions of the 'Court of Queen's Bench in *Ireland* in respect of the said Writs, and of the Proceedings thereon, 'reviewed by a Court of Error, if they shall so think fit, and that a certain Mode of effecting the same 'shall be ordained and established: And whereas there is not any Power or Authority given by the said 'recited Act of the Reign of His Majesty King *George* the Second to the Person prosecuting a Writ of 'Mandamus to demur to the Return made to any such Writ, so that the Decision of the said Court of 'Queen's Bench as to the Validity of such Return could be reviewed by a Court of Error;' for Remedy whereof, therefore, be it enacted, That in all Cases in which the Person prosecuting any Writ of Mandamus heretofore issued or hereafter to be issued shall wish or intend to object to the Validity of any Return heretofore made or hereafter to be made to the same, he shall do so by way of Demurrer to the same, in such and the like Manner as is now practised and used in the said Court in personal Actions, and thereupon the said Writ and Return and the said Demurrer shall be entered on Record in the said Court, and such and the like further Proceedings shall be thereupon had and taken as upon a Demurrer to Pleadings in personal Actions in the said Court; and the said Court shall thereupon adjudge either that the said Return is valid in Law, or that it is not valid in Law, or that the Writ of Mandamus is not valid in Law; and if the Court adjudge that the said Writ is valid in Law, but that the Return thereto is not valid in Law, then and in every such Case the Court shall also by the said Judgment award that a peremptory Mandamus shall issue in that Behalf; and thereupon such peremptory Writ of Mandamus may be sued out and issued accordingly at any Time after Four Days from the signing of the said Judgment; and it shall be lawful for the said Court and they are hereby required, in and by their said Judgment, to award Costs to be paid to the Party in whose Favour they shall thereby decide, by the other Party or Parties.

Proceedings thereupon.

Party aggrieved by Judgment may sue out a Writ of Error to reverse the same.

VII. And be it enacted, That whenever any such Judgment as is herein-before mentioned shall be given, or whenever Issue in Fact or in Law shall be joined upon any Pleadings, in pursuance of the said recited Act of the Reign of His Majesty King *George* the Second and of this Act, or of either of them, and Judgment shall be given thereon by the said Court, it shall be lawful for any Party to the Record in any of such Cases, who shall think himself aggrieved by such Judgment, to sue out and prosecute a Writ of Error for the Purpose of reversing the same, in such Manner and to such Court or Courts as a Party to any personal Action in the said Court of Queen's Bench in *Ireland* may now sue out and prosecute a Writ of Error upon the Judgment in such Action, and such and the like Proceedings shall thereupon be had and taken, and such Costs awarded, as in ordinary Cases of Writs of Error upon Judgments of the said Court in Personal Actions; and if the Judgment of the said Court be reversed by the Court of Error the said Court of Error shall thereupon, by their Judgment, not only reverse the same, but shall also, in addition thereto, give the same Judgment which the Court whose Judgment is so reversed ought to have given in that Behalf; and if by their said Judgment they shall award that a peremptory Writ of Mandamus shall issue, the same shall and may accordingly be issued by the proper Officer in the Office from which such Writs issue, upon Production to him of an Office Copy of the said Judgment of the Court of Error, which shall be his Authority and Warrant for so doing: Provided always, that Bail in Error to the Amount of Fifty Pounds, or such other Sum as may by any Rule of Practice be appointed as herein-after provided, shall be duly put in within Four Days after the Allowance of the said Writ of Error, and the same shall afterwards be duly perfected according to the Practice of the Court wherein the said original Judgment was given, otherwise the Plaintiff in Error shall be deemed to have abandoned his Writ of Error, and the same shall not be further prosecuted.

Bail in Error shall be duly put in within Four Days after Allowance of Writ.

No Action, &c. for any thing done in obedience to any

VIII. And be it enacted, That no Action, Suit, or any other Proceeding shall be commenced or prosecuted in *Ireland* against any Person or Persons whatsoever for or by reason of any thing done in obedience

peremptory Writ.

obedience to any peremptory Writ of Mandamus issued by any Court having Authority to issue Writs of Mandamus.

Court of Error may make Rules of Practice, &c.

IX. And be it enacted, That the said Court or Courts of Error which are hereby empowered to take cognizance of the Matters aforesaid may make and they are hereby directed to make, from Time to Time and as often as they shall see Occasion, such Rules of Practice in reference to the said Application and the Proceedings thereon, and in reference to the Writs of Error herein-before mentioned, and the Proceedings thereon, and the Amount of Bail to be taken, as the said Courts respectively may deem necessary to effectuate the Intention of this Act in relation to the same respectively.

Act may be amended, &c.

X. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

C A P. CXIV.

An Act for the further Amendment of an Act of the Sixth Year of Her present Majesty, for regulating the *Irish* Fisheries. [28th *August* 1846.]

5 & 6 Vict. c. 106. 7 & 8 Vict. c. 108. 8 & 9 Vict. c. 108.

'WHEREAS an Act was passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to regulate the* Irish *Fisheries:* And whereas the same was amended by an Act of the Seventh and Eighth Years of the Reign of Her said Majesty, and was again amended by another Act of the Eighth and Ninth Years of the Reign of Her said Majesty; and it is by the said first-recited Act, amongst other things, enacted, "that from and after the First Day of *January* in the Year One thousand eight hundred and forty-four no Fish of the Salmon Kind shall be taken in or from any River, Lake, or Estuary whatsoever or on the Sea Coast, between the Twentieth Day of *August* in any Year and the Twelfth Day of *February* in the Year following, by any Person, save and except in any River, Lake, or Estuary, or any Part of the Sea Coast where the catching of Salmon shall be permitted during such Period by the said Commissioners, in conformity with the Powers therein-after vested in them for that Purpose:" And whereas it is expedient that the said first-recited Act, and the Acts amending the same, should be further amended in relation to the Close Time or Close Season for Salmon:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act so much of the said recited Provision as specifies the said Close Time or Close Season in which no Fish of the Salmon Kind shall be taken shall be and the same is hereby repealed, save and except as to any Matter or Thing heretofore done, or any Penalty heretofore incurred in respect of the same; and from and after the passing of this Act, as regards the rest of *Ireland* and the Sea Coast thereof (save the Counties herein-after mentioned and the Sea Coast of the same), no Fish of the Salmon Kind shall be killed, destroyed, or taken, by any Person or by any Means whatever, in or from any Estuary or on the Sea Coast, or in or from the Tideway of any River or Lake, or the Part thereof where the Tide ebbs and flows, at any Time between the First Day of *September* in each Year and the Thirty-first Day of *January* in the Year following, both the said Days inclusive; and no Fish of the Salmon Kind (save as herein-after provided) shall be killed, destroyed, or taken, by any Person or by any Means whatsoever, in or from any Part of any River or Lake above the Tideway, or Portion thereof where the Tide ebbs and flows, at any Time between the Fifteenth Day of *September* in each Year and the last Day of *February* in the Year following, both the said Days inclusive: Provided always, that in any such Part of any River or Lake above the Tideway, or Portion thereof where the Tide ebbs or flows, no Fish of the Salmon Kind shall be killed, destroyed, or taken between the First and Fourteenth Days of the Month of *September*, both the said Days inclusive, by any Person, by means of any Weir, Crib, Cruive, Box, Trap, Draw Net, Haul Net, fixed Net, or other Net or Device whatsoever, save by Rods and Lines only.

So much of recited Provision as defines the Close Time for Salmon repealed.

Close Time for Salmon in the Sea and Tideways shall be from 1st Sept. to 31st Jan.

Close Time for Salmon in Rivers or Lakes above Tideway; but Salmon to be taken by Rod and Line only from 1st to 14th September.

II. 'And whereas in many of the Rivers aforesaid permanent or fixed Weirs, with Boxes, Cribs, or Cruives, for the taking of Salmon, are now held under Charter, Patent, Grant, Act of Parliament, or prescriptive Right, and are placed or constructed wholly or partially across such Rivers, in the fresh-water Portions thereof, above the Place where the Tide ceases to flow: And whereas in such Cases where any such permanent or fixed Weirs are situate within Two Miles from the Place where the Tide ceases to ebb and flow, and no fishing or other Weir is situate or interposed between such permanent or fixed Weirs and the Place where as aforesaid the Tide ceases to ebb and flow, good Fish of the Salmon Kind may, without Injury to the Fisheries, and with Advantage to the Public, be taken during the Month of *February* in each Year;' be it therefore enacted, That nothing herein-before contained shall be construed to prevent the Owners or Tenants of such Weirs so circumstanced as aforesaid from using the same, and it shall be lawful for them to use the same, to take therein or thereat Fish of the Salmon Kind, in such Boxes, Cribs, or Cruives of such Weirs, or by the drawing of Nets at or near such Weirs, or in any Part of such Rivers between such Weirs and the Tideway, or Portion thereof where the Tide ebbs and flows, during any Part of the Month of *February*, in like Manner as if such Weirs were situate within the Tideway or Place where the Tide ebbs and flows: Provided always, that in all other respects such Weirs, and the Persons using, possessing, tenanting, or fishing the same, shall be subject to the Provisions of the said recited Acts and this Act in relation to the same.

Nothing to prevent Owners, &c. from using Fishing Weirs above Termination of Tideway, and within Two Miles therefrom, during the Month of February.

Weirs, &c. to be subject to Provisions of recited Act, &c.

III. And

III. And be it enacted, That in any of the following Counties, or on the Sea Coast of the same, or any of them, (that is to say,) the Counties of *Antrim*, *Tyrone*, *Donegal*, *Londonderry*, *Mayo*, *Fermanagh*, *Leitrim*, and *Sligo*, no Fish of the Salmon Kind shall be killed, destroyed, or taken, by any Person or by any Means whatever, in or from any River, Lake, or Estuary whatsoever, or on the Sea Coast, between the Twentieth Day of *August* in any Year and the Thirty-first Day of *January* in the Year following, both the said Days inclusive. In certain Counties the Close Time to be from 20th August to 31st January.

IV. Provided always, and be it enacted, That nothing in this Act contained shall prevent any Person from killing, destroying, or taking any Fish of the Salmon Kind during such Periods as aforesaid, or any of them respectively, in or from any River, Lake, or Estuary, or on any Part of the Sea Coast where the catching of Salmon shall be permitted during such Periods or any of them respectively by the said Commissioners, in pursuance of the Powers vested in them for that Purpose by the said first-recited Act, or any Act or Acts amending the same. Not to prevent fishing in any Lake, &c. where permitted by the Commissioners.

V. And be it enacted, That the said respective Close Times for Fish of the Salmon Kind, as fixed by this Act, shall be observed and kept in the like Manner in every respect as the Close Time for such Fish by the said recited Acts or any of them provided; and the Observance thereof respectively shall and may be enforced by all the Means, Powers, Persons, and Authorities provided in respect of such Close Time in the said recited Acts or any of them; and the Provisions of the said recited Acts, so far as the same are applicable, and not varied by this Act, shall be extended and applied to the respective Close Times hereby fixed, as if the same had been set forth in the said recited Acts; and all Persons guilty of any Breach of any of the Provisions of the said Acts or any of them, or this Act, relating to such respective Close Times, or offending in any respect against the Provisions of this Act, shall be liable to the like Penalties and Forfeitures as are provided by the said recited Acts or any of them, as if the respective Times, Periods, Matters, and Things herein provided to be observed and done were set forth in the said recited Acts, and the Matters and Things provided to be done for Observance of the Close Season in the said Acts were set forth in this Act; and all such Powers, Authorities, and Provisions for or in relation to the Enforcement of the Observance of the Close Season or Seasons, or for or in relation to the altering of the Close Season or Seasons, provided and given by the said recited Acts or any of them, shall extend and apply to the Subjects and Purposes of this Act, and may be used and exercised for enforcing the Provisions of this Act, in as full and effectual a Manner as if they were set forth in this Act, and applied and extended by express Terms to the Subjects and Purposes thereof; and all such Penalties and Forfeitures shall and may be sued for, recovered, and levied in the same Manner as by the said recited Acts provided in Cases of Offences prohibited by the said Acts or any of them. Penalties, Forfeitures, and Regulations for enforcing Observance of Close Season. 5 & 6 Vict. c. 106. 7 & 8 Vict. c. 108. §§ 1. 2. 8 & 9 Vict. c. 108, §§ 1. 10. 14. 23, 24.

VI. And be it enacted, That this Act and the said recited Acts shall be construed as One Act; and the said recited Acts shall remain in full Force and Effect, except so far as the Provisions of the same are repealed or altered by or are inconsistent with this Act; and the Commissioners for the Execution of the said Acts shall be Commissioners for the Execution of this Act; and, save when the Nature of the Provision or the Context shall exclude such Construction, Words and Expressions to which a particular or extended Meeting is given in the said recited Acts or any of them shall have or include the same particular or extended Meaning in this Act. Interpretation of Act.

VII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament. Act may be amended, &c.

CAP. CXV.

An Act to amend the Laws as to District Lunatic Asylums in *Ireland;* to provide for the Expence of the Maintenance of certain Lunatic Poor removed from the *Richmond* Lunatic Asylum, *Dublin*, for Want of Room therein; and to provide for the Salaries and Expences incident to the Office of Inspector of Lunatics in *Ireland.* [28th *August* 1846.]

'WHEREAS by an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to make more effectual Provision for the Establishment of Asylums for the Lunatic Poor, and for the Custody of Insane Persons charged with Offences, in* Ireland, certain Provisions were made for the Erection and Establishment of Lunatic Asylums in and for Districts to be limited and appointed in manner and by the Authority in the said Act mentioned: And whereas by an Act passed in the Eleventh Year of the Reign of His said late Majesty, intituled *An Act for appropriating the* Richmond *Lunatic Asylum in* Dublin *to the Purposes of a District Lunatic Asylum*, it was among other things enacted, that a certain Building commonly known by the Name of the *Richmond* Lunatic Asylum, in the City of *Dublin*, theretofore established and used as an Asylum or Hospital for the Reception and Management of Lunatic Patients, should and might be and become, and the same has accordingly become, a Lunatic Asylum for the County of the City of *Dublin*, and for such other County or Counties as from Time to Time, under the Provisions of the said first-recited Act of the First and Second Years of His late Majesty, constituted, together with the said City of *Dublin*, a District of a Lunatic Asylum: And whereas, in consequence of the Number of Lunatic Poor whose Cases urgently required Admission into the *Richmond* Lunatic Asylum, it became necessary, in the Year of our Lord One thousand eight hundred and forty-four, to 1 & 2 G. 4. c. 33. 11 G. 4. & 1 W. 4. c. 22.

'remove a certain Number of the Lunatic Poor then being Inmates of the said Asylum, and whose Cases 'did not so urgently require their Residence therein, to an Hospital or Asylum at *Island Bridge* in the 'County of *Dublin*, connected with and attached to the House of Industry in the City of *Dublin*; and 'such Lunatic Poor so removed have been kept, superintended, and maintained in the said Hospital, and 'the Expences of such Care, Superintendence, and Maintenance have been defrayed by the Poor Law 'Commissioners out of certain Funds in their Hands applicable to the Purposes of the said House of 'Industry: And whereas it is expedient that the Sum so defrayed and expended should be repaid to the 'said Commissioners, and that the Expence of the future Care, Superintendence, and Maintenance of 'such Lunatic Poor so removed (whilst they continue as Inmates of such Hospital) should be provided 'for by the County, Counties, or District which would have been or would be respectively chargeable in 'respect of them, in case they remained as Inmates of the said *Richmond* Asylum:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Amount of the Sums so heretofore defrayed or expended by the said Poor Law Commissioners in and for the Care, Superintendence, and Maintenance of the said Lunatic Poor so removed to the said Hospital, and of all Sums to be hereafter from Time to Time duly defrayed or expended by the said Poor Law Commissioners in and for the Care, Superintendence, and Maintenance of the said Hospital of the said Lunatic Poor, or any other Lunatic Poor, who, with the Consent of the Poor Law Commissioners and of the Commissioners of Her Majesty's Treasury, may be removed from the said *Richmond* Lunatic Asylum, or from the District thereof, to the said Hospital, whilst they shall continue therein, to be ascertained by any Order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and Privy Council in *Ireland*, shall be raised off and provided for and paid by the same County or Counties, County of a City, or District off or by which and in all respects as the Sums or Expences requisite for supporting, supplying, and maintaining the same respective Lunatic Poor would or might be, or ought to have been or to be raised, provided for, and paid in case the same Lunatic Poor were respectively kept and maintained in the said *Richmond* Lunatic Asylum; and the Grand Jury of each such County, County of a City, or County of a Town, or of the County or County of a City or County of a Town in which such District may be situated, shall, without any previous Proceeding at any Presentment Sessions, present the Sum or Sums so to be ascertained accordingly, or in default thereof the same shall be inserted in and raised by an Order of the Judge of Assize or of the Court at any Presenting Term, which Order shall have the Force of a Presentment, and the Sum or Sums therein mentioned shall be applotted and raised and levied accordingly as if the same had been inserted in a Presentment duly made at the Assizes or Presenting Term at which such Order shall be made; and such Sums respectively, when so from Time to Time raised and provided, shall be paid over to the said Poor Law Commissioners, and by them be placed to the Credit of the Funds of the said House of Industry.

The Sums expended in supporting the Lunatic Poor removed from Richmond Lunatic Asylum to be raised by the Districts liable therefor.

Grand Jury to present the Sums necessary.

II. 'And whereas by an Act of the Seventh Year of His late Majesty King *George* the Fourth, inti- 'tuled *An Act for the further Amendment of an Act of the First and Second Years of His present 'Majesty, for the Establishment of Asylums for the Lunatic Poor in* Ireland, it is amongst other things 'enacted, that if it shall at any Time happen that any Money shall have been raised off any County, 'County of a City, or County of a Town, or any Part thereof, towards defraying the Expences of 'erecting, establishing, maintaining, or supporting of any Lunatic Asylum, and that by reason of any 'Change of the District or Place in or for which such Asylum shall have been established such County, 'County of a City, or County of a Town, or any Part thereof, shall be taken out of the District liable to 'be assessed for such Expences, then and in such Case any Sum or Sums of Money which shall have 'been raised off such County, County of a City, or County of a Town, or such Part thereof as aforesaid, 'shall be raised off any and every County, County of a City, or County of a Town, or any Part or Parts 'thereof, which shall remain within such District; and all and every Sum and Sums which shall 'be so raised shall be repaid to the Treasurer of the County, County of a City, or County of a Town 'which shall have been removed from such District; and that whenever any County, County of a City, 'or County of a Town, or any Part or Parts thereof, which shall have been comprised in any former 'District, shall, by reason of any such Change as aforesaid, be comprised in or shall form Part of any 'new District, such County, County of a City, or County of a Town, or such Part thereof, shall be and 'is hereby declared to be subject and liable towards the defraying the Expences of any Asylum in or 'for such new District, in like Manner as is directed by the said recited Acts, or either of them, and as 'if such County, County of a City, or County of a Town, or such Part thereof, had been originally com- 'prised in or formed Part of such new District: And whereas by the said recited Act of the last 'Session of Parliament it is amongst other things enacted, that when any Change of the District of any 'District Asylum shall be made as aforesaid, no Sum of Money for defraying the Expences of main- 'taining or supporting any such District Asylum (after the same shall have been erected and estab- 'lished) shall from and after the passing of this Act be raised off any County, County of a City, or 'County of a Town, or any Part thereof, which shall remain (or be) within such District, or be repaid to 'the Treasurer of the County, County of a City, or County of a Town which shall have been removed 'from such District, or be raised off any such County, County of a City, or County of a Town, or Part 'thereof, which shall have been comprised in any former District, and shall by reason of any such 'Change be comprised in or form Part of any new District for any such Asylum, any thing in the said 'recited Enactment to the contrary notwithstanding: And whereas it is expedient that the Sums 'payable

In case of Change of Districts of Lunatic Asylums the Sums to be repaid under recited Provisions shall be paid by Instalments, and applied in liquidation of the Payments which the County transferred from one District shall be liable to make for the Asylum of another District. 7 G. 4. c. 14.

payable under the said recited Provisions should be paid by Instalments and applied as herein mentioned;' be it therefore enacted, That the respective Sums of Money for erecting and establishing any such Lunatic Asylum so to be raised and repaid as in the said recited Provisions mentioned shall be raised and paid in or by Instalments or Proportions, which Instalments or Proportions shall, as nearly as the Circumstances of the Case will admit, be payable at the same Periods as the Instalments or Proportions or Sums which any such last-mentioned County, County of a City, or County of a Town which shall have been removed or transferred from any such District shall be liable to pay and contribute towards the Erection or Establishment of any District Lunatic Asylum in and for the District to which such last-mentioned County, County of a City, or County of a Town shall be so transferred; and it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors and Privy Council in *Ireland* by any Order to ascertain the Instalment or Proportion, Instalments or Proportions, which ought to be so raised and paid, and the Times at which the same shall be payable and paid, and the County, County of a City, or County of a Town, or Part or Parts of a County, County of a City, or County of a Town, off which each such Instalment or Proportion ought to be raised; and the Grand Jury of each such County, County of a City, or County of a Town shall, without any previous Proceeding at any Presentment Sessions, present the Sum or Sums to be ascertained by any such Order or Orders accordingly, or in default thereof the same shall be inserted in and raised by an Order of the Judge of Assize or of the Court at any Presenting Term, which Order shall have the Force of a Presentment, and the Sum or Sums therein mentioned shall be applotted and raised and levied accordingly as if the same had been inserted in a Presentment duly made at the Assizes or Presenting Term at which such Order shall be made, and the same shall be so payable and shall be paid at the Periods aforesaid to the Treasurer of the County, County of a City, or County of a Town, which shall have been so removed or transferred from any such District, and such Treasurer shall pay over and apply such Sums when so received, so far as the same shall extend or shall be required, as the Case may be, in Liquidation and Discharge of such Instalments so payable by such last-mentioned County, County of a City, or County of a Town so transferred as aforesaid.

Persons removed from Gaols to District Asylums by Order of the Lord Lieutenant, not being Criminals, may be discharged on Certificate that they are of sound Mind, &c.

III. And be it enacted, That any Person who has been or shall be, by Order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, removed from any Gaol and admitted into any District Lunatic Asylum, not being a Criminal Lunatic within the Meaning of the said recited Act of the last Session of Parliament, may lawfully be discharged from such Lunatic Asylum without the Order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, as in the Case of other Lunatic Poor, in case it shall be duly certified by Medical Certificate that such Person has become of sound Mind, or has ceased to be or is not a dangerous Lunatic or dangerous Idiot: Provided always, that nothing in this Provision contained shall apply to any Person who after he or she shall have been committed for Trial, or for default of Surety to keep the Peace, or after he or she shall have been convicted of any Offence, and during his or her Imprisonment by reason of such Committal or Conviction shall have been removed from any Gaol to any such Lunatic Asylum by virtue of a Warrant of the said Lord Lieutenant or other Chief Governor or Governors under the Authority of an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to make more effectual Provision for the Prevention of Offences by insane Persons in* Ireland.

1 & 2 Vict. c. 27.

Act may be amended, &c.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. CXVI.

An Act to apply the Sum of Eight millions three hundred fifty-six thousand one hundred and seventy-three Pounds Seventeen Shillings and Eleven-pence out of the Consolidated Fund, and Monies in the Exchequer, to the Service of the Year One thousand eight hundred and forty-six, and to appropriate the Supplies granted in this Session of Parliament.

[28th *August* 1846.]

§ I. There shall be applied, for the Service of the Year 1846, £8,356,173 17*s.* 11*d.* out of the Consolidated Fund.

II. The Treasury may cause £8,356,173 17*s.* 11*d.* of Exchequer Bills to be made out in manner prescribed by 48 *G.* 3. *c.* 1., 4 & 5 *W.* 4. *c.* 15., and 5 & 6 *Vict. c.* 66.

III. The Clauses, &c. in recited Acts extended to this Act.

IV. Interest on Exchequer Bills.

V. Bank of England may advance £8,356,173 17*s.* 11*d.* on the Credit of this Act, notwithstanding 5 & 6 *W.* & *M. c.* 20.

VI. Bills prepared by virtue of this Act to be delivered to the Bank as Security for such Advances.

VII. Monies raised by Exchequer Bills to be applied to Services voted by the Commons.

VIII. Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

IX. The Treasury to issue £500,000 now in the Exchequer to complete the Aids granted for 1844 and 1845.

§. X. Monies coming into the Exchequer by 9 & 10 *Vict. c.* 7.—£18,380,200 by Exchequer Bills, 9 & 10 *Vict. c.* 15.—Monies coming in by 9 & 10 *Vict. c.* 47.—and £8,356,173 17*s.* 11*d.* and £500,000 by this Act, applied as hereafter expressed.

XI. There shall be issued and applied,

	£ 44,420	6	10	For Excess of Naval Expenditure over Grants of 1844.
XII.	7,484,453	0	0	For Naval Services, to the 31st *March* 1847, *viz.*
	1,294,720	0	0	For Wages to 40,000 Seamen and Marines, &c.
	645,048	0	0	For Victuals, &c. in the Navy.
	1,636,426	0	0	For Naval Stores, &c.
	526,810	0	0	For new Works in Naval Establishments.
	705,448	0	0	For Naval Half Pay.
	129,714	0	0	For Salaries, &c. of the Admiralty Office.
	9,501	0	0	For Registry Office of Seamen, &c.
	40,015	0	0	For the Navy Scientific Departments.
	129,932	0	0	For Naval Establishments at home.
	23,902	0	0	For Naval Establishments abroad.
	752,427	0	0	For Wages of Artificers, &c. at home.
	43,720	0	0	For Wages of Artificers, &c. abroad.
	21,273	0	0	For Medicines, &c.
	71,075	0	0	For Naval Miscellaneous Services.
	486,322	0	0	For Military Pensions.
	156,548	0	0	For Civil Pensions.
	166,626	0	0	To defray the Charge of Transports, &c.
	92,859	0	0	To defray the Charge of Convicts, Home Department.
	544,587	0	0	For Mail Packet Service.
	7,500	0	0	For retired Allowance to Naval Captains.
XIII.	6,635,044	0	0	For Army Services, from 1st *April* 1846 to 31st *March* 1847, *viz.*
	3,772,889	0	0	For Forces in United Kingdom and Stations abroad (except the *East Indies*).
	326,000	0	0	For Half Pay for Retired Officers.
	104,200	0	0	For Pensions to Widows.
	1,191,350	0	0	For Out-Pensioners of *Chelsea* Hospital, &c.
	154,938	0	0	For Disembodied Militia.
	364,801	0	0	For Commissariat Department.
	32,404	0	0	For Half Pay of Commissariat Department.
	169,435	0	0	For General Staff Officers, &c.
	94,439	0	0	For Allowances to Officers, &c. of Public Military Departments.
	14,062	0	0	For Royal Military Asylum, &c.
	82,375	0	0	For Volunteer Corps.
	36,501	0	0	For Services of former Years.
	12,000	0	0	For Rewards for distinguished Military Services.
	49,000	0	0	For certain General Officers.
	46,000	0	0	For Full Pay for retired Officers.
	38,000	0	0	For Half Pay, &c. to Officers of disbanded Foreign Corps, &c.
	82,000	0	0	For Compassionate List, &c.
	34,650	0	0	For *Chelsea* and *Kilmainham* Hospitals, &c.
	30,000	0	0	For Superannuations in Military Public Departments.
XIV.	2,543,569	0	0	For Ordnance Services to the 31st *March* 1847, *viz.*
	575,670	0	0	For Ordnance Military Corps.
	340,981	0	0	For Commissariat and Barrack Supplies, &c.
	223,025	0	0	For Ordnance and Barrack Establishments.
	390,184	0	0	For Ordnance Stores for Land and Sea Service.
	611,986	0	0	For Ordnance and Barrack Works.
	94,903	0	0	For Ordnance Offices at the *Tower* and *Pall Mall.*
	125,392	0	0	For Wages of Artificers, &c. in the Ordnance Department.
	60,969	0	0	For Scientific Branch of Ordnance Department.
	120,459	0	0	For Non-effective Ordnance Services.
XV.	18,380,200	0	0	To pay off Exchequer Bills of 1846.
	500,000	0	0	To discharge Supplies granted for 1845, &c.
XVI.	100,000	0	0	For Civil Contingencies - - -
	121,578	0	0	For Repairs of Public Buildings, Furniture of Public Offices, &c.; - - - -
	10,000	0	0	For a Palm House in the Royal Botanic Gardens at *Kew* - - - - -
	15,588	0	0	For providing Accommodation for Houses of Parliament - - - - -

} To 31st *March* 1847.

	£72,400	0	0	For New Houses of Parliament	To 31st *March* 1847.
	19,235	0	0	For rebuilding the Home Office, &c.	
	85,681	0	0	For *Holyhead* Harbour	
	50,000	0	0	For *Caledonian* Canal	
	21,452	0	0	For Public Buildings, &c., *Ireland*	
	12,500	0	0	For *Kingstown* Harbour	
	20,000	0	0	For enlarging *Buckingham Palace* in 1846.	
	4,500	0	0	For Damage to Public Buildings by Storm on 1st *August* 1846.	
	30,000	0	0	For Harbours of Refuge in 1846.	
§ XVII.	29,350	0	0	For both Houses of Parliament	To 31st *March* 1847.
	56,000	0	0	For Salaries, &c. at the Treasury	
	16,600	0	0	For the Home Department	
	63,000	0	0	For Salaries, &c. in the Foreign Department	
	19,000	0	0	For the Colonial Department	
	37,255	0	0	For Salaries, &c. at the Privy Council, &c.	
	2,000	0	0	For Lord Privy Seal	
	29,559	0	0	For Office of Paymaster General	
	16,156	0	0	For Comptroller General of Exchequer, &c.	
	2,650	0	0	For State Paper Office	
	72,915	0	0	For the Mint	
	12,628	0	0	For Public Records, &c.	
	23,273	0	0	For Offices of Chief Secretary, &c., *Ireland*	
	5,046	0	0	For Paymaster of Civil Services, *Ireland*	
	5,798	0	0	For Board of Public Works, *Ireland*	
	244,126	0	0	For Stationery, &c. for Government Departments	
	4,950	0	0	For Printing, by Queen's Printers, *Ireland*	
	3,340	0	0	For Ecclesiastical Commissioners for *England*	
	120,700	0	0	For the Poor Law Commissioners	
	15,324	0	0	For Salaries, &c. of Inspectors of Factories, &c.	
	1,755	0	0	Salaries of Officers, *Scotland*, &c.	
	6,464	0	0	Household of Lord Lieutenant of *Ireland*	
	39,000	0	0	For Foreign and Secret Services	
XVIII.	57,568	0	0	For Law Charges, &c. in *England* and *Wales*, *viz.*	
	21,000	0	0	For Office of Solicitor to the Treasury	
	10,600	0	0	For Prosecutions under Laws relating to Coin	
	12,600	0	0	For Expences of Sheriffs, Salaries of Officers of the Exchequer, &c.	
	13,368	0	0	For Insolvent Debtors Court	
	64,610	0	0	For Law Charges, *Scotland*	
	66,209	0	0	For Law Charges, *Ireland*	
	239,000	0	0	For Charges formerly paid out of County Rates	
	12,463	0	0	For *Parkhurst* Prison	
	19,934	0	0	For *Pentonville* Prison	
	34,083	0	0	For *Milbank* Prison	
	5,000	0	0	For *Perth* Prison	
	3,971	0	0	For Convict Depôt in *Dublin*, &c.	
	3,935	0	0	For Criminal Lunatics	
	6,000	0	0	For a Prison for Criminal Lunatics, *Dublin*	
	8,986	0	0	Inspectors of Prisons, &c.	
	36,000	0	0	For the Police of *Dublin*	
	62,330	0	0	For Convicts at home, &c.	
	250,000	0	0	For Convicts at *New South Wales*, &c.	
	10,000	0	0	For a Model Prison in *Ireland* in 1846.	
XIX.	100,000	0	0	For Public Education in 1846.	
	85,000	0	0	For Education, *Ireland*	To 31st *March* 1847.
	5,381	0	0	School of Design, &c.	
	2,006	0	0	For certain Professors at *Oxford* and *Cambridge*	
	4,526	0	0	For *London* University	
	7,480	0	0	For Grants to *Scottish* Universities	
	300	0	0	For Royal *Irish* Academy	
	300	0	0	For Royal *Hibernian* Academy	
	6,082	0	0	For Royal *Dublin* Society	
	2,600	0	0	*Belfast* Academical Institution	
	45,494	0	0	For Buildings at *British Museum*	
	3,390	0	0	For National Gallery in 1846.	

	£ 10,911	0	0	For Geological Survey, &c. - - -	To 31st *March* 1847.
	5,032	0	0	For Observatories at *Toronto*, &c. - - -	
	2,000	0	0	For Conservatories, &c. in Botanic Gardens, *Dublin*.	
	45,406	0	0	For *British Museum* - - - -	To 31st *March* 1847.
§ XX.	3,410	0	0	For Civil Establishment of the *Bahama Islands* -	
	4,049	0	0	For ditto of the *Bermudas* - - -	
	3,070	0	0	For ditto of *Prince Edward's Island* - -	
	400	0	0	For *Sable Island*, &c. - - - -	
	13,680	0	0	For Civil Establishments on the Western Coast of *Africa* - - - - - -	
	11,500	0	0	For *St. Helena* - - - - - -	
	7,219	0	0	For *Western Australia* - - -	
	2,965	0	0	For *Port Essington* in 1846.	
	4,758	0	0	For the *Falkland Islands*, to 31st *March* 1847.	
	30,000	0	0	For *New Zealand* in 1846.	
	1,023	0	0	For *Heligoland* - - - -	To 31st *March* 1847.
	18,394	0	0	For *West India* Colonies - - -	
	11,353	0	0	For *British North American* Provinces - -	
	18,000	0	0	For *Indian* Department in *Canada* - -	
	10,364	0	0	For Colonial Land and Emigration Board, &c. -	
	43,400	0	0	For Magistrates in *West Indies*, &c. - -	
	20,000	0	0	Support of captured Negroes, &c. - -	
	22,800	0	0	For Commissioners for suppressing the Slave Trade	
	112,600	0	0	For Consular Establishment - - -	
	48,800	0	0	For *British* Settlement at *Hong Kong*, &c. - -	
	20,000	0	0	For Missions abroad - - - -	
XXI.	80,800	0	0	For Retired Allowances to Public Officers - -	
	5,500	0	0	For *Toulonese* and *Corsican* Emigrants, &c. - -	
	1,850	0	0	For National Vaccine Institution in 1846.	
	3,000	0	0	For Refuge for Destitute in 1846.	
	11,500	0	0	For *Polish* Refugees, &c. - - -	To 31st *March* 1847.
	7,051	0	0	To pay Allowances formerly paid from Civil List, &c.	
	3,272	0	0	For Foundling Hospital, *Dublin* - - -	
	13,226	0	0	For House of Industry, *Dublin* - - -	
	1,000	0	0	For Female Orphan House, *Dublin* - -	
	2,500	0	0	For *Westmoreland* Lock Hospital - - -	
	1,000	0	0	For Lying-in Hospital, *Dublin* - - -	
	1,500	0	0	For Dr. *Stevens'* Hospital - - -	
	3,500	0	0	For Fever Hospital, &c., *Dublin* - - -	
	500	0	0	For Hospital for Incurables - - -	
	35,730	0	0	For Protestant Dissenting Ministers, *Ireland* -	
	7,256	0	0	For Charitable Allowances, *Ireland* - -	
XXII.	3,400	0	0	For Criminal Law Commission.	
	736	0	0	For *Shannon* Commission to 31st *March* 1847.	
	35,000	0	0	For certain Navigation Works, *Ireland*, in 1846.	
	1,000	0	0	For *British* Ambassador's House at *Paris* in 1846.	
	12,000	0	0	Ditto at *Constantinople*.	
	50,000	0	0	For Steam to *India* to 31st *March* 1847.	
	15,500	0	0	For Militia, *Canada*, in 1846.	
	132,000	0	0	For Distress by Failure of Potato Crop, *Ireland*.	
	20,000	0	0	For Sufferers by Fires at *Quebec*.	
	30,000	0	0	For ditto by Fire at *St. John's, Newfoundland*.	

XXIII. Supplies to be applied only for the Purposes aforesaid.

XXIV. Expenditure for Navy, Army, and Ordnance Services respectively to be confined to the separate Services for which granted. Treasury may on Application alter the proportionate Amounts for such separate Services, provided the total Grant to each Department be not exceeded.

XXV. Rules to be observed in the Application of the Sum appropriated to Half Pay. Not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, &c. Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since *July* 1828. An Account of the Number of Officers so receiving Half Pay to be laid before Parliament.

XXVI. Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.

XXVII. Persons concerned in issuing, paying, and receiving Money for the Payment of Half Pay, without the Oaths having been taken as required, indemnified, 8 & 9 *Vict. c.* 130.

XXVIII. Half Pay allowed to the Officers of the *Manx* Fencibles.

XXIX. Half Pay Allowances to Chaplains of Regiments not being in possession of Ecclesiastical Benefices derived from the Crown.

XXX. By 8 & 9 *Vict. c.* 130. a Sum was appropriated to be paid to Half Pay Officers, the Surplus of which is hereby authorized to be disposed of as Her Majesty shall direct.

XXXI. Widows and Persons claiming Pensions shall make the required Declaration.

XXXII. Declarations to be made as specified in 5 & 6 *W.* 4. *c.* 62.

CAP. CXVII.

An Act to authorize the Inclosure of certain Lands pursuant to a special Report of the Inclosure Commissioners for *England* and *Wales*. [26th *August* 1846.]

'WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act to facilitate the Inclosure and Improvement of Commons and Lands held in common, the Exchange of Lands, and the Division of intermixed Lands; to provide Remedies for defective or incomplete Executions, and for the Non-execution, of the Powers of general and local Inclosure Acts; and to provide for the Revival of such Powers in certain Cases*, it was enacted, that certain Waste Lands therein specified should not be inclosed under that Act without the previous Authority of Parliament in each particular Case, as therein provided, and that the Inclosure Commissioners should in the Month of *January* in every Year send to One of the Principal Secretaries of State a general Report of their Proceedings, specifying the Cases in which they should be of opinion that proposed Inclosures which could not be made without the Direction of Parliament would be expedient, and that every such Report should be laid before both Houses of Parliament within Six Weeks after the Receipt of the same by such Principal Secretary of State, if Parliament be sitting, or if Parliament be not sitting, then within Six Weeks after the next Meeting of Parliament; and it was also thereby enacted, that such Commissioners might from Time to Time send to One of the Principal Secretaries of State such special Report in relation to all or any of the Matters therein aforesaid as they might think fit: And whereas the said Commissioners did on the Thirty-first Day of *January* last send to One of Her Majesty's Principal Secretaries of State their first annual Report, specifying certain Cases in which they were of opinion that proposed Inclosures which could not be made without the Direction of Parliament would be expedient, and thereupon an Act was passed in this Session of Parliament, intituled *An Act to authorize the Inclosure of certain Lands in pursuance of the Recommendation of the Inclosure Commissioners for* England *and* Wales, whereby it was enacted, that the said several proposed Inclosures mentioned in the Schedule to the last-recited Act be proceeded with: And whereas the said Commissioners did on the Twenty-seventh Day of *July* last send to the said Secretary of State a special Report, setting forth their Proceedings as to the Cases of Inclosure (Fifteen in Number) requiring the previous Authority of Parliament, to which the proper Assents to the Provisional Orders have been given since the Date of their said annual general Report up to that Time, specifying such Matters with respect to them, and annexing the same Form of Schedule as if they had been contained in an annual general Report, which several proposed Inclosures are mentioned in the Schedule annexed to this Act: And whereas it is expedient, for the Reasons set forth in the said special Report of the Commissioners, that these Inclosures should be forthwith authorized by Parliament, notwithstanding that they have not been specified in the annual general Report of the said Commissioners:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said several proposed Inclosures mentioned in the Schedule annexed to this Act be proceeded with, and completed according to the Provisions of the first-recited Act, and on the Terms and Conditions in the Provisional Order of the Commissioners specified in each Case in that Behalf, in like Manner as if the said several proposed Inclosures had been specified in the annual general Report of the said Commissioners, and that this Act had been thereupon passed for directing the same to be proceeded with.

8&9 Vict. c. 118.

9 & 10 Vict. c. 16.

Inclosures mentioned in Schedule to be proceeded with according to Provisions of 8 & 9 Vict. c. 118., &c.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

III. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such.

Public Act.

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Walthamstow	Essex	15 April.
Kentisbury Down	Devon	14 January.
Wolston	Lancaster	25 April.
Tregeare Down and Redd Down	Cornwall	13 March.
Alkham	Kent	26 January.
Shinfield	Berks and Wilts	21 May.
Obley	Salop	6 May.
Wetheringsett Green	Suffolk	15 April.
Brockford Green	Suffolk	26 May.
Rockbeare	Devon	22 April.
Heswall Hills	Chester	18 May.
South Down	Devon	17 June.
Norwood Green	Suffolk	6 May.
Taunton Deane	Somerset	10 June.
Ellenborough	Cumberland	9 July.

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED.

N.B.—*The Continuance of such of the following Acts as are temporary will be known (where it is not expressly stated) by referring to the following List, according to the corresponding Letter at the End of the Title.*

(*a*) *For* 31 *Years, &c.* [i. e. *to the End of the next Session*] *from a Day named in the Act.*
(*b*) *For* 31 *Years, &c. from the passing of the Act.*

The following are all PUBLIC ACTS ; *to each of which is annexed a Clause in the Form following :*

" And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall " be judicially noticed as such."

Cap. i.

An Act for lighting with Gas the Town of *Downpatrick* in the County of *Down.* [2d *April* 1846.]

Cap. ii.

An Act for lighting with Gas the Town and Parish of *Radcliff* and the Township of *Pilkington*, or Parts thereof, in the County Palatine of *Lancaster.* [2d *April* 1846.]

Cap. iii.

An Act for better assessing and collecting the Poor Rates, Lighting and Watching and Church Rates, in the Parish of *Aylesbury*, and the Highway Rates in the Township of *Aylesbury* and Hamlet of *Walton* respectively, in the County of *Buckingham.* [2d *April* 1846.]

Cap. iv.

An Act for granting more effectual Powers for lighting with Gas the Town of *Bury* and the Neighbourhood thereof in the Parish of *Bury* in the County Palatine of *Lancaster.* [14th *May* 1846.]

Cap. v.

An Act to enable the United Company of Proprietors of the *Ellesmere and Chester* Canal to raise a further Sum of Money.* [14th *May* 1846.]

*£330,000.

Cap. vi.

An Act for building a Bridge across the River *Medway* at *Rochester* in the County of *Kent*, with Approaches thereto ; for taking down the present Bridge ; and for amending the Acts relating to the same. [14th *May* 1846.]

Cap. vii.

An Act for repairing, improving, and maintaining certain Roads leading from the Borough of *New Woodstock* to *Rollright Lane*, and other Roads connected therewith, in the County of *Oxford.* (*a*) [14th *May* 1846.]

[*No more Money to be laid out on any Road than is taken thereon*, § 25. *No Toll to be taken or Money laid out in Towns*, § 26.]

Cap. viii.

An Act for lighting with Gas the Town of *Middleton* and its Vicinity in the County of *Lancaster.* [14th *May* 1846.]

Cap. ix.

An Act for inclosing Lands in the Parish of *Willingham* in the County of *Cambridge*, and for draining and embanking certain Fen Lands and Low Grounds in the said Parish. [14th *May* 1846.]

[*Allotment to be made to Rector for Glebe and Rights of Common*, § 68. *Rector and Feoffees of Charities may let Allotments to poor Inhabitants*, § 69. *Rector's Allotment to be fenced at general Expence*, § 80. *Rector may lease his Allotment for Twenty-one Years with Consent of Patron and Bishop*, § 83. *Rights of Bedford Level Corporation and of South Level Commissioners reserved*, § 228.]

Cap. x.

An Act to enable the Company of Proprietors of the *Manchester and Salford* Waterworks to raise a further Sum of Money.* [14th *May* 1846.]

*£200,000.

Cap. xi.

An Act for altering, amending, and enlarging the Powers and Provisions of the several Acts passed in relation to the *Monkland* Navigation. [14th *May* 1846.]

Cap. xii.

An Act for enabling the Trustees of the *Enfield Chase* Road to make a Deviation or Alteration of the said Road from a Point near the Sixteenth Milestone in the Parish of *North Mims* to the Town of *Hatfield* in the County of *Hertford.* [14th *May* 1846.]

Cap. xiii.

An Act for constructing a Wet Dock and other Works on the South Side of the River *Wear* at *Sunderland-near-the-Sea* in the County Palatine of *Durham.* [14th *May* 1846.]

Cap. xiv.

An Act to amend and enlarge some of the Provisions of the Acts relating to the *Great Western* Railway Company, and to confirm the Purchase of certain Railways by the said Company. [14th *May* 1846.]

Cap. xv.

An Act for enabling the *Taunton* Gas Light and Coke Company, incorporated by the *Taunton* Gas Act, 1845, to borrow additional Money* for the Purposes of the Company, and for confirming a Purchase made by them; and for other Purposes. [14th *May* 1846.]

* £7,000 *by new Shares, and* £2,333 *on Mortgage.*

Cap. xvi.

An Act for improving and maintaining the Port and Harbour of *Helensburgh* in the County of *Dumbarton.* [14th *May* 1846.]

Cap. xvii.

An Act for better supplying with Water the City and Neighbourhood of *York.* [14th *May* 1846.]

Cap. xviii.

An Act to incorporate the Members of the Most Honourable and Loyal Society of Ancient *Britons,* commonly called The *Welsh* Charity School, and to enable them the better to carry on their charitable Designs. [14th *May* 1846.]

Cap. xix.

An Act for better supplying with Water the Town and Environs of *Boston* in the County of *Lincoln.* [14th *May* 1846.]

Cap. xx.

An Act for establishing a Cemetery at *Birmingham* in the County of *Warwick.* [14th *May* 1846.]

[*Fees to be paid to Incumbents of Parishes from which Bodies are brought,* § 77.]

Cap. xxi.

An Act to enable the Company of Proprietors of the *Glasgow* Waterworks to introduce an additional Supply of Water to the City and Suburbs of *Glasgow.* [14th *May* 1846.]

Cap. xxii.

An Act for providing an enlarged Site for rebuilding the Coal Market in the City of *London,* and for widening the Avenues in the Vicinity thereof, and for effecting other Improvements in the said City. [18th *June* 1846.]

[*Rights of Her Majesty and of the Corporation of London not to be prejudiced,* § 51. *Rights of Commissioners of Sewers protected,* § 52.]

Cap. xxiii.

An Act for enabling the Parliamentary Trustees on the River *Clyde* and Harbour of *Glasgow* to acquire a Portion of the Lands of *Stobcross* and adjacent Grounds, and to construct thereon a Wet Dock or Tidal Basin, with certain additional Wharfs and other Works. [18th *June* 1846.]

Cap. xxiv.

An Act for improving and maintaining the Harbour or Port of *Sligo* in the County of *Sligo.* [18th *June* 1846.]

Cap. xxv.

An Act for constructing a Pier, and forming necessary Approaches thereto, in the Parish of *Weston-super-Mare* in the County of *Somerset.* [18th *June* 1846.]

Cap. xxvi.

An Act for amending certain Acts of the Forty-third and Fiftieth Years of the Reign of His late Majesty King *George* the Third, relating to the Port and Harbour of the Town and County of the Town of *Southampton.* [18th *June* 1846.]

[43 *G.* 3. *c.* 21. *and* 50 *G.* 3. *c.* 168. *amended,* § 1.]

Cap. xxvii.

An Act for establishing a general Cemetery for the Interment of the Dead in the Neighbourhood of the Towns of *Plymouth, Devonport,* and *Stonehouse,* in the County of *Devon.* [18th *June* 1846.]

[*Company to pay certain Sums to Incumbents of Parishes from which Bodies are brought,* § 80.]

Cap. xxviii.

An Act for altering, amending, and enlarging the several Acts relating to the Improvement of *Birkenhead, Claughton-cum-Grange,* and Part of *Oxton,* in the County of *Chester.* [18th *June* 1846.]

Cap. xxix.

An Act for improving the Borough of *Leicester.* [18th *June* 1846.]

Cap. xxx.

An Act for paving, lighting, watching, watering, cleansing, regulating, and otherwise improving the Town of *Southport,* in the County Palatine of *Lancaster,* and for establishing and regulating a Market and Market Places therein. [18th *June* 1846.]

Cap. xxxi.

An Act for extending the Limits of the Burgh of *Helensburgh* in the County of *Dumbarton,* for lighting and cleansing the same, for establishing a Police therein, and for other Purposes relating thereto. (*b*) [18th *June* 1846.]

Cap. xxxii.

An Act to erect and constitute the Parishes of *Old* and *New Monkland,* and Parts of the Parishes of *Bothwell* and *Shotts,* in the County of *Lanark,* into One Police District, for the Establishment of an efficient Police Force therein, and for other Purposes relating thereto. [18th *June* 1846.]

Cap. xxxiii.

An Act for incorporating the *Gravesend and Milton* Waterworks Company, and for more effectually supplying the Inhabitants of the Town and Parishes of *Gravesend* and *Milton-next-Gravesend* and the Parish of *Northfleet* in the County of *Kent* with Water. [18th *June* 1846.]

[*Saving the Rights of the Gravesend Improvement Commissioners,* § 95.]

Cap. xxxiv.

An Act for granting more effectual Powers for supplying with Water the Town of *Bury,* and the several Townships of *Walmersley-cum-Shuttleworth, Bury,* and *Elton,* all in the Parish of *Bury* in the County Palatine of *Lancaster.* [18th *June* 1846.]

Cap. xxxv.

An Act to amend the Provisions of Two several Acts passed in the Third and Eighth Years of His Majesty King *George* the Fourth, for supplying with Water the Town of *Liverpool* and *Harrington* and *Toxteth Park* in the County Palatine of *Lancaster.* [18th *June* 1846.]

Cap. xxxvi.

An Act for better supplying with Water the Town and Borough of *Sunderland,* and the Neighbourhood thereof, in the County of *Durham.* [18th *June* 1846.]

Cap. xxxvii.

An Act for better supplying with Gas the Town and Borough of *Sunderland,* and the Neighbourhood thereof, in the County of *Durham.* [18th *June* 1846.]

Cap. xxxviii.

An Act for incorporating the *Rotherham* Gas Light and Coke Company, and for better supplying the Parish of *Rotherham* in the West Riding of the County of *York* with Gas. [18th *June* 1846.]

Cap. xxxix.

An Act to enable the *Bilston* Gas Light and Coke Company to light with Gas the Town of *Bilston,* and certain other Townships, Parishes, and Places, in the County of *Stafford.* [18th *June* 1846.]

Cap. xl.

An Act for better supplying with Gas the Townships of *Bilton with Harrogate* and *Pannal*, and certain Parts of the Townships of *Knaresborough* and *Scriven with Tentergate*, adjacent thereto or intermixed therewith, all in the West Riding of the County of *York*. [18th *June* 1846.]

Cap. xli.

An Act for constructing and maintaining an Arcade between *Argyle Street* and *Great Clyde Street* in the City of *Glasgow*, to be called "The *Union Arcade*," and for altering the Site of an intended Foot Passenger Bridge across the *Clyde* at *Glasgow*. [18th *June* 1846.]

Cap. xlii.

An Act for the better and more effectual ascertaining, assessing, collecting, and levying the Poor Rate, and all other Rates and Assessments, in the Parish of *Carshalton* in the County of *Surrey*, and for the better Management of the Business and Affairs of the said Parish; and for other Purposes relating thereto. [18th *June* 1846.

[*Act not to abridge the Power of the Poor Law Commissioners*, § 46.]

Cap. xliii.

An Act to incorporate the Members of the Institution called "The Royal Asylum of the *Saint Ann's* Society," and to enable them the better to carry on their charitable Designs. [18th *June* 1846.]

Cap. xliv.

An Act for forming and regulating "The Electric Telegraph Company," and to enable the said Company to work certain Letters Patents. [18th *June* 1846.]

Cap. xlv.

An Act for incorporating the "*Caledonian* Insurance Company;" for enabling the said Company to sue and be sued, to take and to hold Property; for confirming the Rules and Regulations of the said Company; and for other Purposes relating thereto. [18th *June* 1846.]

Cap. xlvi.

An Act for maintaining the Road from *Deanburn* in the County of *Haddington*, through *Greenlaw* in the County of *Berwick*, to *Cornhill* in the County of *Durham*, with Branches from *Carfrae Mill* through *Lauder*, from *Orange Lane* to *Swinton*, and from *Coldstream* to *Mount Pleasant*, all in the County of *Berwick*; and for maintaining the Bridge over the River *Tweed* at *Coldstream*. (*b*) [18th *June* 1846.]

[*No Gate to be erected within Half a Mile of the North End of Lauder*, § 10. *Lime, Limestone, and Manure to pay Half Toll only*, § 12. *Carriages with cylindrical Wheels of a certain Breadth to pay but Half Toll*, § 13. *Tolls to be taken a Second Time for a new Loading each Day, Three Cwt. to constitute a new Loading*, § 15. *Tolls to be taken only once in Six Miles*, § 16.]

Cap. xlvii.

An Act to enlarge the Term and Powers of an Act made in the Sixth Year of the Reign of His Majesty King *George* the Fourth, for repairing and maintaining the Road from *Whiteburn*, upon the Turnpike Road from *Edinburgh* to *Greenlaw*, passing through *Thornydike* and *Westruther* to *Choicelee*, upon the Turnpike Road from *Greenlaw* to *Dunse*, all in the County of *Berwick*. [18th *June* 1846.]

[6 *G.* 4. *c.* xvi. *as altered by this Act continued for Thirty-one Years, and to the End of the then next Session*, § 1.]

Cap. xlviii.

An Act to alter, amend, and enlarge the Powers and Provisions of an Act passed in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act for maintaining and regulating the Market in the Parish of* Sidmouth *in the County of* Devon. [18th *June* 1846.]

Cap. xlix.

An Act for more effectually supplying Water to the Inhabitants of the Town of *Bolton*, and several Townships and Places adjoining or near thereto, in the County of *Lancaster*. [18th *June* 1846.]

Cap. l.

An Act for the better supplying with Gas the Royal Burgh of *Dundee*, Suburbs thereof, and Places adjacent, in the County of *Forfar*. [18th *June* 1846.]

Cap. li.

An Act to authorize certain Alterations in the Line of the *Syston and Peterborough* Branch of the *Midland* Railway, and the Formation of certain other Branch Railways in connexion therewith. [18th *June* 1846.]

Cap. lii.

An Act for making a Railway from *Maldon*, through *Witham*, to *Braintree*, all in the County of *Essex*. [18th *June* 1846.]

Cap. liii.

An Act for making a Railway from the *Eastern Union* Railway in the Parish of *Bentley* to the Town of *Hadleigh*, all in the County of *Suffolk*, to be called "The *Eastern Union and Hadleigh Junction* Railway." [18th *June* 1846.]

Cap. liv.

An Act for making a Branch Railway from the *London and Brighton* Railway to or near to the Town of *East Grinstead* in the County of *Sussex*. [18th *June* 1846.]

Cap. lv.

An Act to enable the *South-eastern* Railway Company to make and maintain a Railway from the Town of *Rye* to the Mouth of *Rye* Harbour. [18th *June* 1846.]

Cap. lvi.

An Act to enable the *South-eastern* Railway Company to construct an additional Station at *Ashford* in the County of *Kent*; and for other Purposes. [18th *June* 1846.]

Cap. lvii.

An Act to amend and enlarge the Powers of the Acts relating to the *Edinburgh, Leith, and Granton* Railway. [18th *June* 1846.]

Cap. lviii.

An Act for enabling the *Newcastle and Darlington Junction* Railway Company to make a Railway from or near *Thirsk* to *Malton*, with a Branch to *Hemsley*. [18th *June* 1846.]

Cap. lix.

An Act for enabling the *York and North Midland* Railway Company to extend the Line of the *Whitby and Pickering* Railway to or near *Castleton*. [18th *June* 1846.]

Cap. lx.

An Act to enable the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company to alter their Line near *Kilmarnock*, and to make Branches to *Linwood, Swinlees*, and the *Kilmarnock and Troon* Railway. [18th *June* 1846.]

Cap. lxi.

An Act to amend the Acts relating to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway; and to authorize the Formation of Branches from *Busby* to *Irvine*, and from *Irvine* to the Harbour thereof, with a subsidiary Branch to *Perceton* Coalworks. [18th *June* 1846.]

Cap. lxii.

An Act to enable the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company to make a Branch from their Railway near *Blair* to *Strathaven*; and to amend the Acts relating to such Railway. [18th *June* 1846.]

Cap. lxiii.

An Act for making Railways from the *Brighton, Lewes, and Hastings* Railway to *Eastbourne*, to *Hailsham*, and to *Seaford* and *Newhaven*, and certain Deviations from the Line of the said Railway, all in the County of *Sussex*. [18th *June* 1846.]

Cap. lxiv.

An Act to authorize the *South-eastern* Railway Company to make a Railway from *Tunbridge Wells* to join the *Rye and Ashford* Extension of the *Brighton, Lewes, and Hastings* Railway near *Hastings*. [18th *June* 1846.]

Cap. lxv.

An Act for enabling the *York and North Midland* Railway Company to make certain Branch Railways in the East Riding of the County of *York*; and for other Purposes. [18th *June* 1846.]

Cap. lxvi.

An Act for enabling the *York and North Midland* Railway Company to make certain Branch Railways in the East Riding of the County of *York*; and for other Purposes. [18th *June* 1846.]

Cap. lxvii.

An Act to empower the *London and Birmingham* Railway Company to make a Branch Railway from *Rugby* to the *Syston and Peterborough* Railway near *Stamford*. [18th *June* 1846.]

Cap. lxviii.

An Act for making a Branch Railway from the *Brighton and Chichester* Railway to the Town of *Littlehampton* in the County of *Sussex.* [18th *June* 1846.]

Cap. lxix.

An Act for making a Branch Railway from the *Brighton and Chichester* Railway to the Town of *Steyning* in the County of *Sussex.* [18th *June* 1846.]

Cap. lxx.

An Act to enable the *Edinburgh and Glasgow* Railway Company to alter the Line of the *Glasgow Junction* Railway, and to form a Branch to *South Queensferry.* [18th *June* 1846.]

Cap. lxxi.

An Act for making a Railway from *London* to *York*, with Branches therefrom providing for the Counties of *Hertford, Bedford, Huntingdon, Northampton, Rutland, Nottingham*, and the Three Divisions of the County of *Lincoln* a Railway Communication with *London* and *York*, to be called "The *Great Northern* Railway." [26th *June* 1846.]

Cap. lxxii.

An Act to enable the *Edinburgh and Northern* Railway Company to purchase the Ferry across the River *Tay* between *Ferry-Port-on-Craig* and *Broughty.* [26th *June* 1846.]

Cap. lxxiii.

An Act to empower the *North British* Railway Company to construct certain Branch Railways in connexion with the *Hawick* Branch of the *North British* Railway. [26th *June* 1846.]

Cap. lxxiv.

An Act to authorize the Construction of several Branch Railways and other Works in connexion with the *North British* Railway. [26th *June* 1846.]

Cap. lxxv.

An Act to enable the *Scottish Midland Junction* Railway Company to make certain Branch Railways; and to amend the Act relating to such Railway. [26th *June* 1846.]

Cap. lxxvi.

An Act for making a Railway from the *Eastern Counties* Railway at *Marks Tey* near *Colchester* to the Town of *Sudbury* in the County of *Suffolk*, and the Town of *Halstead* in the County of *Essex*, with a Branch Railway from the *Eastern Union* Railway to the *Hythe* at *Colchester.* [26th *June* 1846.]

Cap. lxxvii.

An Act for making a Railway from the *Scarborough* Branch of the *York and North Midland* Railway at *Norton* near *Malton* to the *Bridlington* Branch of the *Hull and Selby* Railway at *Great Driffield*, with a Branch therefrom. [26th *June* 1846.]

Cap. lxxviii.

An Act to enable the *Arbroath and Forfar* Railway Company to raise an additional Sum of Money;* and to amend the Acts relating to the said Company. [26th *June* 1846.]

*£40,000.

Cap. lxxix.

An Act to enable the *Edinburgh and Northern* Railway Company to alter their Line of Railway near to *Dysart*, to make a Branch Railway from *Kinghorn* to the Harbour of *Pettycur*, and for other Purposes relating to the said Company. [26th *June* 1846.]

Cap. lxxx.

An Act to empower the *Manchester and Birmingham* Railway Company to make a Branch Railway to *Bollington.* [26th *June* 1846.]

Cap. lxxxi.

An Act for making a Railway from *Glasgow* to *Dumbarton* and *Lochlomond*, and with Branches to *Helensburgh* and other Places, to be called "The *Caledonian and Dumbartonshire Junction* Railway." [26th *June* 1846.]

Cap. lxxxii.

An Act for making a Railway from *Oxford* to the *London and Birmingham* Railway at *Bletchley* in the County of *Buckingham.* [26th *June* 1846.]

Cap. lxxxiii.

An Act for making a Railway from the *Croydon and Epsom* Railway at *Epsom* to the Town of *Portsmouth*, to be called "The *Direct London and Portsmouth* Railway." [26th *June* 1846.]

Cap. lxxxiv.

An Act for making a Railway from *Harecastle* to join the *Manchester and Birmingham* Railway at or near the *Sandbach* Station thereon. [26th *June* 1846.]

Cap. lxxxv.

An Act for making a Railway from the *Manchester and Birmingham* Railway at *Macclesfield* to the *Trent Valley* Railway at *Colwich*, with Branches. [26th *June* 1846.]

Cap. lxxxvi.

An Act for making a Railway from the *Manchester and Birmingham* Railway at *Macclesfield* to join the *Birmingham and Derby* Line of the *Midland* Railways, with a Branch to *Stoke-upon-Trent*. [26th *June* 1846.]

Cap. lxxxvii.

An Act for making a Railway from *Belfast* to *Downpatrick*, with Branches to the Towns of *Holywood*, *Newtownards*, *Bangor*, and *Donaghadee*, all in the County of *Down*. [26th *June* 1846.]

Cap. lxxxviii.

An Act for making a Railway from *Great Grimsby* by *Louth* and *Alford* to *Boston*, all in the County of *Lincoln*, to be called "The *East Lincolnshire* Railway." [26th *June* 1846.]

Cap. lxxxix.

An Act for enabling the *York and North Midland* Railway Company to make a more direct Line of Railway between *York* and *Leeds*. [26th *June* 1846.]

Cap. xc.

An Act for making a Railway, to be called "The *Liverpool, Manchester, and Newcastle-upon-Tyne Junction* Railway," with a Branch to the Town of *Hawes*. [26th *June* 1846.]

Cap. xci.

An Act for making a Railway from the *Chester and Birkenhead* Railway to the *Manchester and Birmingham* Railway, with Branches therefrom, to be called "The *Birkenhead, Lancashire, and Cheshire Junction* Railway." [26th *June* 1846.]

Cap. xcii.

An Act for making a Railway from the *Leeds and Bradford Extension* Railway to the *Lancaster and Carlisle* Railway, with a diverging Line therefrom to *Lancaster*, to be called "The *North-western* Railway." [26th *June* 1846.]

Cap. xciii.

An Act for making a Railway from the Line of the *Syston and Peterborough* Railway in the Parish of *Helpstone*, near to the Town of *Stamford*, to the Line of the *Wisbech* Branch of the *Lynn and Ely* Railway at or near to the Town of *Wisbech*, to be called "The *Boston, Stamford, and Birmingham* Railway." [26th *June* 1846.]

Cap. xciv.

An Act for improving and maintaining the Harbour of *Port Ellen* in the County of *Argyll*. [26th *June* 1846.]

[*Act not to extend to Vessels in the Service of the Crown, Customs, Excise, Trinity House, Ordnance, Admiralty, or Commissioners of Northern Lighthouses*, § 82.]

Cap. xcv.

An Act for enabling the *Newcastle and Darlington Junction* Railway Company to make a Railway from the Line of the *Great North of England* Railway to or near to *Boroughbridge*. [26th *June* 1846.]

Cap. xcvi.

An Act for enabling the *Newcastle and Darlington Junction* Railway Company to make a Railway from the Line of the *Great North of England* Railway to *Bedale*. [26th *June* 1846.]

Cap. xcvii.

An Act to empower the *Eastern Union* Railway Company to complete the *Eastern Union* Railway from the Junction thereof with the Line of the *Eastern Counties* Railway at *Ardleigh* to *Colchester*. [26th *June* 1846.]

Cap. xcviii.

An Act for making certain new Lines and Deviations in the Line of the *Great Grimsby and Sheffield Junction* Railway, and for constructing a Branch therefrom to the Town of *Caistor*, all in the Parts of *Lindsey* in the County of *Lincoln*. [26th *June* 1846.]

Cap. xcix.

An Act for enabling the *Great Grimsby and Sheffield Junction* Railway Company to make an Extension from the *Market Rasen* Branch from the *Great Grimsby and Sheffield Junction* Railway to communicate with the City of *Lincoln*, and also a Branch to the Town of *Barton-upon-Humber*, and other Works connected therewith. [26th *June* 1846.]

Cap. c.

An Act to authorize the *Great Grimsby and Sheffield Junction* Railway Company to make an Extension from their Line of Railway in the Parish of *Bole* in the County of *Nottingham* to the Town of *Newark-upon-Trent* in the same County. [26th *June* 1846.]

Cap. ci.

An Act for establishing a Steam Communication across the River *Humber* in connexion with "The *Great Grimsby and Sheffield Junction* Railway." [26th *June* 1846.]

Cap. cii.

An Act to empower the *Midland* Railway Company to make a Railway from *Pye Bridge* to the *Clay Cross* Station of the *Midland* Railway, and a Branch in the Parish of *Crich*. [26th *June* 1846.]

Cap. ciii.

An Act for making a Railway from *Aberdeen* to *Inverness*, with Branches to *Banff*, *Portsoy*, *Garmouth*, and *Burghead*, to be called "The *Great North of Scotland* Railway." [26th *June* 1846.]

Cap. civ.

An Act to enable the *Ballochney* Railway Company to improve the Gauge of their Rails. [26th *Jue* 1846.]

Cap. cv.

An Act for making a Railway Communication between the City of *Bristol* and the proposed *South Wales* Railway in the County of *Monmouth*, with a Branch Railway therefrom. [26th *June* 1846.]

Cap. cvi.

An Act for amending an Act passed in the Thirtieth Year of the Reign of His late Majesty King *George* the Third, for making and maintaining a navigable Communication between *Stowmarket* and *Ipswich* in the County of *Suffolk*, so as to enable the Trustees of such Act to lease the said Navigation; and for other Purposes connected therewith. [26th *June* 1846.]

[*Rights of Lords of Manors to Fisheries reserved*, § 22. *Saving the Rights of the Mayor, Burgesses, and Commonalty of Ipswich*, § 23.]

Cap. cvii.

An Act to enable the *Slamannan* Railway Company to make a Railway to *Borrowstouness*, with Branches to the *Edinburgh and Glasgow* Railway. [26th *June* 1846.]

Cap. cviii.

An Act for making a Pier from the *Common Hard* at the Eastern or *Portsmouth* Side of the Harbour of *Portsmouth* in the Parish of *Portsea* in the County of *Southampton*. [26th *June* 1846.]

[*Saving the Rights of the Corporation of Portsmouth*, § 78; *and of Commissioners for paving Southsea*, § 80; *and of the Trinity House*, § 81; *and of the Crown*, § 82.]

Cap. cix.

An Act for enabling the Trustees of the *Liverpool* Docks to construct additional Wet Docks and other Works, and to raise a further Sum of Money; and for extending and amending the Acts relating to the Docks and Harbour of *Liverpool*. [26th *June* 1846.]

[*Trustees empowered to borrow* £1,000,000, § 43. *Saving Jurisdiction of the Mayor and Corporation of Liverpool*, § 84. *General Saving*, § 45.]

Cap. cx.

An Act for constructing Docks and other Works at *Coble Dean* in the County of *Northumberland*, and in the Borough and County of *Newcastle-upon-Tyne*, to be called "The *Northumberland* Docks." [26th *June* 1846.]

[*Saving the Rights of Her Majesty, of the Lord and Lady of the Manor, and of the Corporation of Newcastle as Conservators of the Tyne*, § 91.]

Cap. cxi.

An Act for better supplying with Water the Inhabitants of the City of *Lincoln*, and certain Parishes and Places adjacent thereto in the County of *Lincoln*. [26th *June* 1846.]

Cap. cxii.

An Act for the better supplying with Water the Town and Borough of *Warrington*, or Parts thereof, in the Counties of *Lancaster* and *Chester*, and the Townships of *Latchford* and *Appleton* in the last-mentioned County. [26th *June* 1846.]

Cap. cxiii.

An Act for supplying with Water the Hamlets or Places of *High* and *Low Harrogate* in the several Townships of *Knaresborough*, *Pannal*, *Bilton-with-Harrogate*, and *Scriven-with-Tentergate*, in the Parishes of *Knaresborough* and *Pannal* in the West Riding of the County of *York*. [26th *June* 1846.]

[*Saving the Rights of the Crown and of the Duchy of Lancaster*, § 98.]

Cap. cxiv.

An Act for better supplying with Gas the Town and Borough of *Stafford*, and the several Parishes and Townships of *Saint Mary* and *Saint Chad* in *Stafford*, *Castle Church*, *Hopton* and *Coton*, and *Tillington*, all in the County of *Stafford*. [26th *June* 1846.]

[*Saving the Rights of the Grand Junction Railway Company*, § 64.]

Cap. cxv.

An Act for lighting with Gas and supplying with Water the Town of *Hartlepool* and the Neighbourhood thereof in the County of *Durham*. [26th *June* 1846.]

Cap. cxvi.

An Act for better supplying with Gas and Water the Town and Parish of *Kendal* in the County of *Westmoreland*. [26th *June* 1846.]

Cap. cxvii.

An Act for lighting with Gas the Parish and Borough of *Great Grimsby* in the County of *Lincoln*. [26th *June* 1846.]

Cap. cxviii.

An Act for supplying and lighting the Town of *Hamilton* and Places adjacent thereto with Gas. [26th *June* 1846.]

Cap. cxix.

An Act for better paving, lighting, cleansing, regulating, and improving the Town of *Burnley* in the County Palatine of *Lancaster*, and for better supplying the Inhabitants thereof with Water. [26th *June* 1846.]

Cap. cxx.

An Act to alter, amend, and enlarge the Powers and Provisions of an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of* Liverpool *to open and widen certain Streets and Places, and otherwise to improve the same; and to enable the said Mayor, Aldermen, and Burgesses to appropriate certain Lands, Tenements, and Hereditaments for public Purposes, and also to erect public Buildings*. [26th *June* 1846.]

Cap. cxxi.

An Act for lighting with Gas the Borough of *Newcastle-upon-Tyne*, and for varying and extending the Powers of the several Acts for regulating and improving the said Borough. [26th *June* 1846.]

Cap. cxxii.

An Act for paving the Footways in the Town of *Sittingbourne* in the Parish of *Sittingbourne* in the County of *Kent*, and for lighting the Streets, and for the Removal and Prevention of Nuisances and Annoyances within the said Parish. [26th *June* 1846.]

Cap. cxxiii.

An Act for widening, altering, and improving certain Streets within the City of *York*; and for other Purposes. [26th *June* 1846.]

Cap. cxxiv.

An Act for paving, cleansing, draining, and improving the Town of *Bromsgrove*, for opening a new Street therein and in the Parish of *Stoke Prior*, both in the County of *Worcester*, and for the better assessing and collecting the Poor, Church, and Highway Rates within the Parish of *Bromsgrove*. [26th *June* 1846.]

Cap. cxxv.

An Act for regulating the Repair and Maintenance of the Roads and Streets within the Town of *Leith*, and the Assessments payable in respect thereof. [26th *June* 1846.]

Cap. cxxvi.

An Act for more effectually regulating the *Salford* Hundred Court, for extending the Jurisdiction and Powers of the said Court, and for establishing and constituting it as a Court of Record. [26th *June* 1846.]

[*Jurisdiction of Court extended to Sums under* £50, § 1.]

Cap. cxxvii.

An Act for the Improvement of the Sewerage and Drainage of the Borough of *Liverpool*, and for making further Provisions for the sanatory Regulation of the said Borough. [26th *June* 1846.]

[*Saving the Rights of the Grand Junction Railway Company*, § 223; *and of Dock Trustees*, § 224; *and of Liverpool Gas Companies*, § 225; *and of Liverpool and Harrington Water Company*, § 226.]

Cap. cxxviii.

An Act for improving the Drainage of the Vallies of the *Rye* and *Derwent* in the North and East Ridings of the County of *York*. [26th *June* 1846.]

[*General Saving*, § 109; *and of Crown and Duchy of Lancaster*, § 110.]

Cap. cxxix.

An Act for making a Railway from *Exeter* to *Exmouth*, to be called "The *Exeter and Exmouth* Railway." [3d *July* 1846.]

Cap. cxxx.

An Act for making a Railway from the *Polloc and Govan* Railway to the River *Clyde* and Harbour of *Glasgow*, with Branches, to be called "The *General Terminus and Glasgow Harbour* Railway." [3d *July* 1846.]

Cap. cxxxi.

An Act for amending the Acts relating to the *London and South-western* Railway Company; and to authorize the said Company to enter into Contracts and to complete Arrangements with certain other Railway Companies. [3d *July* 1846.]

Cap. cxxxii.

An Act for enabling the *Norfolk* Railway Company to purchase or lease the *Lowestoft* Railway, Harbour, and Navigation. [3d *July* 1846.]

Cap. cxxxiii.

An Act to enable the *Dundee and Arbroath* Railway Company to make a Railway from their Line at *Broughty* to *Broughty Ferry Castle*, and another Railway from their Line at *Geordies Burn* to the *Arbroath and Forfar* Railway at *Almeriecloss*. [3d *July* 1846.]

Cap. cxxxiv.

An Act for making a Railway from *Kintore* to *Alford*, to be called "The *Alford Valley* Railway." [3d *July* 1846.]

Cap. cxxxv.

An Act for making a Railway from *Dyce* to *Fraserburgh*, with a Branch to *Peterhead*, to be called "The *Great North of Scotland* (*Eastern Extension*) Railway." [3d *July* 1846.]

Cap. cxxxvi.

An Act to enable the *Edinburgh and Northern* Railway Company to extend their Line of Railway from *Cupar* to *Newport*. [3d *July* 1846.]

Cap. cxxxvii.

An Act for making a Railway from the Town of *Oban* to *Crianlarich* in the County of *Perth*, with a Branch to *Lochlomond*, to be called "The *Scottish Grand Junction* Railway." [3d *July* 1846.]

Cap. cxxxviii.

An Act to enable the *Edinburgh and Northern* Railway Company to make a Railway from their Line at *Thornton* to *Dunfermline*. [3d *July* 1846.]

Cap. cxxxix.

An Act to enable the *Edinburgh and Northern* Railway Company to make a Railway from *Newburgh* to the *Scottish Central* Railway at *Hilton*. [3d *July* 1846.]

Cap. cxl.

An Act to enable the *Great Leinster and Munster* Railway Company to extend their Railway to *Clonmel*. [3d *July* 1846.]

Cap. cxli.

An Act for making a Railway from and out of the *Glasgow, Barrhead, and Neilston Direct* Railway near to *Pollokshaws* to the Town of *Strathaven.* [3d *July* 1846.]

Cap. cxlii.

An Act to enable the *Glasgow, Barrhead, and Neilston Direct* Railway Company to make Branch Railways to *Thornliebank* and *Househill;* and to amend the Act relating to such Railway. [3d *July* 1846.]

Cap. cxliii.

An Act to enable the *Glasgow, Paisley, and Greenock* Railway Company to make a Branch Railway to the River and Frith of *Clyde* at or near *Greenock,* and a Pier or Wharf in connexion therewith. [3d *July* 1846.]

Cap. cxliv.

An Act for extending the Time for taking Lands, and for completing the Undertaking called "The *Thames Haven* Dock and Railway," authorized to be made by Two Acts passed in the Seventh Year of the Reign of His late Majesty and the Sixth Year of the Reign of Her present Majesty. [3d *July* 1846.]

[*Time extended for Five Years from 4th July* 1846, § 3.]

Cap. cxlv.

An Act to enable the *Bridgewater and Taunton* Canal Company to make a Railway from *Bridgewater* to the *Bristol Channel* at or near *Stolford* in the County of *Somerset,* with Branches therefrom, and to make a Harbour at or near *Stolford.* [3d *July* 1846.]

[*Saving the Rights of the Crown,* § 48.]

Cap. cxlvi.

An Act for constructing Docks, Walls, Warehouses, and other Works at *Toxteth Park* in the County of *Lancaster,* to be called "The *Herculaneum* Docks." [3d *July* 1846.]

[*Saving the Rights of the Crown,* § 82. *Vessels in Service of Her Majesty and of Public Boards exempted from Tolls,* § 83. *Saving the Rights of the Trustees of the Liverpool Dock,* § 84; *and of Trinity House,* § 85.]

Cap. cxlvii.

An Act to authorize the Sale of the *Monkland* Navigation to the Company of Proprietors of the *Forth and Clyde* Navigation. [3d *July* 1846.]

[*Shareholders in the Monkland Navigation to be Shareholders in the Forth and Clyde Navigation,* § 6.]

Cap. cxlviii.

An Act for making a Railway from the Borough of *Cork* through *Blackrock* to the Town of *Passage West.* [16th *July* 1846.]

Cap. cxlix.

An Act to enable the *Leeds and Thirsk* Railway Company to make a Railway from *Northallerton* to the *Stockton and Hartlepool* Railway. [16th *July* 1846.]

Cap. cl.

An Act to enable the *Scottish Central* Railway Company to make a Branch Railway by *Alloa Ferry* to *Tillicoultry.* [16th *July* 1846.]

Cap. cli.

An Act to enable the *Slamannan* Railway Company to make Branch Railways to *Bathgate* and *Jawcraig.* [16th *July* 1846.]

Cap. clii.

An Act to empower the *London and Birmingham* Railway Company to enlarge their Stations in *London;* and for other Purposes. [16th *July* 1846.]

Cap. cliii.

An Act for enabling the *Leeds and Thirsk* Railway Company to make certain Deviations in the Line of the *Saint Helens* Branch of the said Railway. [16th *July* 1846.]

Cap. cliv.

An Act to enable the *Leeds and Thirsk* Railway Company to alter and extend the Line of Part of their Railway; and for other Purposes. [16th *July* 1846.]

Cap. clv.

An Act for making a Railway from or near the *Ambergate* Station of the *Midland* Railway, through *Nottingham*, to *Spalding* and *Boston*, with Branches therefrom, and for enabling the Company to purchase the *Nottingham* and *Grantham* Canals. [16th *July* 1846.]

Cap. clvi.

An Act to empower the *Midland* Railway Company to make several Branches from the *Erewash Valley* Railway. [16th *July* 1846.]

Cap. clvii.

An Act to empower the *Midland* Railway Company to make a Railway from the *Midland* Railway at *Clay Cross* to join the *Nottingham and Lincoln* Railway, with Branches. [16th *July* 1846.]

Cap. clviii.

An Act for making a Railway from *Ferryhill* near *Aberdeen* to *Aboyne*, to be called "The *Deeside* Railway." [16th *July* 1846.]

Cap. clix.

An Act for making a Railway from the *Glasgow, Barrhead, and Neilston Direct* Railway to the Town of *Kilmarnock*, with certain Branches therefrom, to be called "The *Glasgow, Kilmarnock, and Ardrossan* Railway," and to purchase the *Ardrossan* Railway and Harbour. [16th *July* 1846.]

Cap. clx.

An Act to enable the *Wilsontown, Morningside, and Coltness* Railway Company to make a Branch to the *Caledonian* Railway. [16th *July* 1846.]

Cap. clxi.

An Act to enable the *Wilsontown, Morningside, and Coltness* Railway Company to improve their Line, and to make Branch Railways to *Shotts* and *Climpy*. [16th *July* 1846.]

Cap. clxii.

An Act to enable the *Wilsontown, Morningside, and Coltness* Railway Company to make a Branch Railway to the Town of *Bathgate*. [16th *July* 1846.]

Cap. clxiii.

An Act to empower the *Midland* Railway Company to make a Railway from *Nottingham* to *Mansfield*. [16th *July* 1846.]

Cap. clxiv.

An Act for making a Railway from *Knaresborough* to or near to the City of *York*, to be called "The *East and West Yorkshire Junction* Railway." [16th *July* 1846.]

Cap. clxv.

An Act for making a Railway from the *Edinburgh and Glasgow* Railway to the *Scottish Central* Railway, to be called "The *Stirlingshire Midland Junction* Railway." [16th *July* 1846.]

Cap. clxvi.

An Act for making a Railway from the *Great Western* Railway at *West Drayton* to *Uxbridge* in *Middlesex*. [16th *July* 1846.]

Cap. clxvii.

An Act for making a Railway from *Wexford* to *Carlow*. [16th *July* 1846.]

Cap. clxviii.

An Act for extending and altering some of the Provisions of the Acts relating to the *Great Leinster and Munster* Railway. [16th *July* 1846.]

Cap. clxix.

An Act to empower the *Norfolk* Railway Company to make a Railway Communication between the *Dereham* Branch of the *Norfolk* Railway and the Towns of *Wells* and *Blakeney* in the County of *Norfolk*. [16th *July* 1846.]

Cap. clxx.

An Act for making a Railway from *Royston* to *Hitchin*. [16th *July* 1846.]

Cap. clxxi.

An Act for making a Railway from *Reading* to *Guildford* and *Reigate*. [16th *July* 1846.]

Cap. clxxii.

An Act for making a Railway from *Chesterford* to *Newmarket*, with a Branch to *Cambridge*. [16th *July* 1846.]

Cap. clxxiii.

An Act to enable the *London and South-western* Railway Company to make a Branch Railway to *Farnham* in the County of *Surrey* and *Alton* in the County of *Southampton*. [16th *July* 1846.]

Cap. clxxiv.

An Act to enable the *London and South-western* Railway Company to make a Branch Railway to *Chertsey* and *Egham* in the County of *Surrey*. [16th *July* 1846.]

Cap. clxxv.

An Act to enable the *London and South-western* Railway Company to make a Branch Railway to *Hampton Court Bridge* in the County of *Surrey*. [16th *July* 1846.]

Cap. clxxvi.

An Act for making a Railway from the *Scottish Central* Railway at *Dunblane* by *Doune* to *Callander*, to be called "The *Dunblane, Doune, and Callander* Railway." [16th *July* 1846.]

Cap. clxxvii.

An Act for making a Railway from *Skipton* to *York*, to be called "The *Wharfdale* Railway." [16th *July* 1846.]

Cap. clxxviii.

An Act for making a Railway from *Stotfield* and *Lossiemouth* Harbour to *Elgin*, *Rothes*, and *Craigellachie*, to be called "The *Morayshire* Railway." [16th *July* 1846.]

Cap. clxxix.

An Act to enable the *Monkland and Kirkintilloch* Railway Company to make Branch Railways to *Chapel Hall*, and the *Glasgow, Garnkirk, and Coatbridge* Railway. [16th *July* 1846.]

Cap. clxxx.

An Act to enable the *Scottish Central* Railway Company to make a Branch Railway to *Denny* in the County of *Stirling*. [16th *July* 1846.]

Cap. clxxxi.

An Act for making a Railway from the *Yeovil* Branch of the *Bristol and Exeter* Railway to or towards the Town of *Crewkerne* in the County of *Somerset*; and for amending the Acts relating to the *Bristol and Exeter* Railway. [16th *July* 1846.]

Cap. clxxxii.

An Act for vesting the *Aylesbury* Railway in the *London and Birmingham* Railway Company. [16th *July* 1846.]

Cap. clxxxiii.

An Act to enable the *Saint Helens* Canal and Railway Company to make a Railway from the Township of *Eccleston* to the Township of *Garston*, with Branches therefrom, and Docks at *Garston* aforesaid, all in the County of *Lancaster*. [16th *July* 1846.]

Cap. clxxxiv.

An Act for making a Harbour and Docks at *Heysham* on *Morecambe Bay* in the County of *Lancaster*, and a Railway in connexion therewith. [16th *July* 1846.]

[*Power to lease Harbour, Railway, and other Works*, § 105. *Power to sell the same*, § 106. *Saving the Rights of the Crown and of Duchy of Lancaster*, §§ 120 *and* 121.]

Cap. clxxxv.

An Act to empower the *Wakefield, Pontefract, and Goole* Railway Company to make Three several Branch Railways. [16th *July* 1846.]

Cap. clxxxvi.

An Act for erecting the Town or Village of *Ardrossan* and Places adjacent in the County of *Ayr* into a Burgh of Barony; for paving, lighting, and cleansing the same; for establishing a Police therein; and for other Purposes relating thereto. [16th *July* 1846.]

Cap. clxxxvii.

An Act for enabling the *Sheffield, Ashton under Lyne, and Manchester* Railway Company to provide additional Station Room at *Sheffield*, and also to make a Branch Railway to *Dukinfield*, and to purchase and maintain a Branch already made from their Main Line to *Glossop*; and for other Purposes. [16th *July* 1846.]

Cap. clxxxviii.

An Act to enable the *Glasgow, Paisley, and Greenock* Railway Company to make a Branch Railway to the *Polloc and Govan* Railway; and to amend the Acts relating to the said Railway. [16th *July* 1846.]

Cap. clxxxix.

An Act to enable the *Scottish Central* Railway Company to make certain Terminal Branches and other Works at the City of *Perth*. [16th *July* 1846.]

Cap. cxc.

An Act for making a Railway from the *Edinburgh and Northern* Railway at *Markinch* to *Anstruther Easter*, with a Branch to the *Kirkland* Works, to be called "The *East of Fife* Railway." [16th *July* 1846.]

Cap. cxci.

An Act to enable the *Scottish Central* Railway Company to make a Branch Railway to *Crieff* in the County of *Perth*. [16th *July* 1846.]

Cap. cxcii.

An Act for making a Railway from the *Manchester* and *Birmingham* Railway at *Cheadle* in the County of *Chester* to or near to the *Ambergate* Station of the *Midlands* Railway in the County of *Derby*, to be called "The *Manchester, Buxton, Matlock, and Midlands Junction* Railway." [16th *July* 1846.]

Cap. cxciii.

An Act for enabling the *Grand Junction* Railway Company to make a Branch Line of Railway from *Huyton* to *Warrington*; and for amending the former Acts relating to the said Company. [16th *July* 1846.]

Cap. cxciv.

An Act for making a Railway from the Town of *Mallow* to the Town of *Fermoy*. [16th *July* 1846.]

Cap. cxcv.

An Act for making a Railway from the City or Borough of *Limerick* to the Borough of *Ennis*, with Branches to the Towns of *Clare* and *Killaloe*, and to join the *Great Southern and Western Railway*. [16th *July* 1846.]

Cap. cxcvi.

An Act to enable the *Great Southern and Western* Railway Company to extend their Railway from their present Terminus in the City of *Cork* to the River *Lee* in the same City. [16th *July* 1846.]

Cap. cxcvii.

An Act for making a Railway from the *Great Southern and Western* Railway at the Townland of *Carne* or *Curraghane* to the Town of *Mountmellick*. [16th *July* 1846.]

Cap. cxcviii.

An Act for completing a Railway Communication between the Town of *Clonmel* and the *Great Southern and Western* Railway at or near the Town of *Thurles*. [16th *July* 1846.]

Cap. cxcix.

An Act for making a Railway from *Dublin* to *Dundrum* and *Rathfarnham*, to be called "The *Dublin, Dundrum, and Rathfarnham* Railway." [16th *July* 1846.]

Cap. cc.

An Act for making a Railway from the Town of *Mallow* to the Town of *Killarney*, to be called "The *Killarney Junction* Railway." [16th *July* 1846.]

Cap. cci.

An Act for making a Railway from the *Glasgow, Barrhead*, and *Neilston Direct* Railway to the *Caledonian* Railway. [16th *July* 1846.]

Cap. ccii.

An Act for making a Railway from *Stirling* to *Dunfermline*, with Branches to *Tillicoultry* and to *Alloa* Harbour, to be called "The *Stirling and Dunfermline* Railway." [16th *July* 1846.]

Cap. cciii.

An Act to enable the *Midland* Railway Company to make a Railway from *Burton-upon-Trent* to *Nuneaton*, with Branches, and to purchase the *Ashby-de-la-Zouch* Canal. [16th *July* 1846.]

Cap. cciv.

An Act to consolidate the *London and Birmingham, Grand Junction,* and *Manchester and Birmingham* Railway Companies. [16th *July* 1846.]

[*Old Companies dissolved and formed into a new Company by the Name of the London and North-western Railway Company,* § 3.]

Cap. ccv.

An Act to enable the *Eastern Counties* Railway Company to make a Railway from *Epping* to a Point of Junction with the *Colchester* Line of the *Eastern Counties* Railway at or near the *Ilford* Station thereon. [16th *July* 1846.]

Cap. ccvi.

An Act to enable the *Wishaw and Coltness* Railway Company to make a Branch Railway from the *Wishaw and Coltness* Railway to *Murdieston,* with a Branch to *Goodockhill.* [16th *July* 1846.]

Cap. ccvii.

An Act for enabling the *Newcastle and Berwick* Railway Company to make a certain Branch Railway in the County of *Northumberland.* [16th *July* 1846.]

Cap. ccviii.

An Act for making a Railway and Branch Railway, to be called "The *Waterford, Wexford, Wicklow, and Dublin* Railway. [16th *July* 1846.]

Cap. ccix.

An Act for making and maintaining a Railway from *Templemore* to *Nenagh.* [16th *July* 1846.]

Cap. ccx.

An Act to enable the *Midland Great Western* Railway of *Ireland* Company to make a Deviation in the authorized Line of the said Railway, and also a Branch Railway to the River *Liffy.* [16th *July* 1846.]

Cap. ccxi.

An Act to enable the *Kilmarnock and Troon* Railway Company to let on Lease their Railway to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company; and to authorize the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company to alter Parts of the said *Kilmarnock and Troon* Railway, and to construct certain Branch Railways in connexion therewith. [16th *July* 1846.]

Cap. ccxii.

An Act for empowering the *Wakefield, Pontefract, and Goole* Railway Company to construct a Jetty and other Works, and to provide a Station, Coal Staiths, and other Conveniences, at the Port of *Goole;* and for other Purposes relating to the said Port. [16th *July* 1846.]

Cap. ccxiii.

An Act for extending the Line of the *Dublin and Kingstown* Railway to the *Bridge of Bray* in the County of *Dublin.* [16th *July* 1846.]

Cap. ccxiv.

An Act to provide for the Repair of the Parish Church of *South Leith* in the County of *Edinburgh,* and for the Administration of the Property and Revenues thereof; to alter the existing Mode of electing a Minister to the Second Charge of the said Church and Parish; to confirm the Proceedings of the Heritors of the said Parish relating to the Purchase of a suitable House as a Manse; and to effect other Objects in connexion with the said Church and Parish. [16th *July* 1846.]

Cap. ccxv.

An Act to enable the *Chard* Canal Company to convert into a Railway the Portion of the *Chard* Canal from *Creech Saint Michael* to *Ilminster,* all in the County of *Somerset.* [16th *July* 1846.]

[*Saving the Rights of Her Majesty and of the Duke of Cornwall,* § 31.]

Cap. ccxvi.

An Act for lighting with Gas the Town and Borough of *Stockton* and other Places in the Counties of *Durham* and *York.* [16th *July* 1846.]

Cap. ccxvii.

An Act for better supplying with Gas the City of *Worcester* and the Suburbs thereof. [16th *July* 1846.]

Cap. ccxviii.

An Act for regulating the Markets and Fairs in the Borough and Town of *Yeovil* in the County of *Somerset.* [16th *July* 1846.]

Cap. ccxix.

An Act for providing Market Places and for regulating the Markets and Fairs in the Borough of *Manchester* in the County Palatine of *Lancaster*. [16th *July* 1846.]

[*Saving the Power of the Council to make Bye Laws*, § 125. *Saving Rights of Devisees of Duke of Bridgewater in respect of Markets*, § 126; *and of Proprietors of the Mersey and Irwell Navigation, and of Devisees of Duke of Bridgewater*, § 127.]

Cap. ccxx.

An Act for more effectually supplying with Water the City of *Bath*, and several Parishes and Places adjacent thereto. [16th *July* 1846.]

Cap. ccxxi.

An Act for better supplying with Water the Town and Borough of *Newport* in the County of *Monmouth*. [16th *July* 1846.]

Cap. ccxxii.

An Act for supplying with Water the City of *Bristol* and certain Parishes adjacent thereto in the Counties of *Gloucester* and *Somerset*. [16th *July* 1846.]

[*Saving the Rights of the Paving Commissioners*, § 125; *and of Corporation of Bristol*, § 126.]

Cap. ccxxiii.

An Act to amend the Acts relating to the *Witham* Navigation, and to reduce the Tolls on the said Navigation. [16th *July* 1846.]

Cap. ccxxiv.

An Act to enable the *Midland Great Western* Railway of *Ireland* Company to make a Railway from *Mullingar* to *Athlone*. [16th *July* 1846.]

Cap. ccxxv.

An Act for better assessing and collecting the Poor Rates, Highway Rates, Borough Rates, County Rates, Lighting, Watching, and Cleansing Rates, and all other Parochial Rates, on small Tenements, in the Parish of *Aston juxta Birmingham* in the County of *Warwick*. [16th *July* 1846.]

Cap. ccxxvi.

An Act for better raising and more securely constituting the Fund for the Relief of Widows and Children of Burgh and Parochial Schoolmasters in *Scotland*. [16th *July* 1846.]

Cap. ccxxvii.

An Act for more effectually maintaining and repairing certain Roads in the Counties of *Banff*, *Aberdeen*, and *Elgin*. [16th *July* 1846.]

Cap. ccxxviii.

An Act to enable the *Dundee and Perth* Railway Company to alter their Line at *Inchyra* and *Lairwell*, and to extend the same towards the Penitentiary at *Perth*. [27th *July* 1846.]

Cap. ccxxix.

An Act to enable the *Caledonian* Railway Company to make Branch Railways from the *Castlecary* Branch of the *Caledonian* Railway to the *Glasgow, Garnkirk, and Coatbridge* Railway. [27th *July* 1846.]

Cap. ccxxx.

An Act for enabling the *Sheffield, Ashton-under-Lyne, and Manchester* Railway Company to make Branch Railways from or in connexion with their Main Line of Railway to *Whaley Bridge* and *Hayfield*, to be called "The *Whaley Bridge and Hayfield* Branches." [27th *July* 1846.]

Cap. ccxxxi.

An Act for vesting in the *Grand Junction* Railway Company and the *Manchester and Leeds* Railway Company the *North Union* Railway, and all the Works, Property, and Effects appertaining thereto. [27th *July* 1846.]

Cap. ccxxxii.

An Act for making a Railway from *Birmingham* to *Lichfield*, to be called "The *Birmingham, Lichfield, and Manchester* Railway." [27th *July* 1846.]

Cap. ccxxxiii.

An Act for making a Railway from the *Oxford and Bletchley Junction* Railway to *Buckingham* and *Brackley*. [27th *July* 1846.]

Cap. ccxxxiv.

An Act to enable the *London and Croydon* Railway Company to construct a Branch to *Deptford*; and for amending the Acts relating to such Railway. [27th *July* 1846.]

Cap. ccxxxv.

An Act for enabling the *Newcastle and Darlington Junction* Railway Company to purchase the *Durham and Sunderland* Railway and the *Wearmouth* Dock. [27th *July* 1846.]

Cap. ccxxxvi.

An Act for making a Railway from the *Great Western* Railway at *Maidenhead* in *Berkshire* to the Town of *High Wycombe* in the County of *Buckingham*. [27th *July* 1846.]

Cap. ccxxxvii.

An Act for making a Railway from *Johnstone* to the *Bridge of Weir*, with a Branch to *Kilbarchan*, to be called "The *Ayrshire and Bridge of Weir* Railway." [27th *July* 1846.]

Cap. ccxxxviii.

An Act for making a Railway from *Ashburton* in the County of *Devon* to join the *South Devon* Railway. [27th *July* 1846.]

Cap. ccxxxix.

An Act for extending the Line of the *South Wales* Railway, and for making certain Alterations of the said Railway, and certain Branch Railways in connexion therewith. [27th *July* 1846.]

Cap. ccxl.

An Act for making a Railway from *Gloucester* to the *Monmouth and Hereford* Railway, and to the *South Wales* Railway at *Awre*, to be called "The *Gloucester and Dean Forest* Railway." [27th *July* 1846.]

Cap. ccxli.

An Act for enabling the *Hull and Selby* Railway Company to lease and also to sell their Railway to the *York and North Midland* and *Manchester and Leeds* Railway Companies, or one of them; and to authorize the raising of additional Money by both or either of the last-mentioned Companies for those and other Purposes. [27th *July* 1846.]

Cap. ccxlii.

An Act for enabling the *Great North of England* Railway Company to lease and also to sell their Railway to the *Newcastle and Darlington Junction* Railway Company; and to authorize the raising of additional Money by the said last-mentioned Company for those and other Purposes. [27th *July* 1846.]

Cap. ccxliii.

An Act for vesting the *Leicester and Swannington* Railway in the *Midland* Railway Company. [27th *July* 1846.]

Cap. ccxliv.

An Act for carrying into effect certain Arrangements between the *London and Birmingham* Railway Company and the Company of Proprietors of the *Birmingham* Canal Navigations, and for granting certain Powers to the said respective Companies. [27th *July* 1846.]

Cap. ccxlv.

An Act for making a Railway from *Newry* in the Counties of *Armagh* and *Down* to *Rostrevor* in the County of *Down*, with a Branch to *Warrenpoint* in the same County. [27th *July* 1846.]

Cap. ccxlvi.

An Act for making a Railway from *Preston* in the County Palatine of *Lancaster* to *Clitheroe* in the same County Palatine. [27th *July* 1846.]

Cap. ccxlvii.

An Act to authorize the widening and Enlargement of Part of the Line of the *York and North Midland* Railway, or the Construction and Maintenance of a Railway adjoining thereto. [27th *July* 1846.]

Cap. ccxlviii.

An Act to empower the *London and Birmingham* Railway Company to extend their Line at *Leamington*, and to enlarge their Stations at *Coventry* and *Rugby*; and for other Purposes. [27th *July* 1846.]

Cap. ccxlix.

An Act to enable the *Caledonian* Railway Company to deviate the Line of the said Railway in the Vicinity of *Carlisle*. [27th *July* 1846.]

Cap. ccl.

An Act to authorize the *North Wales Mineral* Railway Company to make certain Branches, and also to make a Deviation in their present Line of Railway. [27th *July* 1846.]

Cap. ccli.

An Act for the Consolidation of the *Shrewsbury, Oswestry, and Chester Junction* and the *North Wales Mineral* Railway Companies. [27th *July* 1846.]

[*Old Companies dissolved and formed into a new Company, to be called "The Shrewsbury and Chester Railway Company,"* § 6.]

Cap. cclii.

An Act for authorizing the Sale of the *Guildford Junction* Railway, and for enabling the Purchasers to maintain the same, and to make and maintain a Railway therefrom to *Godalming*, and from the *London and South-western* Railway at *Fareham* to *Portsmouth*. [27th *July* 1846.]

Cap. ccliii.

An Act for making a Railway from the *Trent Valley* Railway near *Nuneaton* to the *Midland* Railway in the Parish of *Wigston Magna* in the County of *Leicester*, to be called "The *Coventry, Nuneaton, Birmingham, and Leicester* Railway." [27th *July* 1846.]

Cap. ccliv.

An Act to empower the *Midland* Railway Company to extend their Line at *Birmingham;* and for other Purposes. [27th *July* 1846.]

Cap. cclv.

An Act to authorize the Purchase of the *Oakham* Canal by the *Midland* Railway Company. [27th *July* 1846.]

Cap. cclvi.

An Act for making a Railway to connect the *Saundersfoot* Railway with the *South Wales* Railway, with the Harbour of *Saundersfoot*, and with the Town of *Tenby*, to be called "The *Tenby, Saundersfoot, and South Wales* Railway;" and for other Purposes. [27th *July* 1846.]

Cap. cclvii.

An Act to enable the *Lancaster and Carlisle* Railway Company to extend and enlarge their Stations and extend their Railway at *Carlisle;* and for other Purposes. [27th *July* 1846.]

Cap. cclviii.

An Act to enable the *Eastern Counties* Railway Company to enlarge their Stations in *London* and at *Stratford;* and for other Purposes. [27th *July* 1846.]

Cap. cclix.

An Act for enabling the *Huddersfield and Manchester* Railway and Canal Company to divert their Main Line of Railway in *Huddersfield*, and to make a Branch therefrom near *Cooper Bridge* in the Township of *Huddersfield*. [27th *July* 1846.]

Cap. cclx.

An Act for making a Railway from the *Great North of England* Railway at *Thirsk* in the North Riding of *Yorkshire* to the *Lancaster and Carlisle* Railway at *Clifton* in *Westmorland*, and a Railway from *Bishop Auckland* in the County of *Durham* to the *Lancaster and Carlisle* Railway at *Tebay* in *Westmorland*, to be called "The *Northern Counties Union* Railway." [27th *July* 1846.]

Cap. cclxi.

An Act for enabling the *Grand Junction* Railway Company to make certain Branch Lines of Railway, to be called "The *Huyton and Aston* Branch," "The *Huyton, Prescot, and Saint Helens* Branch," "The *Warrington and Kenyon* Branch," "The *Warrington and Parkside* Branch," and "The *Edgehill and Huyton* Branch;" and for amending the former Acts relating to the said Company. [27th *July* 1846.]

Cap. cclxii.

An Act for altering, amending, and enlarging the Powers of the *Leeds, Dewsbury, and Manchester* Railway Act, 1845, and for authorizing certain Deviations from the Line and Levels of the said Railway, and for making and maintaining certain Branches and Extensions therefrom. [27th *July* 1846.]

Cap. cclxiii.

An Act for making a Railway from *Glasgow* to *Airdrie*, with Branches to the *Clydesdale Junction* Railway and to *Mile End*, to be called "The *Glasgow, Airdrie, and Monklands Junction* Railway." [27th *July* 1846.]

Cap. cclxiv.

An Act for enabling the *Newcastle and Darlington Junction* Railway Company to make certain Branch Railways in the County of *Durham;* and for other Purposes. [27th *July* 1846.]

Cap. cclxv.

An Act for making a Railway, with Branches therefrom, in the County of *Lancaster* and West Riding of the County of *York*, to be called "The *Blackburn, Clitheroe, and North-western Junction* Railway." [27th *July* 1846.]

Cap. cclxvi.

An Act for making certain Branches from the Line of the *Blackburn and Preston* Railway in the County of *Lancaster;* and for amending the Acts relating thereto. [27th *July* 1846.]

Cap. cclxvii.

An Act for vesting in the *Sheffield, Ashton-under-Lyne, and Manchester* Railway Company the *Peak Forest* Canal and the *Macclesfield* Canal. [27th *July* 1846.]

Cap. cclxviii.

An Act to amalgamate the *Sheffield, Ashton-under-Lyne, and Manchester* Railway Company, the *Sheffield and Lincolnshire Junction*, the *Sheffield and Lincolnshire Extension*, and the *Great Grimsby and Sheffield* Railway Companies, and the *Grimsby* Dock Company. [27th *July* 1846.]

[*Old Companies dissolved and formed into a new Company, to be called "The Manchester, Sheffield, and Lincolnshire Railway Company,"* § 3.]

Cap. cclxix.

An Act for consolidating the *Dudley* Canal Navigation with the *Birmingham* Canal Navigations; and for other Purposes. [27th *July* 1846.]

Cap. cclxx.

An Act to amend the *Ely and Huntingdon* Railway Act. [27th *July* 1846.]

Cap. cclxxi.

An Act to enable the Company of Proprietors of the *Manchester, Bolton, and Bury* Canal Navigation and Railway to raise an additional Sum of Money; and to amend the Acts relating to that Company. [27th *July* 1846.]

Cap. cclxxii.

An Act for enabling the *Leeds and Bradford* Railway Company to alter the Levels of a Portion of the Line of their Railway in the Parish of *Bingley* in the West Riding of the County of *York*. [27th *July* 1846.]

Cap. cclxxiii.

An Act for widening the Line of "The *London and Blackwall* Railway;" and for amending the Acts relating to the said Railway. [27th *July* 1846.]

Cap. cclxxiv.

An Act to authorize the *Shrewsbury, Oswestry, and Chester Junction* Railway Company to make Railways to *Crickheath* and *Wem*, and to raise additional Capital* for those Purposes. [27th *July* 1846.]

*£24,000.

Cap. cclxxv.

An Act to authorize the *Shrewsbury, Oswestry, and Chester Junction* Railway Company to make an Extension into *Shrewsbury*, and certain Alterations and Deviations in their Line of Railway. [27th *July* 1846.]

Cap. cclxxvi.

An Act to enable the *East Lancashire* Railway Company to alter the Line and Levels of such Railway, and to make Branches therefrom; and for other Purposes relating thereto. [27th *July* 1846.]

Cap. cclxxvii.

An Act to incorporate the *Huddersfield and Sheffield Junction* Railway Company with the *Manchester and Leeds* Railway Company. [27th *July* 1846.]

Cap. cclxxviii.

An Act to authorize certain Alterations in the Line of the *Oxford, Worcester, and Wolverhampton* Railway; and to amend the Act relating thereto. [27th *July* 1846.]

Cap. cclxxix.

An Act to enable the *Furness* Railway Company to extend their Line to *Broughton* and to *Ulverstone*, and to make certain Branches therefrom; and to amend the Act relating thereto. [27th *July* 1846.]

Cap. cclxxx.

An Act to amend "The *Ipswich and Bury Saint Edmunds* Railway Act, 1845;" and for making a Railway from the said *Ipswich and Bury Saint Edmunds* Railway to *Norwich*, with a Branch therefrom. [27th *July* 1846.]

Cap. cclxxxi.

An Act for making a Branch Railway from the *London and Brighton* Railway in the Parish of *Croydon* to join the *South-western* Railway in the Parish of *Wandsworth* in the County of *Surrey*. [27th *July* 1846.]

Cap. cclxxxii.

An Act to incorporate the *Liverpool and Bury* Railway Company with the *Manchester and Leeds* Railway Company. [27th *July* 1846.]

Cap. cclxxxiii.

An Act to consolidate and unite the *London and Brighton* and the *London and Croydon* Railway Companies and the Undertakings belonging to them. [27th *July* 1846.]

[*New Company incorporated by the Name of "The London, Brighton, and South Coast Company."*]

Cap. cclxxxiv.

An Act for incorporating the Proprietors of the *Sheffield* General Cemetery in the Township of *Ecclesall Bierlow* in the Parish of *Sheffield* in the West Riding of the County of *York*, and for enlarging and improving the said Cemetery; and for other Purposes connected therewith. [27th *July* 1846.]

[*Compensation to be made to Incumbents of Parishes for Loss of Fees*, § 39.]

Cap. cclxxxv.

An Act for supplying with Water the Town of *Kilmarnock*, Suburbs thereof, and Places adjacent. [27th *July* 1846.]

Cap. cclxxxvi.

An Act for the better supplying with Water the Town or Village of *Heywood*, and Places adjacent thereto, in the County Palatine of *Lancaster*. [27th *July* 1846.]

Cap. cclxxxvii.

An Act for better supplying with Water the Town and Parish of *Chorley* in the County Palatine of *Lancaster*. [27th *July* 1846.]

Cap. cclxxxviii.

An Act for supplying with Water the Towns of *Airdrie* and *Coatbridge*, and Places adjacent, in the County of *Lanark*. [27th *July* 1846.]

Cap. cclxxxix.

An Act to extend the Municipal Boundaries of the City of *Glasgow*; to amend the Acts relating to the Police and Statute Labour of the said City and adjoining Districts; and for other Purposes in relation to the Municipality and Police of the said City. [27th *July* 1846.]

Cap. ccxc.

An Act authorizing the Sale of the *Cromford* Canal and other Property of the *Cromford* Canal Company. [27th *July* 1846.]

Cap. ccxci.

An Act to alter and extend the Provisions of the Acts for improving the Navigation of the River *Severn*. [27th *July* 1846.]

Cap. ccxcii.

An Act for improving, preserving, maintaining, and better regulating the Port and Harbour of *Waterford*; and for other Purposes relating thereto. [27th *July* 1846.]

[*Act not to extend to Ships of War, or in Employment of the Government*, § 131. *Saving Rights of the Crown, of the Admiralty, Bodies Corporate, and of the Water Bailiff of Waterford*, § 132.]

Cap. ccxciii.

An Act for better lighting, paving, cleansing, draining, regulating, and improving the Borough of *Bury* in the County Palatine of *Lancaster*, and for otherwise promoting the Health and Convenience of the Inhabitants. [27th *July* 1846.]

[*Saving the Rights of the Lord of the Manor*, § 358; *and of Owners of Markets*, § 359.]

Cap. ccxciv.

An Act for better lighting and improving the Borough of *Belfast*. [27th *July* 1846.]

Cap. ccxcv.

An Act for paving, lighting, cleansing, and otherwise improving the Town of *Wath-upon-Dearne* in the County of *York*, and for removing and preventing Nuisances and Annoyances therein. [27th *July* 1846.]

[*Saving the Rights of the Lord of the Manor*, § 178.]

Cap. ccxcvi.

An Act for repealing an Act of the Parliament of *Scotland* passed in the Sixth Session of the First Parliament of King *William* (1696), intituled *An Act in favours of the Heritors adjacent to the* Pow of Inchaffray; and for more effectually draining and improving Lands adjacent to the River or Stream called the *Pow of Inchaffray*, in the County of *Perth*. [27th *July* 1846.]

Cap. ccxcvii.

An Act for better draining and improving certain Low, Marsh, and Fen Lands lying between *Boston Haven* and *Bourn* in the County of *Lincoln*, and for further improving the Navigation through such Lands. [27th *July* 1846.]

[*Saving the Rights of the Enclosure Commissioners*, § 121; *and of Corporation of Boston*, § 123; *and of Paving Commissioners*, § 124; *and of Witham Drainage*, § 125; *and of Trustees of River Welland*, § 126; *and of Commissioners of Sewers*, § 127; *and of Bourn, North Fen and Dike Fen Drainage*, § 128; *and of Crown*, § 132.]

Cap. ccxcviii.

An Act for amending Two several Acts passed respectively in the Second and Seventh Years of the Reign of Her present Majesty, for draining and embanking certain Lands in *Lough Swilly* and *Lough Foyle* in the Counties of *Donegal* and *Londonderry*. [27th *July* 1846.]

[*Saving the Rights of the Irish Society*, § 3. *General Saving*, § 4.]

Cap. ccxcix.

An Act for regulating the Municipal Government and Police of the Royal Burgh of *Rothesay*. [27th *July* 1846.]

Cap. ccc.

An Act for making a Railway, to be called "The *South Staffordshire Junction* Railway," with Branches. [3d *August* 1846.]

Cap. ccci.

An Act for enabling the *Leeds and Bradford* Railway Company to make a Junction Line at *Bradford* in the West Riding of the County of *York*. [3d *August* 1846.]

Cap. ccclii.

An Act to unite and consolidate the *Blackburn and Preston* Railway Company with the *East Lancashire* Railway Company. [3d *August* 1846.]

Cap. ccciii.

An Act for making a Railway from *Newport* to *Abergavenny* and *Hereford*, with Branches therefrom. [3d *August* 1846.]

Cap. ccciv.

An Act for making a Railway from *Sheffield* to *Gainsborough*, with Branches. [3d *August* 1846.]

Cap. cccv.

An Act to enable the *South-eastern* Railway Company to make a Railway from the *London and Greenwich* Railway to *Woolwich* and *Gravesend*. [3d *August* 1846.]

Cap. cccvi.

An Act to enable the *Manchester and Leeds* Railway Company to make several Branch Railways, and to authorize the Amalgamation of the *Preston and Wyre* Railway, Harbour, and Dock Company with the *Manchester and Leeds* Railway Company. [3d *August* 1846.]

Cap. cccvii.

An Act for making a Railway from *Shrewsbury* to *Wolverhampton*, with a Branch, to be called "The *Shrewsbury and Birmingham* Railway." [3d *August* 1846.]

Cap. cccviii.

An Act for making a Railway from *Shrewsbury* to *Wolverhampton*, to be called "The *Shrewsbury Wolverhampton, and South Staffordshire Junction* Railway." [3d *August* 1846.]

Cap. cccix.

An Act to empower the *London and Birmingham* Railway Company to make a Branch from the said Railway to the *Blisworth and Peterborough* Branch thereof. [3d *August* 1846.]

Cap. cccx.

An Act to enable the *Blackburn, Darwen, and Bolton* Railway Company to alter the Line of Part of their Railway. [3d *August* 1846.]

Cap. cccxi.

An Act for enabling the *Midland* Railway Company to alter a Portion of the *Leicester and Swannington* Railway, and to make certain Branches. [3d *August* 1846.]

Cap. cccxii.

An Act for amending the Act relating to the *Liverpool and Bury* Railway, and for making Branches therefrom. [3d *August* 1846.]

Cap. cccxiii.

An Act to authorize certain Alterations and Extensions of the Line of the *Wilts, Somerset, and Weymouth* Railway. [3d *August* 1846.]

Cap. cccxiv.

An Act to enable the *Caledonian* Railway Company to form certain Branch and Terminal Railways in the Vicinity of *Glasgow*. [3d *August* 1846.]

Cap. cccxv.

An Act for making Railways from *Birmingham* to *Wolverhampton* and *Dudley*, to be called "The *Birmingham, Wolverhampton, and Dudley Railway*." [3d *August* 1846.]

Cap. cccxvi.

An Act for making a Railway from *Walsall* in the County of *Stafford* to the *Midland* Railways at *Wichnor Forge* in *Tatenhill*, to be called "The *Trent Valley, Midlands, and Grand Junction* Railway." [3d *August* 1846.]

Cap. cccxvii.

An Act for making a Railway from the Line of the *Perth and Inverness* Railway to *Aberfeldy*, to be called "The *Strathtay and Breadalbane* Railway." [3d *August* 1846.]

Cap. cccxviii.

An Act to enable the *Londonderry and Enniskillen* Railway Company to alter and extend the Line of such Railway, to make a Branch therefrom to the Town of *Omagh*, and to amend the Act relating thereto. [3d *August* 1846.]

Cap. cccxix.

An Act for making a Railway from the proposed *Sheffield and Lincolnshire Junction* Railway to the City of *Lincoln*. [3d *August* 1846.]

Cap. cccxx.

An Act to enable the *Whitehaven and Furness Junction* Railway Company to make a Railway in deviation from their Line of Railway, and to construct an Extension thereof to a Point of Junction with the *Whitehaven Junction* Railway. [3d *August* 1846.]

Cap. cccxxi.

An Act for making a Railway from *Armagh* to *Portrush*, with Branches to *Randalstown* and *Ballymoney*. [3d *August* 1846.]

Cap. cccxxii.

An Act for making a Railway from the *Chester and Crewe* Branch of the *Grand Junction* Railway at *Calveley* to *Wolverhampton*; and for other Purposes connected therewith. [3d *August* 1846.]

Cap. cccxxiii.

An Act for making a Railway from *Shrewsbury* to *Stafford*, with a Branch to *Stone*; and for other Purposes. [3d *August* 1846.]

Cap. cccxxiv.

An Act for making a Railway from *Newtown* in the County of *Montgomery* to *Crewe* in the County of *Chester*, with Branches; and for other Purposes connected therewith. [3d *August* 1846.]

Cap. cccxxv.

An Act for making a Railway from *Shrewsbury* to *Hereford*, to be called "The *Shrewsbury and Hereford* Railway." [3d *August* 1846.]

Cap. cccxxvi.

An Act to consolidate the *Bristol and Gloucester* and *Birmingham and Gloucester* Railway Companies with the *Midland* Railway Company. [3d *August* 1846.]

Cap. cccxxvii.

An Act to alter and amend the *North Wales* Railway Act, One thousand eight hundred and forty-five. [3d *August* 1846.]

Cap. cccxxviii.

An Act for making a Railway from *Birmingham* to *Wolverhampton*, and to the *Grand Junction* Railway in the Parish of *Bushbury*, with a Branch to *Dudley*. [3d *August* 1846.]

Cap. cccxxix.

An Act to effectuate the Sale of the *Glasgow, Garnkirk, and Coatbridge* Railway Company of the said Railway to the *Caledonian* Railway Company; and other Purposes therewith connected. [3d *August* 1846.]

Cap. cccxxx.

An Act for authorizing the Sale of the *Pontop and South Shields* Railway to the *Newcastle and Darlington Junction* Railway Company. [3d *August* 1846.]

Cap. cccxxxi.

An Act to empower the *London and Birmingham* Railway Company to make a Branch Railway from the *London and Birmingham* Railway near *Coventry* to the *Trent Valley* Railway in the Parish of *Nuneaton*. [3d *August* 1846.]

Cap. cccxxxii.

An Act for making a Railway from the *Edinburgh and Glasgow* Railway to *Bathgate*, with Branches, to be called "The *Edinburgh and Bathgate* Railway." [3d *August* 1846.]

Cap. cccxxxiii.

An Act to enable the *Surrey* Iron Railway Company to sell the Lands, Houses, and other Property of the Company, together with the navigable Communication from the Dock of the Company to the River *Thames* at *Wandsworth* in the County of *Surrey*, and to dissolve the said Company. [3d *August* 1846.]

Cap. cccxxxiv.

An Act to enable the *Glasgow, Garnkirk, and Coatbridge* Railway Company to extend the Terminus of their Railway in *Glasgow*. [3d *August* 1846.]

Cap. cccxxxv.

An Act for making a Railway and other Works from *Plymouth* to *Falmouth* and other Places in the County of *Cornwall*, to be called "The *Cornwall* Railway." [3d *August* 1846.]

Cap. cccxxxvi.

An Act for making a Railway from the Parish of *Kenwyn* in the County of *Cornwall* to *Penzance* in the same County, with Branches, to be called "The *West Cornwall* Railway." [3d *August* 1846.]

Cap. cccxxxvii.

An Act for making a Railway from *Birmingham*, to join the Lines of the proposed *Oxford and Rugby* and *Oxford, Worcester, and Wolverhampton* Railways, and to be called "The *Birmingham and Oxford Junction* Railway." [3d *August* 1846.]

Cap. cccxxxviii.

An Act for making a Railway into *Birmingham* in extension of the proposed *Birmingham and Oxford Junction* Railway. [3d *August* 1846.]

Cap. cccxxxix.

An Act to authorize the Purchase of the *Gravesend and Rochester* Railway and Canal by the *South-eastern* Railway Company. [3d *August* 1846.]

Cap. cccxl.

An Act for making a Railway from the *Birmingham and Gloucester* Railway at *Kings Norton* in the County of *Worcester* to *Hales Owen* in the same County. [3d *August* 1846.]

Cap. cccxli.

An Act for making a Railway from the *South Wales* Railway at or near to the Town of *Neath* to *Merthyr Tidvil*, with Branches, to be called "The *Vale of Neath* Railway." [3d *August* 1846.]

Cap. cccxlii.

An Act for making a Railway from the Borough of *Cockermouth* to the Town of *Keswick*, all in the County of *Cumberland*, to be called "The *Cockermouth and Workington Extension* Railway." [3d *August* 1846.]

Cap. cccxliii.

An Act for making a Railway from *Lough Allen* to *Lough Gill*, both in the County of *Leitrim*, to be called "The *Sligo and Shannon* Railway." [3d *August* 1846.]

Cap. cccxliv.

An Act for constructing a Pier at *Portbury* in the County of *Somerset*, and for making a Railway from the same to the City of *Bristol*, with a Branch Railway connected therewith. [3d *August* 1846.]

[*Saving the Rights of the Trinity House*, § 86.]

Cap. cccxlv.

An Act to amend the *Cambridge* Improvement Acts, and to exempt the *Eastern Counties* Railway Company from certain Tolls thereby imposed. [3d *August* 1846.]

[*Railway Company to pay to the Commissioners* £1,000 *yearly*, § 2.]

Cap. cccxlvi.

An Act to repeal, alter, and amend the several Acts relating to *Billingsgate Market* in the City of *London*. [3d *August* 1846.]

Cap. cccxlvii.

An Act for further and better supplying with Water the Barony or Regality of *Gorbals* and Place adjacent. [3d *August* 1846.]

Cap. cccxlviii.

An Act for making certain new Streets or Thoroughfares, and widening and improving certain other Streets or Thoroughfares, within the Town and Borough of *Sheffield* in the County of *York*. [3d *August* 1846.]

Cap. cccxlix.

An Act for paving, lighting, watching, cleansing, regulating, and otherwise improving the Town of *Tunbridge Wells* in the Counties of *Kent* and *Sussex*. [3d *August* 1846.]

Cap. cccl.

An Act to repeal an Act of the Fifty-second Year of the Reign of King *George* the Third, for lighting and watching the Road leading from *Newington Butts* to the *Nag's Head* on the *Wandsworth Road*, and other Places communicating therewith, in *Lambeth*, *Clapham*, and *Battersea* in *Surrey*; and for making other Provisions for lighting and improving the said Road, and other Places adjacent or near thereto. [3d *August* 1846.]

[*Act not to interfere with the Act for lighting Clapham, except Part of the Wandsworth Road*, § 143; *nor Lambeth Improvement Act*, § 144. *Saving the Rights of Surveyors of Highways*, § 145; *and of Commissioners of Sewers*, § 146; *and of Duke of Cornwall*, § 147.]

Cap. cccli.

An Act to amend an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, for granting certain Powers and Authorities to the *Australian* Agricultural Company. [7th *August* 1846.]

Cap. ccclii.

An Act for making a Railway from the intended *Great Northern* Railway in the Parish of *Ufford* in the County of *Northampton*, to unite with the Loop Line of the same Railway in the Parish of *Crowland* in *Lincolnshire*. [7th *August* 1846.]

Cap. ccccliii.

An Act for making a Railway from *Llangynwyd* to *Margam*, by a Company to be called "The *Llynvi Valley* Railway Company." [7th *August* 1846.]

Cap. ccccliv.

An Act for making certain Lines of Railway in the West Riding of the County of *York*, to be called "The *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield*, and *Goole* Railway." [7th *August* 1846.]

Cap. ccclv.

An Act for amending the Acts relating to the *Taw Vale* Railway and Dock, and for making an Extension therefrom to the *Exeter and Crediton* Railway in the County of *Devon*. [7th *August* 1846.]

Cap. ccclvi.

An Act for making Railways from *Wisbech* to *Saint Ives* and to *Fenny-Drayton*, to be called "The *Wisbech, Saint Ives, and Cambridge Junction* Railway." [7th *August* 1846.]

Cap. ccclvii.

An Act for making a Railway from the *Northern and Eastern Counties* Railway at *Edmonton* to the Town of *Enfield* in the County of *Middlesex*. [7th *August* 1846.]

Cap. ccclviii.

An Act for making a Railway from the *Midland* Railway at *Staveley* to the Town of *Worksop*, and for consolidating into one Undertaking the said proposed Railway and the Canal Navigation from *Chesterfield* to the River of *Trent*. [7th *August* 1846.]

Cap. ccclix.

An Act for making a Railway from the *London and Birmingham* Railway to or near to *Navigation Street* within the Borough of *Birmingham*. [7th *August* 1846.]

Cap. ccclx.

An Act for making a Railway from *Kilkenny* to join the *Great Southern and Western* Railway at or near *Cuddagh*, to be called "The *Kilkenny and Great Southern and Western* Railway." [7th *August* 1846.]

Cap. ccclxi.

An Act for the Maintenance of the Cemeteries at *Golden Bridge* and *Prospect* in the County of *Dublin*, and to create a perpetual Succession in the governing Body or Committee for managing the same. [7th *August* 1846.]

[*Governing Body may prohibit Interments in Burial Grounds, if too full*, § 38.]

Cap. ccclxii.

An Act for making a Canal from the Harbour of *East Tarbert* to *West Loch Tarbert*, and other Works in connexion therewith. [7th *August* 1846.]

[*Saving Rights of the Crown*, § 66. *Act not to apply to Vessels in Service of Her Majesty or of the Government*, § 67.]

Cap. ccclxiii.

An Act for making a Ship Canal from *Sligo* Harbour to *Lough Gill*, both in the County of *Sligo*, to be called "The *Sligo* Ship Canal." [7th *August* 1846.]

Cap. ccclxiv.

An Act for enlarging, improving, and maintaining the Harbour, Quays, and Wharfs of *Campbeltown*; for supplying with Water, paving, cleansing, lighting, and watching the said Burgh and Suburbs thereof; and for the better and more effectual assessing, levying, and collecting the Ladle and other Dues and Customs of the said Burgh. [7th *August* 1846.]

[*Saving the Rights of the Crown*, § 198.]

Cap. ccclxv.

An Act for further regulating the Repair and Maintenance of the Roads, Streets, and Bridges within the Middle District of the County of *Edinburgh*, and the Assessments payable in respect thereof; and for other Purposes relating thereto. [7th *August* 1846.]

Cap. ccclxvi.

An Act to enable the Special Commissioners of the Town of *Yeovil* to sell certain Estates in the Parish of *Yeovil* in the County of *Somerset*. [7th *August* 1846.]

[*Property of Portreeve and Burgesses vested in Special Commissioners*, § 2. *Power to sell to raise Money for Purposes of Act*, § 3. *General Saving*, § 10.]

Cap. ccclxvii.

An Act to enable the *Eastern Counties* Railway Company to make Two Branch Railways from the Line of the *Eastern Counties and Thames Junction* Railway, one thereof terminating at the Pepper Warehouses belonging to the *East India* Dock Company, and the other terminating by a Junction with the *Eastern Counties* Railway. [13th *August* 1846.]

Cap. ccclxviii.

An Act for making a Railway from the *London and Birmingham* Railway in the Parish of *Rugby* in the County of *Warwick* to *Leamington* in the County of *Warwick*. [13th *August* 1846.]

Cap. ccclxix.

An Act to authorize an Improvement of the Line of the *West London* Railway, and the Extension thereof to the River *Thames*. [13th *August* 1846.]

Cap. ccclxx.

An Act to enable the *London and South-western* Railway Company to make a Railway by *Whitchurch* and *Andover* to *Salisbury*. [13th *August* 1846.]

Cap. ccclxxi.

An Act for making certain Branch Railways to be connected with the *Newport and Pontypool* Railway, and for incorporating a new Company for carrying on the *Monmouthshire* Canal Navigation. [13th *August* 1846.]

Cap. ccclxxii.

An Act for making a Railway from the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway near *Cumnock* to the *Caledonian* Railway near the crossing of the River *Sark*, to be called "The *Glasgow, Dumfries, and Carlisle* Railway," with Branches. [13th *August* 1846.]

Cap. ccclxxiii.

An Act for authorizing the Sale of the *Andevor* Canal and other Property of the Company of Proprietors of the *Andevor* Canal Navigation. [13th *August* 1846.]

Cap. ccclxxiv.

An Act for embanking and reclaiming from the Sea certain Lands now under Water or subject to be overflowed by the Tide in the Estuary or Back Strand of *Tramore* in the County of *Waterford*. [13th *August* 1846.]

[*Saving Rights of Lords of Manors*, § 37. *General Saving*, § 40.]

Cap. ccclxxv.

An Act to incorporate the *British* Guarantee Association. [13th *August* 1846.]

Cap. ccclxxvi.

An Act for uniting the Rectory of *North Lynn* with the Perpetual Curacy of *Saint Margaret with Saint Nicholas* in the Borough of *King's Lynn*, all in the County of *Norfolk*. [13th *August* 1846.]

Cap. ccclxxvii.

An Act for making a Railway from *Airdrie* to *Bathgate*, with a Branch to *Whitburn* and *Blackburn*, to be called "The *Airdrie and Bathgate Junction* Railway." [13th *August* 1846.]

Cap. ccclxxviii.

An Act to incorporate the Company of Proprietors of the *Manchester, Bolton, and Bury* Canal Navigation and Railway with the *Manchester and Leeds* Railway Company. [18th *August* 1846.]

Cap. ccclxxix.

An Act to amalgamate the *Polloc and Govan* and *Clydesdale Junction* Railways with the *Caledonian* Railway. [18th *August* 1846.]

Cap. ccclxxx.

An Act for enabling the *Huddersfield and Manchester* Railway and Canal Company to make a Branch Railway from their Main Line of Railway to *Oldham*. [18th *August* 1846.]

Cap. ccclxxxi.

An Act for making a Railway from the *Liverpool and Bury* Railway to the *North Union* and *Blackburn and Preston* Railways, with Branches therefrom, to be called "The *Liverpool, Ormskirk, and Preston* Railway." [18th *August* 1846.]

Cap. ccclxxxii.

An Act to grant certain Powers to the *New Zealand* Company. [18th *August* 1846.]

Cap. ccclxxxiii.

An Act for constructing Docks at *Millbay* (*Plymouth*), to be called the *Plymouth Great Western* Docks. [18th *August* 1846.]

[*Saving the Rights of the Crown*, § 89. *Act not to extend to Vessels in Service of the Crown*, § 90. *Saving the Rights of Trinity House*, § 91; *and of Corporations of Plymouth and Devonport*, § 92; *and of Corporations and Lords of Manors*, § 93.]

Cap. ccclxxxiv.

An Act to enable the Company of Proprietors of the *Forth and Clyde* Navigation to extend and enlarge the Basin at *Bowling Bay*, and to make and maintain certain other Works in connexion therewith; and to alter and amend the Acts relating to the said Navigation. [18th *August* 1846.]

Cap. ccclxxxv.

An Act for sewering, draining, and lighting of the Hamlet of *Brighouse* in the Township of *Hipperholme-cum-Brighouse* in the Parish of *Halifax* in the West Riding of the County of *York*. [18th *August* 1846.]

Cap. cccLxxxvi.

An Act for reclaiming from the Sea, embanking and improving, the *Salthouse Sands* in the Manor of *Plain Furness* in the County Palatine of *Lancaster*. [18th *August* 1846.]

[*Saving Rights of Crown and Duchy of Lancaster*, § 44. *General Saving of Rights*, § 45.]

Cap. cccLxxxvii.

An Act for improving and altering a Portion of the Harbour of *Wexford* in the County of *Wexford* in *Ireland*, and the Entrance thereof; for improving the Navigation of the River *Slaney*, and also the Bridge over the same River at or near to the Town of *Wexford*; and for embanking and reclaiming divers Waste Lands, Mud Banks or Slobs, in and adjacent to the said Harbour and River; and for other Purposes. [18th *August* 1846.]

[*Rights of Lord of Manor on Banks of the Slaney not to be prejudiced*, § 77. *Saving the Rights of the Waterford, Wexford, and Dublin Railway Company*, § 78; *and of Trinity House*, § 79; *and of Crown*, § 80.]

Cap. cccLxxxviii.

An Act for inclosing and reclaiming from the Sea certain Tracts of Land forming Part of the Great Estuary called "The *Wash*," between the Counties of *Norfolk* and *Lincoln*. [18th *August* 1846.]

[*Saving the Rights of the Trinity House*, § 111; *and of Commissioners of Sewers*, § 112; *and of Bedford Level Corporation*, § 113; *and of Corporations of Lynn*, § 114; *and Wisbech*, § 115; *and of River Nene Commissioners*, § 116; *and of Middle and South Level and Eau Brink and Ouze Bank Commissioners*, § 117; *and of Duchy of Lancaster*, § 118; *and of Crown*, § 119.]

Cap. cccLxxxix.

An Act for enabling the Warden and College of the Souls of All Faithful People deceased of *Oxford* to grant Building and Improving Leases of their Estates in the County of *Middlesex*. [18th *August* 1846.]

Cap. cccxc.

An Act for making certain Lines of Railway in the West Riding of the County of *York*, to be called "The *West Riding Union* Railways." [18th *August* 1846.]

Cap. cccxci.

An Act to enable the *London and South-western* Railway Company to extend their Railway to the *Thames* near *London Bridge* in the County of *Surrey*. [26th *August* 1846.]

Cap. cccxcii.

An Act for making a Railway from the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway near the Manse of *Newton* to the Town of *Girvan*, with a Branch to the Town of *Maybole*, to be called "The *Glasgow and Belfast Union* Railway." [26th *August* 1846.]

Cap. cccxciii.

An Act to empower the *Taff Vale* Railway Company to construct certain Branch Railways and Extensions, and to make Arrangements for the Use of certain Wharfs adjoining the *Bute* Ship Canal. [26th *August* 1846.]

Cap. cccxciv.

An Act to authorize the *Newcastle-upon-Tyne and Carlisle* Railway Company to extend their Railway in *Newcastle-upon-Tyne*, to make a Branch Railway, and for other Purposes connected with their Undertaking. [26th *August* 1846.]

Cap. cccxcv.

An Act to enable the *Caledonian* Railway Company to deviate certain Portions of the *Clydesdale Junction* Railway. [26th *August* 1846.]

Cap. cccxcvi.

An Act for making a Railway from the *East and West India* Docks to join the *London and Birmingham* Railway at the *Camden Town* Station, to be called "The *East and West India Docks and Birmingham Junction* Railway." [26th *August* 1846.]

Cap. cccxcvii.

An Act for making a Railway from *Cork* to *Waterford*, with Branches therefrom. [26th *August* 1846.]

Cap. cccxcviii.

An Act to incorporate a Company by the Name of "The Metropolitan Sewage Manure Company." [26th *August* 1846.]

Cap. cccxcix.

An Act for the Regulation of the Legal Quays within the Port of *London*. [26th *August* 1846.]

13 & 14 Car. 2. c. 11.

'WHEREAS by an Act of Parliament passed in the Session of Parliament held in the Thirteenth and Fourteenth Years of the Reign of His Majesty King *Charles* the Second, intituled *An Act for preventing Frauds and regulating Abuses in His Majesty's Customs*, after reciting that it was enacted by an Act of Parliament in the First Year of Queen *Elizabeth*, directing when and where Merchandize should be landed and Customs paid, that no Goods, Wares, or Merchandize should be shipped or loaden aboard any Ship or Vessel, or landed or discharged out of or from any Ship or Vessel, but in or upon some such open Place, Quay, or Wharf, Places, Quays, or Wharfs, (except the Port of *Hull*,) as Her Highness, Her Heirs and Successors, should therefore assign and appoint by virtue of Her Highness's Commission or Commissions within the Port of *London*, and in all Ports, Creeks, Havens, or Roads; and also reciting that, notwithstanding the aforesaid Act, there were some Ports, Creeks, and Places where Customers, Collectors, and Comptrollers, and Searchers, and their Servants, had then Time out of Mind been resident, to which no such Commissioners were sent, nor Places, Quays, nor Wharfs appointed, as by the said Act was directed; it was (amongst other things) enacted, that the King's Majesty might, from Time to Time, by His Commission out of His Court of Exchequer, assign all such further Places (except the Town of *Hull*) as should be lawful for the landing and discharging, lading or shipping, any Goods, Wares, or Merchandize within the Kingdom of *England*, and to what ancient and head Ports respectively such Places, Members, or Creeks should belong and appertain, and by virtue of the aforesaid Commission might likewise set down and appoint the Extents, Bounds, and Limits of every Port, Haven, or Creek within His Majesty's Kingdom of *England*, and that it should not be lawful for any Person or Persons whatsoever to lade or put, or cause to be laden or put, off or from any Quay, Wharf, or other Place on the Land into any Ship, Vessel, Lighter, Boat, or Bottom any Goods, Wares, or Merchandize whatsoever (except as therein excepted) to be transported into any Place of the Parts beyond the Seas, or carried by Land into the Realm of *Scotland*, or to take up, discharge, or lay on Land, or cause or procure to be taken up, discharged, and laid on Land, out of any Boat, Lighter, Ship, Vessel, or Bottom (being not in Leak or Wreck), any Goods, Wares, or Merchandize whatsoever (except as therein excepted) to be brought from any of the Parts beyond the Seas, or by Land from the Realm of *Scotland*, by way of Merchandize, but only upon such open Place, Quay, or Wharf, Places, Quays, or Wharfs, as His Majesty should from Time to Time appoint by virtue of such Commission as aforesaid in His Majesty's Port of *London*, and the Members and Liberties thereof, and in any other Port or Place as therein is mentioned, without special Sufferance and Leave first had from the Commissioners and Officers of His Majesty's Customs, upon the Penalty of the Forfeiture of all such Goods, Wares, and Merchandizes: And whereas His Majesty King *George* the Third issued a Commission under the Seal of His Court of Exchequer at *Westminster*, bearing Date on or about the Eighth Day of *May* in the Fifty-ninth Year of His Reign, and after reciting (amongst other things) that it had been represented unto Him that the Bounds and Limits of His Port of *London*, and the Quays and Wharfs necessary for landing and discharging, lading and shipping, of Goods, Wares, and Merchandize, and better securing His Customs, had not been properly set out, His said Majesty did, by the said Commission, assign certain Persons therein named to be His Majesty's Commissioners, and to them, or any Five or more of them, gave full Power and Authority to appoint all such and so many open Place or Places to be Quays or Wharfs for the shipping and landing of Goods, Wares, and Merchandize within His said Port of *London* according to their Discretion, as should seem most convenient for the Uses and Services aforesaid, and to appoint the Extents, Bounds, and Limits of the said Port: And whereas, on or about the Thirtieth Day of *June* in the Fifty-ninth Year of the Reign of His said Majesty King *George* the Third, Five of the said Commissioners duly made a Certificate under their Hands and Seals to the Barons of the said Court of Exchequer, and after appointing and settling the Extents, Bounds, and Limits of the said Port of *London*, the said Commissioners did thereby certify that they had appointed the several open Places therein-after mentioned to be the lawful Places, Quays, and Wharfs respectively for the landing or discharging, lading or shipping, of any Goods, Wares, or Merchandize within the said Port of *London; viz.*, *Brewer's Quay*, *Chester's Quay*, *Galley Quay*, *Wool Quay*, *Custom House Quay*, *East India Wharf*, *Botolph Wharf*, *Hammond's Quay*, *Cox's Quay*, and *Fresh Wharf*, and which Certificate was duly returned into the said Court of Exchequer, and filed: And whereas the said Quays or Wharfs named in the said Certificate, being Legal Quays, are lawful Places, Quays, and Wharfs for the landing or discharging, lading or shipping, of Goods, Wares, or Merchandize within the said Port of *London*, and the Public have a Right to use the same for those Purposes, on Payment to the respective Wharfingers for the Time being in the Occupation of the said Quays or Wharfs of a reasonable Compensation for such Use; and the said Wharfingers are bound by Law to keep the said Quays or Wharfs in repair, and fit for public Use: And whereas the said Quays or Wharfs are now in the Occupation of the several Persons herein-after mentioned; that is to say, *Brewer's Quay*, *Chester's Quay*, and *Galley Quay* are in the Occupation of *Joseph Barber; Wool Quay* and *Custom House Quay* are in the Occupation of *William John Hall; East India Wharf* is in the Occupation of *John Ismay Nicholson* and *Frederick Besley; Botolph Wharf* is in the Occupation of *Thomas Wilkinson* and *William Stennett;* and *Hammond's Quay*, *Cox's Quay*, and *Fresh Wharf* are in the Occupation of *John Knill:* And whereas several Wet Docks, called respectively the *West India Docks*, the *London Docks*, the *East India Docks*, and the *Saint Katherine Docks*, have been

Royal Commission, dated 8th May, 59 G. 3.

Certificate of Commissioners, dated 30th June, 59 G. 3.

Present Occupiers of the same Quays.

'been from Time to Time established in the Port of *London*, and the Quays within which are made 'Legal Quays, and the Acts of Parliament under which the same Docks were established contain divers 'Provisions and Regulations as to Entries of Goods at the Custom House in *London*, and for preserving 'the Lien or Security of the Shipowner on the Goods after landing, and for facilitating the Despatch of 'Business, and rendering the Collection of the Customs Revenue more secure and easy: And whereas it is 'expedient that similar Provisions should be enacted with regard to the aforesaid Legal Quays in the 'Port of *London*;' but the same cannot be done without the Authority of Parliament:' Wherefore Your Majesty's most dutiful and loyal Subjects, the said *Joseph Barber*, *William John Hall*, *John Ismay Nicholson*, *Frederick Besley*, *Thomas Wilkinson*, *William Stennett*, and *John Knill*, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Master or Owner of any Ship lying alongside any of the said Legal Quays comprised in the said Certificate to cause a proper Entry to be made in his Name for the Inward Cargo, or any Part of the Inward Cargo, (being such as from Time to Time by Law may be warehoused,) of such Ship, for which an Entry shall not have been made by the Importer, Proprietor, or Consignee thereof, and for which the Customs Order for Delivery shall not have been lodged with the proper Officer of the Customs within Forty-eight Hours from the Day on which the Cargo of such Ship shall have been reported at the Custom House at *London*, (such Entry to be made according to the Marks, Numbers, Package or Packages, Qualities, Quantities, or Contents of such Cargo or Part or Parts thereof, as described in the Report of the Cargo of such Ship,) and thenceforth, on any Day (not being a *Sunday*, *Christmas Day*, or *Good Friday*, or a Day appointed by Her Majesty's Proclamation for the Purposes of a General Fast or Thanksgiving, or the Day or Days appointed for the Celebration of the Birthdays of Her Majesty and Her Successors), and without Authority from the Importer, Proprietor, or Consignee thereof, to unship and land the Goods of which the same shall consist, in the Presence or with the Authority of the proper Officer of the Customs, and deposit the same Goods in any Warehouse approved by the Commissioners of Her Majesty's Customs for the warehousing of Goods without Payment of the Duty at the Time of the first Entry thereof; and the Goods so landed and warehoused shall in all respects be considered as in the Charge and Custody of the Master and Owner of the Ship from or out of which the same shall be so landed, in the same Manner in all respects as if such Goods had remained on board such Ship, and shall remain subject to the same Rights, Claims, and Liabilities, for Freight or otherwise, as such Goods were subject to whilst the same were on board such Ship, and before the landing thereof, and may be detained until the Person applying for the Delivery or Transfer thereof shall have paid the Freight, Wharfage, Warehouse Rent, and other Charges payable thereon, and shall have delivered to the said Master or Owner, or his Agent, a Duplicate of the Bill of Lading which shall have been signed for the same at the Port of loading.

Goods, if not entered within a certain Time by Importers, Proprietors, or Consignees, may be entered by Master or Owner of Ship.

II. Provided always, and be it enacted, That nothing in this Act shall affect or invalidate Charter-parties or Bills of Lading which contain Agreements for allowing a certain Number of Days for the Discharge of the Cargo, or authorize the landing of Goods contrary to such Agreements or to any express Stipulation in such Charter-parties or Bills of Lading.

Act not to affect certain Charter-parties or Bills of Lading.

III. Provided also, and be it enacted, That Goods entered by virtue of this Act shall be subject to the same Regulations, Rules, and Forfeitures as Goods entered under an Act passed in the last Session of Parliament, intituled *An Act for the general Regulation of the Customs*, are subject to.

Goods entered by this Act subject to 8 & 9 Vict. c. 86.

IV. And be it enacted, That all Goods which after the passing of this Act shall be landed at any of the Legal Quays aforesaid from or out of any Ship within the Port of *London*, and lodged in the Custody of the Wharfinger for the Time being in the Occupation of such Quay, either at such Quay or elsewhere, shall, when so landed, continue and be subject to the same Lien or Claim for Freight in favour of the Master and Owner of the Ship from or out of which such Goods shall be so landed, or of any other Person interested in the Freight of the same Goods, as such Goods were subject to whilst the same were on board such Ship, and before the landing thereof; and the said Wharfinger, or his Servants or Agents, are hereby required, upon due Notice in Writing in that Behalf given by such Master or Owner, or other Person aforesaid, to the said Wharfinger, or left for him at his Office or Counting-house for the Time being, to detain such Goods in the Warehouse of the said Wharfinger until the Freight to which the same shall be subject as aforesaid shall be duly paid, together with the Wharfage, Rent, and other Charges to which the same shall have become subject and liable.

Goods landed at the Legal Quays to remain subject to Lien for Freight.

V. Provided always, and be it enacted, That no such Notice as aforesaid to detain any Goods for Payment of Freight shall be available unless the same be given or left, as herein-before provided, before the Issue by the said Wharfinger of the Warrant for the Delivery of the same Goods, or an Order given by the Importer, Proprietor, or Consignee, or his Agent, to and accepted by the Wharfinger for the Delivery or Transfer of the same; but nothing herein contained shall authorize any Wharfinger to deliver or issue any Warrant or accept any Order for the Delivery of any Goods which shall be subject to a Lien for Freight, and in respect of which such Notice in Writing as aforesaid to detain the same for Freight shall have been given, until the Importer, Proprietor, or Consignee of such Goods shall have produced a Withdrawal in Writing of the Order of Stoppage for Freight from the Owner or Master of the Ship from or out of which such Goods shall have been landed, or his Broker or Agent, and which Order of Withdrawal the said Master or Owner is hereby required to give on Payment or Tender of the Freight to which the Goods shall be liable.

Notice to detain Goods to be given before Warrants issued for their Delivery.

VI. And

For the Recovery of Wharfage, Rent, and other Charges payable for Goods.

VI. And be it enacted, That the Wharfage, Rent, and other Charges which from and after the passing of this Act shall become payable to the Wharfinger of any of the Legal Quays aforesaid in respect of Goods which shall be in his Custody either on the said Quays or in any Warehouse, Erection, or Building from Time to Time held or occupied by him, and which shall adjoin any such Legal Quay, or in any Warehouse, Erection, or Building from Time to Time held or occupied by him, and some Part of which shall be within Five hundred Yards of some Part of such Legal Quay, and which shall be of a perishable Nature, shall be paid at or before the Expiration of Two Calendar Months, and if not of a perishable Nature then at or before the Expiration of Twelve Calendar Months, next after the Cargo of the Ship importing such Goods shall have been completely discharged or unloaded, or previous to the Removal of the same from the Custody of the said Wharfinger, which shall first happen; and in case Default be made in Payment of the said Wharfage, Rent, and other Charges, or any of them, or any Part thereof, it shall be lawful for the said Wharfinger, first paying the Duties due in respect of such Goods, and next any Freight which may be due in respect thereof, to distrain and sell or cause to be sold all or any Part of such Goods that may be deposited with the said Wharfinger, and out of the Monies thence arising to retain and pay any Duties and Freight paid by him in respect of such Goods, and then the Wharfage, Rent, and other Charges which shall be payable to the said Wharfinger in respect of such Goods, and all Charges and Expences of selling such Distress, rendering the Overplus (if any) of the Monies arising by such Sale, and such of the said Goods as shall remain unsold, to the Person entitled thereto, upon Demand; and in case such Goods shall happen to be removed before the Wharfage, Rent, and other Charges payable to the said Wharfinger in respect of the same shall be fully paid, then it shall be lawful for the said Wharfinger to take and distrain and sell any Goods or Chattels of the Importer, Proprietor, or Consignee thereof, for the Time being in the Custody of the said Wharfinger, or the said Wharfinger shall and may prosecute any Action at Law for the Payment and Recovery of such Wharfage, Rent, and other Charges, or any Part thereof respectively: Provided nevertheless, that no such Sale shall be made as aforesaid until the Wharfinger shall have given at least Ten Days Notice of his Intention to sell the Goods in the *London Gazette* and Two of the Morning Daily Newspapers printed in the City of *London* or *Westminster*, and, if the Importer, Proprietor, or Consignee shall be resident in the United Kingdom, until at least Ten Days Notice shall have been left at his Residence, or sent to him by the Post, if such Residence shall be known by the Wharfinger, and no Sale shall be made until the Goods to be sold shall have been valued by a Sworn Broker, and no greater Quantity shall be sold than shall be reasonably sufficient to raise the Monies which may be due in respect of such Duties, Wharfage, Rent, and Charges, and the Expence of Valuation and Sale.

Interpretation of Act.

VII. And be it enacted, That in the Construction of this Act the Expression "Goods" shall include all Wares and Merchandize, and the Word "Person" shall extend to a Body Corporate, and the Word "Ship" shall include every Species of Vessel, and every Word importing the Singular Number only shall be applied to several Persons or Things, unless the Context is repugnant to such Construction.

General Saving.

VIII. Saving and always reserving to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all and every Body and Bodies Politic and Corporate, and other Person and Persons whomsoever, his, her, or their Successors, Heirs, Executors, and Administrators, all such Prerogatives, Estates, Rights, Titles, Immunities, Franchises, and Liberties (other than those expressly barred or regulated by this Act) as they and every or any of them had and enjoyed before the passing of this Act, or could or might have had and enjoyed in case this Act had not been passed.

Act to remain in force until 1st Oct. 1847.

IX. And be it enacted, That this Act and the several Clauses and Provisions herein contained shall continue to be in force until the First Day of *October* One thousand eight hundred and forty-seven, and no longer.

Public Act.

X. And be it enacted, That this Act shall be taken to be a Public Act, and shall be judicially taken notice of as such.

Cap. cccc.

An Act to extend the Powers of the Commissioners of Wide Streets, *Dublin*, to widen and improve certain Streets and Passages in the City and County of *Dublin*. [26th *August* 1846.]

Cap. ccccl.

An Act to authorize the Construction of a Railway from *Maln-y-Manach* to *Rhydydefydd* in the County of *Glamorgan*, to be called "*Cameron's Coalbrook Steam Coal and Swansea and Loughor* Railway." [28th *August* 1846.]

Cap. ccccii.

An Act for authorizing certain Alterations in and Extensions of the Line of the *South Devon* Railway, and the Formation of Branches therefrom to *Torquay* and other Places. [28th *August* 1846.]

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

N. B.—*To each of these Acts is annexed a Clause in the Form following:*

" And be it further enacted, That this Act shall be printed by the several Printers to the Queen's " most Excellent Majesty duly authorized to print the Statutes of the United Kingdom; and a Copy " thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, " and others."

Cap. 1.

AN Act for vesting the Real Estates of the Right Honourable *Charles John* late Earl of *Blesinton* deceased, in the County and County of the City of *Dublin*, the City of *Kilkenny*, and the County of *Tyrone*, in Trustees for Sale, for the Payment of his Debts; and for other Purposes. [18th *June* 1846.]

Cap. 2.

An Act for selling such Parts of the entailed Lands and Estates of *Hempriggs* lying in the County of *Caithness*, belonging to Sir *George Dunbar* Baronet, as may be necessary for the Payment of the Debts and Obligations affecting or that may be made to affect the said Lands and Estates. [18th *June* 1846.]

Cap. 3.

An Act to enlarge the Powers of leasing the Estates comprised in an Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to authorize the Sale of Settled Estates of the Most Honourable the Marquess of* Donegall *in* Ireland, *in order to pay off Mortgage and other Incumbrances;* and for other Purposes. [18th *June* 1846.]

Cap. 4.

An Act for vesting certain undivided Shares in Estates devised by the Will of *Joseph Solly* Esquire, deceased, in Trustees for Sale; and for other Purposes. [18th *June* 1846.]

Cap. 5.

An Act for inclosing, dividing, and allotting certain Lands within the Manor or Lordship of *Gollon*, situate in the several Parishes of *Llanbadarn-Vynydd*, *Llanano*, *Llanbister*, *Llandewy-Ystradenny*, *Abbey Cwmhir*, and *Saint Harmon*, in the County of *Radnor*. [18th *June* 1846.]

[*Allotment to be made to Lord of Manor in lieu of Right of Soil*, § 56. *Saving of Manorial Rights*, § 89.]

Cap. 6.

An Act for empowering the Tenants for Life under the Wills of Miss *Mary Cary* and *Adam Askew* Esquire, deceased, and Trustees during Minorities, to grant Building Leases; and for other Purposes. [26th *June* 1846.]

Cap. 7.

An Act for the Division of the Rectory of *Upwell-cum-Welney* in the County of *Norfolk* and in the *Isle of Ely* in the County of *Cambridge*. [26th *June* 1846.]

[*Act not to affect the existing Church Charities at Upwell and Welney*, § 45; *nor the Division of Upwell-cum-Welney into Townships for the Maintenance of the Poor, or any civil Purpose whatsoever*, § 47.]

Cap. 8.

An Act for dividing, allotting, laying in Severalty, inclosing, and draining, the Open and Common Fields, Common Meadows, and other Commonable Lands and Waste Grounds in the Hamlet or Township of *Frilford* in the Parish of *Marcham* in the County of *Berks*. [3d *July* 1846.]

[*Allotments to be made for Highways*, § 57; *for Recreation of Inhabitants*, § 58; *to Lords of Manor for Right of Soil*, § 59; *and to the Trustees of the Poor*, § 60.]

Cap. 9.

An Act for vesting in Trustees certain Hereditaments in the County of *Kent* devised by the Will of *Henry Dudderidge* Gentleman, to enable them to carry into execution an Agreement between his Devisees in Trust and *Alexander James Beresford Hope* Esquire, for the Sale thereof, and for subjecting the Bank Annuities, the Produce of the Purchase Money, to the same Trusts. [16th *July* 1846.]

Cap. 10.

An Act for vesting in Trustees certain Hereditaments in the County of *Kent* the Estate of *Emma Bedford Videan*, a Lunatic, to enable them to carry into execution a Treaty between her Husband, Mr. *Joseph Videan*, and *Alexander James Beresford Hope* Esquire, for the Sale thereof; also for laying out the Purchase Money in the Purchase of Bank Annuities, to be held as Real Estate in trust for the said *Emma Bedford Videan* and her Heirs. [16th *July* 1846.]

Cap. 11.

An Act for effecting an Exchange of Lands between the Archbishop of *York*, the Earl of *Carlisle*, and Viscount *Morpeth*. [16th *July* 1846.]

Cap. 12.

An Act to enable *Andrew Wauchope* Esquire, of *Niddrie Marischall*, to uplift certain Sums of Money lying in Bank, and to be consigned therein, and to borrow upon the Security of his entailed Estates such further Sums as may be necessary for Repayment to him of a Portion of the Monies laid out and to be laid out in the Improvement of the said Estates. [16th *July* 1846.]

Cap. 13.

An Act to vest in Trustees in Fee Simple the entailed Lands of *Haltree* and others, for the Purpose of selling the same, and applying the Price in Payment of Debts which affect or may be made to affect the same; and for other Purposes connected therewith. [16th *July* 1846.]

Cap. 14.

An Act to enable the Trustees of the settled Estate of *William Cullen* to sell to *Alexander James Beresford Hope* Esquire, before the appointed Time under the Settlement, a Portion of that Estate for which an Offer has been made them by him. [16th *July* 1846.]

Cap. 15.

An Act for authorizing Leases to be granted for Mining and other Purposes of Estates in the County of *Glamorgan* belonging to *Walter De Winton* Esquire (an Infant), Tenant in Tail under the Will of *Walter Wilkins* Esquire, deceased; and for other Purposes. [16th *July* 1846.]

Cap. 16.

An Act to enable the Trustees or Guardians appointed by *Joseph Thomson* of *Nortonhall* of *Eildon*, deceased, to sell the said Lands of *Nortonhall* of *Eildon*, and also the Half of a Storey of a House in *Saint Mary's Wynd, Edinburgh*, and relative Policy of Insurance, vested in them in trust, and apply the Price to be obtained, and certain Trust Monies in their Hands, in the Purchase of other Lands, for the Purposes of the said Trust. [16th *July* 1846.]

Cap. 17.

An Act to alter and amend an Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act to enable the Trustees of the Marriage Articles of* Thomas Bacon *Esquire to grant a new Lease to* Richard Hill *and* Anthony Hill *Esquires of an Iron Furnace, and Works and Mines, and Privileges and Hereditaments held therewith, called* Plymouth Works, *in the Parish of* Merthyr Tydvill *in the County of* Glamorgan; and for better carrying the same Act into effect. [27th *July* 1846.]

Cap. 18.

An Act for carrying into effect an Agreement respecting the Estates of the Corporation of the Borough of *Ludlow*, and other Estates vested in the said Corporation, in trust, either partly or in whole, for certain charitable Uses; and for appropriating certain Estates to the Charity herein-after mentioned, and declaring the Trusts thereof; and for making Provision for Payment of the Debts of the said Corporation; and other Purposes. [27th *July* 1846.]

Cap. 19.

An Act to authorize the Sale of Part of the Charity Estates vested in the Master, Wardens, and Brethren and Sisters of the Guild or Fraternity of the Blessed *Mary* the Virgin of the Mystery of Drapers of the City of *London*, upon the Trusts of the Will of *Thomas Howell* deceased. [27th *July* 1846.]

[*The Company authorized to sell under the Direction of the Court of Chancery*, § 1.]

Cap. 20.

An Act to enable *William Ramsay Ramsay* of *Barnton*, Heir of Entail in possession of *Barnton* and other Estates in the County of *Edinburgh*, to borrow Money upon the Security of the said Estates for the Repayment of Monies laid out in the Improvement of the said Estate, and to enable him and his Successors to grant Feus of certain Parts thereof; and for other Purposes therein expressed. [27th *July* 1846.]

Cap. 21.

An Act for vesting Estates in the Parish of *West Bromwich* in the County of *Stafford*, devised by the Will of *Joseph Barrs* deceased, and the Mines and Minerals under the same, in Trustees for Sale, with Powers to grant Leases of such Estates, and to grant, demise, or sell the Coal, Ironstone, and other Minerals in or under the same. [3d *August* 1846.]

Cap. 22.

An Act for burdening or selling a Portion of the entailed Estate of *Cumbernauld* in the County of *Dumbarton*, for Payment of Debt. [3d *August* 1846.]

Cap. 23.

An Act to enable the Trustees of the Will of *Edmund Yates* Esquire, deceased, to sell the Estates in the County of *Kent* devised by the same Will, and to invest the Monies to arise from such Sale in the Public Funds. [3d *August* 1846.]

Cap. 24.

An Act to incorporate the Governors and Managers appointed under the Trust Disposition and Settlement of *Robert Philp* of *Edenshead* deceased, and to explain and extend the Powers and Provisions contained in the said Deed. [3d *August* 1846.]

Cap. 25.

An Act to enable *John Eden Spalding*, with the Consent of a Trustee, to lease the Mines and Minerals within the Lands of *Holm* and other Lands and Estates in the Stewartry of *Kircudbright* in *Scotland*. [3d *August* 1846.]

Cap. 26.

An Act to enable the Trustees acting under the Will of the late Sir *John Webb* Baronet, deceased, to concur with other Parties, under the Sanction of the High Court of Chancery, in the Sale and Conveyance of certain Estates in the County of *Dorset* and in the Town and County of the Town of *Poole* devised by the said Testator, and of Estates subsequently acquired by the Trustees of his said Will, and subject to the Trusts of the said Will. [7th *August* 1846.]

Cap. 27.

An Act to vest in Trustees in Fee Simple the entailed Estate of *Overshiels* in the County of *Edinburgh*, for the Purpose of selling the same, and purchasing other Lands to be entailed in lieu thereof. [13th *August* 1846.]

Cap. 28.

An Act to enable the Trustees of certain Charity and Trust Estates at and near the Town of *Lowestoft* in the County of *Suffolk* to carry into effect a Contract for the Sale of Parts thereof to the *Lowestoft* Railway and Harbour Company; and to enable the said Trustees, and the Trustees of other Charity and Trust Estates at and near the said Town of *Lowestoft*, to grant Leases for long Terms of Years for Building Purposes of the said Estates or Parts thereof; and for other Purposes. [13th *August* 1846.]

Cap. 29.

An Act to extend the Powers of Sale and Exchange and the Power to grant Building Leases respectively contained in the Will of Sir *George William Tapps Gervis* deceased; and to empower the Trustees of the said Will to raise Money by Mortgage for the Improvement of Part of the Estates devised by the said Will; and to confirm a Contract for an Exchange entered into by the said Trustees with the Right Honourable *James Howard Harris* Earl of *Malmesbury*. [13th *August* 1846.]

Cap. 30.

An Act to give further Powers to the Trustees of the Will of the late Duke of *Cleveland* for the Management of the Trust Estates in the County of *Durham* by the said Will devised. [18th *August* 1846.]

Cap. 31.

An Act to vest the Estates in *Ireland* settled by the Will of *Bindon Scott* deceased in Trustees, for the Purposes therein set forth. [18th *August* 1846.]

Cap. 32.

An Act to unite and to incorporate the Trustees of certain Charities established by *Humphrey Booth* the elder, Esquire, and by *Humphrey Booth* Esquire, his Grandson, respectively; and to amend an Act of Parliament made and passed in the Sixteenth Year of His late Majesty King *George* the Third, intituled *An Act to enable the Trustees of certain Charity Lands belonging to the Poor of* Salford *in the County Palatine of* Lancaster *to grant Building Leases thereof;* and to make further Provision for the beneficial Management and Administration of the several Charity Estates and Charities of the said *Humphrey Booth* the elder and *Humphrey Booth*, his Grandson, respectively. [18th *August* 1846.]

Cap. 33.

An Act to enable the Trustees appointed by Mrs. *Jane Ferguson* deceased to sell the Lands of *Laverocklaw*, and also certain Subjects situate in the Village of *Ormiston*, vested in them in trust, and to apply the Price to be obtained, and certain Trust Monies in their Hands, in the Purchase of other Lands, for the Purposes of the said Trust. [18th *August* 1846.]

Cap. 34.

An Act for enabling the President and Fellows of *Sion College* within the City of *London* to raise Money by way of Annuity on Part of their Estates. [26th *August* 1846.]

[*President and Fellows empowered to raise* £5,500, § 1.]

Cap. 35.

An Act for facilitating the raising of the annual Sum of One hundred Pounds settled upon the Vicar for the Time being of the Parish of *All Hallowes* in the Town of *Northampton* in lieu of Tithes, by an Act passed in the Twenty-ninth Year of the Reign of King *Charles* the Second. [26th *August* 1846.]

Cap. 36.

An Act to enable the Trustees of the Will of the Most Noble *William Harry* late Duke of *Cleveland* to grant Leases and make Sale of the *Bathwick* and *Wrington* Estates in the County of *Somerset*. [26th *August* 1846.]

Cap. 37.

An Act to enable the Most Noble *Henry Charles* Duke of *Norfolk*, and other the Owner for the Time being of *Arundel Castle* and the Estates settled therewith, to grant Leases of Parts thereof; and for other the Purposes therein mentioned. [26th *August* 1846.]

Cap. 38.

An Act for authorizing the Sale of Part of the Estates settled by the Will of *William Congreve* Esquire, deceased, and for laying out the Surplus of the Monies produced by such Sale, after Payment of his Debts, in the Purchase of other Estates. [26th *August* 1846.]

Cap. 39.

An Act for the better Support and better Regulation of "The Hospital of the Holy *Jesus*, founded in the *Manors* in the Town and County of *Newcastle-upon-Tyne* at the Costs and Charges of the Mayor and Burgesses of the Town of *Newcastle-upon-Tyne* in the County of the Town of *Newcastle-upon-Tyne* aforesaid," and for confirming Sales and other Dispositions made of Estates formerly Part of the Possessions of the said Hospital; and for other Purposes. [26th *August* 1846.]

Cap. 40.

An Act to vest certain Lands and Hereditaments, the Estates of *Alexander Perry Bond* Esquire, situate in the County of *Westmeath* in *Ireland*, in Trustees, to raise Money for the Payment of Incumbrances affecting said Lands and Hereditaments, and, subject thereto, to limit the said Lands and Hereditaments for the Uses and Purposes declared by the Will of *William Bond* Esquire, deceased. [26th *August* 1846.]

Cap. 41.

An Act to enable Sir *Richard Bulkeley Philipps Philipps* Baronet and others to grant Mining, Building, and other Leases of certain Estates in the County of *Pembroke*, subject to the Uses of the Will of *Richard* Baron *Milford* deceased. [26th *August* 1846.]

Cap. 42.

An Act for enabling the Master and Brethren of the Hospital of *Saint Mary* the Virgin within the Borough of *Newcastle-upon-Tyne* to grant Building, Repairing, Mining, and other Leases of their Estates, and for extending the Objects of the Charity, and regulating the Appropriation of the Income thereof. [26th *August* 1846.]

Cap. 43.

An Act to enable the College of *Glasgow* to effect an Exchange of the present Lands and Buildings belonging to and occupied by the said College for other sufficient and adequate Lands and Buildings more advantageously situated; and for other Purposes relating thereto. [26*th August* 1846.]

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THE

STATUTES at Large, &c.

Anno Regni VICTORIÆ, Britanniarum Reginæ, Decimo & Undecimo.

'AT the Parliament begun and holden at *Westminster*, the Nineteenth Day of *August*, *Anno Domini* 1841, in the Fifth Year of the Reign of our Sovereign Lady VICTORIA, by the Grace of God, Queen of the United Kingdom of *Great Britain* and *Ireland*, Defender of the Faith: and from thence continued, by several Prorogations, to the Nineteenth Day of *January* 1847; being the Seventh Session of the Fourteenth Parliament of the United Kingdom of *Great Britain* and *Ireland*.'

CAP. I.

An Act to suspend, until the First Day of *September* One thousand eight hundred and forty-seven, the Duties on the Importation of Corn. [26th *January* 1847.]

'WHEREAS by an Act passed in the Session of Parliament holden in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act to amend the Laws relating to the Importation of Corn*, it is enacted, that there shall be levied and paid unto Her Majesty, Her Heirs and Successors, on all Corn, Grain, Meal, and Flour imported into the United Kingdom or the *Isle of Man* from Parts beyond the Seas, and entered for Home Consumption, until the First Day of *February* which will be in the Year of our Lord One thousand eight hundred and forty-nine, certain Duties set forth in the Schedule to the said Act annexed: And whereas, by reason of the partial Failure of certain Crops usually forming Part of the Subsistence of the People of these Islands, it is expedient that for a Time to be limited no Duties should be levied upon the Entry for Consumption of the said Articles or any of them:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Duties of Customs shall be chargeable upon any Corn, Grain, Meal, or Flour already imported or hereafter to be imported into the United Kingdom or the *Isle of Man* from Parts beyond the Seas, and entered for Home Consumption, after the passing of this Act and before the First Day of *September* in this present Year.

9&10 Vict. c. 22

Duties on Corn, &c. suspended from the passing of this Act until 1st of September.

CAP. II.

An Act to allow, until the First Day of *September* One thousand eight hundred and forty-seven, the Importation of Corn from any Country in Foreign Ships. [26th *January* 1847.]

'WHEREAS it is expedient to allow for a limited Time Corn, Maize, Grain, Meal, Flour, Rice, and Potatoes to be imported in any Ship or Vessel from any Country whatever, and that such Articles warehoused for Exportation only should be allowed to be entered for Home Consumption:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, and before the First Day of *September* in this present Year, it shall and may be lawful for any Person or Persons to import into the United Kingdom for Home Use, from any Country, in any Ship or Vessel of any Country, however navigated, any Corn, Maize, Grain, Flour, Meal, Rice, or Potatoes, the Growth or Produce of any Country, any thing in the Law of Navigation to the contrary in anywise notwithstanding.

After passing of this Act until 1st Sept. Corn, &c. may be imported for Home Use in Vessels of any Country.

II. And be it enacted, That from and after the said passing of this Act, until the said First Day of *September* inclusive in this present Year, any Corn, Maize, Grain, Flour, Meal, Rice, or Potatoes, the Growth or Produce of any Country, which may have been warehoused in the United Kingdom for Exportation only, may be entered for Home Consumption, any thing in the Law of Navigation to the contrary in anywise notwithstanding.

After passing of this Act until 1st Sept. Corn, &c. warehoused for Exportation may be entered for Home Consumption.

CAP. III.

An Act to suspend, until the First Day of *September* One thousand eight hundred and forty-seven, the Duties on the Importation of Buck Wheat, Buck Wheat Meal, Maize or *Indian* Corn, *Indian* Corn Meal, and Rice. [23d *February* 1847.]

9&10 Vict. c.23.

'WHEREAS by an Act passed in the Session of Parliament holden in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act to alter certain Duties of Customs*, the several Duties therein mentioned are imposed upon the following Articles; (that is to say,) Buck Wheat, Buck Wheat Meal, Maize or *Indian* Corn, *Indian* Corn Meal, and Rice: And whereas by reason of the partial Failure of certain Crops usually forming Part of the Subsistence of the People of these Islands, it is expedient that, for a Time to be limited, no Duties should be levied upon the Entry for Consumption of the said Articles or any of them:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Duties of Customs shall be chargeable upon any of the aforesaid Articles already imported or hereafter to be imported into the United Kingdom, and entered for Home Consumption, after the passing of this Act, and before the First Day of *September* in the present Year.

From the passing of this Act until 1st of Sept. no Duties of Customs chargeable on Buck Wheat, &c.

CAP. IV.

An Act for abolishing Poundage on *Chelsea* Pensions. [23d *February* 1847.]

'WHEREAS it is expedient that no Deduction should henceforth be made from the Pensions of the Out-Pensioners of *Chelsea* Hospital on account of Poundage:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of an Act passed in the Twenty-eighth Year of the Reign of His Majesty King *George* the Second, intituled *An Act for the Relief of the Out-Pensioners of the Royal Hospital at* Chelsea, as is now in force, and also so much of an Act passed in the Fourth Year of the Reign of His late Majesty, intituled *An Act to make further Provisions with respect to the Payment of Pensions granted for Service in the Royal Artillery, Engineers, and other Military Corps under the Control of the Master General and Board of Ordnance, and with respect to Deductions hereafter to be made from Pensions granted by the Commissioners of* Chelsea *Hospital*, as authorizes the Treasurer of *Chelsea* Hospital to make any Deduction from Pensions granted or to be granted by the Commissioners of *Chelsea* Hospital, shall be repealed; and that all Out-Pensions of *Chelsea* Hospital due from and after the First Day of *April* next shall be paid free from any Charge or Deduction whatever on account of Poundage, and all such Out-Pensions shall continue to be paid in advance, either quarterly, monthly, or weekly, as the Secretary at War for the Time being shall consider most expedient for the Interest of the said Pensioners and the Advantage of the Public: Provided always, that nothing in this or any former Act contained shall be deemed to give any Claim whatever to any Person on account of Poundage deducted from any Pension before the passing of this Act, or to the Executors, Administrators, or other personal Representatives of any deceased Pensioner, for any Balance of Pension due to him other than what may have accrued during his Lifetime or in the Quarter of the Year in which he died, and may not have been previously paid.

So much of recited Acts as authorizes the Treasurer of Chelsea Hospital to make Deduction from Pensions repealed.

All Out-Pensions to be paid free from Deduction.

Nothing to give Claim to Deductions made before the passing of this Act.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

CAP. V.

An Act to allow the Use of Sugar in the brewing of Beer. [23d *February* 1847.]

'WHEREAS by several Acts now in force Brewers of Beer for Sale are prohibited from using Sugar in the brewing or making of Beer: And whereas it is expedient to allow the Use of Sugar in the brewing or making of Beer:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall and may be lawful to and for any Brewer of Beer for Sale to make use of Sugar in the brewing or making of Beer, any thing in any Act or Acts of Parliament contained to the contrary in anywise notwithstanding.

Brewers of Beer for Sale may make use of Sugar in brewing.

II. Provided nevertheless, and be it enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to allow any Brewer of Beer for Sale to make use of any Molasses in the brewing or making of Beer, or any Sugar other than Sugar on which the full Duties of Customs have been paid, and in the State in which the same has been imported into this Kingdom, and without the same having been previously diluted with Water or other Liquor, or having undergone any Process or Manufacture to alter the same: Provided also, that nothing in this Act contained shall extend or be deemed or construed to extend to prevent any such Brewer from making use, in the brewing and making of Beer, of Beer Colouring made from Sugar under the Regulations after mentioned, or of Refined Sugar, or of Sugar Candy, or of Bastard Sugar, on which the full Duties of Customs have been paid, or which have been manufactured in the United Kingdom from Materials on which the Duty of Customs

Brewers not allowed to use Molasses or any Sugar except in the State in which it has been imported.

Proviso.

Customs has been paid, and which are respectively entitled to the Drawbacks thereon granted on Exportation.

Penalty on Brewers making use of any other Sugar than as aforesaid, or taking into his Possession any Molasses, &c.

III. And be it enacted, That if any Brewer of Beer for Sale after the passing of this Act makes use of any Molasses, Sugar, Honey, Syrup, Composition or Extract of Sugar, except Sugar on which the Duty of Customs has been paid as aforesaid, and made use of in the Manner herein-before allowed, (except Beer Colouring made from Sugar under the Regulations after mentioned, or Refined Sugar, or Sugar Candy, or Bastard Sugar as aforesaid,) or if any such Brewer receives or takes into his Custody or Possession any Quantity of Molasses, Honey, Syrup, Composition, or Extract of Sugar (except as aforesaid), every such Brewer shall forfeit and lose for every such Offence respectively the Sum of Two hundred Pounds.

Brewers may prepare and make for their own Use on their entered Premises Beer Colouring from Sugar and use it in brewing. 56 G. 3. c. 58. 7 & 8 G. 4. c. 52.

IV. And be it enacted, That every Brewer of Beer for Sale may prepare and make for his own Use in some Part of his Brewery or entered Premises, from any Sugar allowed to be made use of by him in the brewing or making of Beer as aforesaid, a Liquor or other Preparation for darkening the Colour of Worts or Beer, and may have the same in his Custody and Possession and use it in brewing, by mixing with or putting the same into Worts or Beer, under such Regulations as the Commissioners of Excise may in that Behalf direct, any thing in an Act passed in the Fifty-sixth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to repeal an Act made in the Fifty-first Year of His present Majesty, for allowing the Manufacture and Use of a Liquor prepared from Sugar for colouring Porter*, or an Act of the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth, intituled *An Act to consolidate and amend certain Laws relating to the Revenue of Excise on Malt made in the United Kingdom, and for amending the Laws relating to Brewers in* Ireland, *and to the Allowance in respect of the Malt Duty on Spirits made in* Scotland *and* Ireland *from Malt only*, to the contrary thereof in anywise notwithstanding; but if any such Brewer prepares or makes any Liquor or Preparation for darkening the Colour of Worts or Beer from any other Ingredient or Ingredients than as aforesaid in whole or in part, or in any other Manner than as aforesaid, or receives or has in his Custody or Possession, or uses in brewing, any Liquor or Preparation for darkening the Colour of Worts or Beer prepared or made by any other Person (except roasted Malt prepared, received, and used as directed by an Act passed in the Fifth Year of the Reign of Her Majesty, intituled *An Act to provide Regulations for preparing and using roasted Malt in colouring Beer*), or otherwise in any other respect than as aforesaid, every such Brewer so offending shall incur the respective Penalties and Forfeitures in the said Two first-recited Acts contained and imposed for and in respect of Brewers receiving into or having in their Custody or Possession, or making or using in brewing, or mixing with or putting into Worts or Beer, any Liquor, Material, or Preparation for the Purpose of darkening the Colour of Worts or Beer; and the said recited Acts, and the several Clauses, Provisions, Penalties, and Forfeitures therein contained, so far as the same are now in force and are not contrary to or expressly provided for by this Act, shall remain and continue in force to all Intents and Purposes.

Penalty on Brewers making Colouring other than as allowed by this Act and 5 & 6 Vict. c. 30.

Brewers using Sugar to enter in the Book delivered by the Excise the Quantity of Sugar intended to be used in the next Brewing.

V. And be it enacted, That every Brewer of Beer for Sale who makes use of Sugar in the brewing or making of Beer as aforesaid shall enter or cause to be entered in the Book which by the respective Laws now in force in *Great Britain* and *Ireland* respectively is directed to be delivered to him by the proper Officer of Excise for the Purpose of his entering therein, amongst other things, the Quantity in Bushels of Malt which he uses in the brewing of Beer, or intends to use in his next Brewing, the Quantity in Pounds Weight Avoirdupois of Sugar which he intends to use in his next Brewing, together with the Day when such Brewing is intended to be made, and such Entry shall be so made before any Part of such Sugar is used, or any Water or other Liquor put to or mixed therewith; and every such Brewer shall at the Time of making such Entry write or cause to be written in such Book or Paper the Date when such Entry is made; and if any such Brewer refuses or neglects to make such Entry as aforesaid, or cancels, obliterates, or alters any such Entry, or uses or puts to or mixes any Sugar with Water or other Liquor before such Entry is made as aforesaid, he shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

Penalty on refusing or neglecting to make Entry, &c. 200*l*.

Brewers using Sugar to pay their Licence Duty in proportion to Quantity used. 6 G. 4. c. 81.

VI. And be it enacted, That every Brewer of Beer for Sale who makes use of Sugar in the brewing or making of Beer as aforesaid shall, for the Purpose of fixing and regulating the Rate and Amount of Duty to be paid by such Brewer for the Licence to be taken out by him under an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to repeal several Duties payable on Excise Licences in* Great Britain *and* Ireland, *and to impose other Duties in lieu thereof, and to amend the Laws for granting Excise Licences*, be deemed to have brewed One Barrel of Beer for every Fifty Pounds Weight Avoirdupois of Sugar used by such Brewer in brewing, and shall for every Licence to be taken out by him as a Brewer of Beer for Sale pay such Amount of Duty, according to the Rate by the said Act imposed on Brewers of Beer only for Sale, as is correspondent to the Quantity of Beer which he shall be deemed to have brewed as aforesaid.

After passing of this Act Drawback granted by 11 G. 4. & 1 W. 4. c. 51. repealed, and new Drawbacks granted.

VII. 'And whereas by an Act passed in the First Year of the Reign of His late Majesty King *William* 'the Fourth, intituled *An Act to repeal certain of the Duties on Cider in the United Kingdom, and on* 'Beer and Ale *in* Great Britain, *and to make other Provisions in relation thereto*, a certain Drawback 'of Excise is granted for and in respect of Beer brewed or made in the United Kingdom, and exported 'from thence to Foreign Parts as Merchandize;' be it enacted, That from and after the passing of this Act the said Drawback shall be repealed, and the same is hereby repealed accordingly, and that in lieu thereof there shall be granted and paid for and upon every Barrel of Thirty-six Gallons, and so in proportion for any greater Quantity of Beer brewed or made by any entered and licensed Brewer of

Beer for Sale in the United Kingdom, in the brewing of which Beer the Worts used before Fermentation were of not less Specific Gravity than 1·054, and not greater Specific Gravity than 1·081, and which Beer shall be duly exported from any Part of the United Kingdom to Foreign Parts as Merchandize, a Drawback of Five Shillings and Five *per Centum* thereon; and for and upon every Barrel of Thirty-six Gallons, and so in proportion for any greater Quantity of Beer brewed or made by any entered and licensed Brewer of Beer for Sale in the United Kingdom, in the brewing of which Beer the Worts used before Fermentation were of not less Specific Gravity than 1·081, and which Beer shall be duly exported from any Port of the United Kingdom to Foreign Parts as Merchandize, a Drawback of Seven Shillings and Sixpence and Five *per Centum* thereon.

So much of 11 G.4. & 1 W.4. c. 51. as authorizes the Export of Beer of certain Strength in Casks of 36 Gallons, repealed.

VIII. 'And whereas by the said last-recited Act it was enacted, "that it shall and may be lawful for 'any Person or Persons to export and ship as Merchandize from any Port of the United Kingdom to 'Foreign Parts any Beer or Ale brewed or made by any entered and licensed Brewer of Beer for Sale 'in the United Kingdom, such Beer or Ale being in Casks of not less than Thirty-six Gallons, and in 'the brewing whereof not less than Two Bushels of Malt shall have been used to every Thirty-six 'Gallons of such Beer or Ale:"' be it enacted, That so much of the said Act as is recited shall be repealed, and the same is hereby repealed accordingly; and that from and after the passing of this Act any Person may export and ship as Merchandize from any Port in the United Kingdom to Foreign Parts any Beer brewed or made by any entered and licensed Brewer of Beer for Sale in the United Kingdom, such Beer being in not less Quantity at one Time than Thirty-six Gallons, and having been brewed or made from Worts of not less Specific Gravity than 1·054, or of not less Specific Gravity than 1·081, according as the same shall be specified in the Notice of Shipment required to be given by the said last-recited Act; and upon such Notice being duly certified as is in the said Act mentioned a Debenture expressing the Quantity of Beer so shipped, and the Amount of Drawback payable in respect thereof, shall be made out and delivered to the Person exporting the said Beer, as by the said Act is in that Behalf directed.

After passing of this Act Beer may be exported on Drawback according to the Specific Gravity of the Worts used and specified in Notice of Shipment.

So much of 11 G.4. & 1 W.4. c. 51. as requires Oath to be made on Debenture for obtaining Drawback, repealed.

IX. 'And whereas by the said last-recited Act it is enacted, "that before any such Debenture shall 'be paid the Exporter of the Beer or Ale therein mentioned, or his principal Clerk or Manager, together 'with the Brewer thereof, or his Foreman or Manager, shall make Oath on the said Debenture before 'the said Export Surveyor, or Officer of Excise acting as such, that the said Quantity of Beer or Ale 'was put on board the Ship and exported therein as Merchandize to be sent beyond the Seas, and no 'Part thereof for the Ship's Use, and that according to the best of his or their Knowledge and Belief 'the same has been brewed wholly from Malt which has been charged with and paid the Duty of Two 'Shillings and Seven-pence for every Bushel thereof, and shall also specify in such Oath the Time when 'and the Place where, and the Brewer, being an entered and licensed Brewer for Sale, by whom such 'Beer or Ale was brewed, and that the Quantity of Malt employed in the brewing of such Beer was in 'the Proportion of not less than Two Bushels Imperial Standard Bushel Measure for every Thirty-six 'Gallons thereof; and if any such Oath shall be found to be false or untrue in any Particular or Respect, 'the Person making the false or untrue Statement shall forfeit and lose the Sum of Two hundred 'Pounds, and the Debenture on which the same shall be made shall be and become null and void, and, 'if unpaid, Payment thereof shall be withheld, or, if paid, the Amount thereof shall and may be 'recovered back in the same Manner and by the same Means and Methods as any Duty of Excise or 'Penalty may be sued for and recovered under any Law or Laws of Excise;"' be it enacted, That from and after the passing of this Act so much of the said Act as is above recited shall be repealed, and the same is hereby repealed accordingly.

Declaration to be made by Exporter, &c. on Debenture for obtaining Drawback.

X. And be it enacted, That before any such Debenture as is in the said last-mentioned Act or this Act mentioned shall be paid the Exporter of the Beer therein mentioned, or his principal Clerk or Manager, together with the Brewer thereof, or his Foreman or Manager, shall make and subscribe a Declaration on the said Debenture before the Excise Export Surveyor, or Officer acting as such, that the Quantity of Beer therein mentioned was put on board the Ship and exported therein as Merchandize to be sent beyond the Seas, and no Part thereof for the Ship's Use, and that according to the best of his and their Knowledge and Belief the same had been brewed or made from Malt or Sugar, or Malt and Sugar, on which the full Duties of Excise and Customs respectively had been charged or paid, and shall also specify in such Declaration the Time when and the Place where, and the Brewer, being an entered and licensed Brewer of Beer for Sale, by whom such Beer was made, and, if Five Shillings and Five *per Centum per* Barrel or on every Thirty-six Gallons of the Beer so exported be the Drawback claimed, that the Specific Gravity of the Worts before Fermentation from which such Beer was brewed was not less than 1·054, and, if Seven Shillings and Sixpence and Five *per Centum per* Barrel or on every Thirty-six Gallons of the Beer so exported be the Drawback claimed, that the Specific Gravity of the Worts from which such Beer was brewed was not less than 1·081, such Specific Gravities being for the Purposes of this Act taken and ascertained by the Saccharometer, or such other Instrument and by such Means as the Commissioners of Excise may direct, Water being taken for that Purpose as 1·000 at the Temperature of Sixty Degrees by *Fahrenheit*'s Thermometer; and if any such Declaration is false or untrue in any Particular or Respect, the Person making such false or untrue Statement shall forfeit the Sum of Two hundred Pounds, and the Debenture on which the same has been made shall be null and void to all Intents and Purposes, and if unpaid, Payment thereof shall be withheld, or if paid, the Amount thereof may be recovered in the same Manner, and by the same Ways, Means, and Methods, as any Duty of Excise or Penalty may be sued for and recovered under any Laws of Excise.

Penalty on making false Declaration 200*l*., and the Debenture to be void.

XI. And

XI. And be it enacted, That the Drawbacks by this Act granted shall be under the Management of the Commissioners of Excise, and the several Provisions, Regulations, and Enactments of the said last-recited Act, except so far as the same are repealed or altered by this Act, and all Laws, Clauses, Enactments, Powers, Authorities, Rules, Regulations, Fines, Penalties, and Forfeitures in force relating to the Export of any exciseable Goods or Commodities on Drawback, shall, as far as the same are applicable, extend and apply and be deemed and construed to extend and apply to the Exportation of Beer under the Authority of this Act, and shall be observed, enforced, and put into execution with respect to such Exportation and the Payment of the Drawbacks by this Act granted as fully and effectually as if the same were repeated and re-enacted in this Act; and all Penalties by this Act imposed shall be sued for, mitigated, recovered, distributed, and applied as any other Penalties under the Laws of Excise.

The Drawbacks by this Act granted to be under the Management of the Commissioners of Excise, &c.

Recovery of Penalties.

XII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be amended, &c.

CAP. VI.

An Act to further encourage the Distillation of Spirits from Sugar in the United Kingdom.

[23d *February* 1847.]

'WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King *George* 'the Fourth, intituled *An Act to repeal the Duties payable in respect of Spirits distilled in* 'England, *and of Licences for distilling, rectifying, or compounding such Spirits, and for the Sale of* '*Spirits, and to impose other Duties in lieu thereof, and to provide other Regulations for the Collection* '*of the said Duties, and for the Sale of Spirits, and for the warehousing of such Spirits, without* '*Payment of Duty for Exportation*, in which Act certain Clauses, Provisions, and Regulations are 'contained relating to the Distillation of Spirits from Sugar, which Clauses, Provisions, and Regulations 'apply only to *England* under the said Act; but by the same Act any licensed Distiller in *Scotland* or '*Ireland* may distil Spirits from Sugar only, under the like Rules and Regulations as are contained in 'a certain Act passed in the Fourth Year of the Reign of His said Majesty, intituled *An Act to grant* '*certain Duties of Excise upon Spirits distilled from Corn or Grain in* Scotland *and* Ireland, *and upon* '*Licences for Stills for making such Spirits, and to provide for the better collecting and securing such* '*Duties, and for the warehousing of such Spirits without Payment of Duty*, except as in the said first-'recited Act is in that Behalf enacted: And whereas it is advisable further to encourage the Distillation 'of Spirits from Sugar in the United Kingdom:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the several Clauses, Provisions, and Regulations, and the Penalties and Forfeitures therein contained, in the said first-recited Act, which relate to the Distillation of Spirits from Sugar, and apply to *England* only, shall extend and be applied to the Distillation of Spirits from Sugar in *Scotland* and *Ireland*, and shall be established, observed, executed, and put in force in and throughout *Scotland* and *Ireland* respectively, and in and throughout the United Kingdom of *Great Britain* and *Ireland*, in such and the like Manner, to all Intents and Purposes, as if the said first-recited Act had in such respects been originally extended to the United Kingdom, any thing in the said Act or any other Act or Acts to the contrary in anywise notwithstanding: Provided always, that nothing in this Act shall be deemed or construed to repeal or alter the Clause, Provision, and Regulation in the said Act of the Sixth Year aforesaid respecting licensed Distillers in *Scotland* or *Ireland* distilling Spirits from Sugar only, which shall be and continue in force in and throughout *Scotland* and *Ireland* respectively.

6 G. 4. c. 80.

4 G. 4. c. 94.

Certain Provisions, &c. of 6 G. 4. c. 80. respecting the Distillation of Spirits from Sugar, which apply to England only, extended to Scotland and Ireland.

Nothing to alter Provision as to distilling Spirits from Sugar only in Scotland or Ireland.

II. And be it enacted, That no Distiller of Spirits using Sugar for the Distillation of Spirits shall receive into his Custody or Possession any such Sugar except from the Warehouse in which the same was warehoused under the Laws and Regulations of the Customs, and in the same State and the same Hogsheads, Casks, Bags, or Packages, with the same Marks and Numbers thereon, in which the same was cleared and delivered from such Warehouse on Payment of the Duty; and all such Sugar shall be accompanied with a Certificate from the proper Officer of Customs, setting forth the Name of the Warehouse or Place from which the Sugar has been removed, and the Name of the Distillery and Distiller where and to whom the same is to be carried, and the Kind or Quality of such Sugar, and the Number of Hogsheads, Casks, Bags, and Packages in which the same is contained, together with the Marks and Numbers thereon respectively, with the Tare and Net Weight of each, and the Amount and Rate of Duty paid on such Sugar, together with the Date of such Payment; and every Distiller who receives into his Custody or Possession any Sugar for the Distillation of Spirits, except as aforesaid, or without the same being accompanied with such Certificate as aforesaid, shall for every such Offence forfeit the Sum of Two hundred Pounds, and all such Sugar shall be forfeited.

No Sugar to be received by Distillers except from the Customs Warehouse, and in same State as when cleared; such Sugar to be accompanied with a Certificate from the proper Officer of Customs.

III. And be it enacted, That every Distiller intending to use Sugar in the Distillation of Spirits shall provide and keep a convenient and secure Storehouse or Room at his Distillery, which shall have sufficient Light, and shall be dry, and approved of by the Commissioners of Excise, for the Purpose of depositing, storing, and securing therein all Sugar received by him for the Distillation of Spirits; and such Storehouse or Room, when so approved of, shall be specially entered by such Distiller for the Purpose aforesaid, and the proper Collector or Supervisor of the District shall provide and affix proper Locks and Fastenings thereto, at the Expence of such Distiller, who may, if he please, affix other Locks and

Distiller using Sugar to provide a secure Storehouse at his Distillery, to be approved of by the Commissioners of Excise, in which

all Sugar received by him shall be deposited, and secured, &c.

No Sugar to be removed out of such Storehouse except in the Presence of the Officer.

and Fastenings thereto, the Keys of which last-mentioned Locks may be kept by him; and no such Storehouse or Room shall have more than One Door or Means of Entrance or Outlet, to be under such Locks and Fastenings as aforesaid; and in such Storehouse or Room every such Distiller shall keep all Sugar received by him as aforesaid, to be deposited therein in the Presence of an Officer of Excise, and on such Notice as after mentioned; and no such Sugar shall be delivered or removed out of any such Storehouse or Room except in the Presence of an Officer of Excise, and on such Notice as after mentioned, and except for the Purpose of being conveyed immediately to the Mash Tun, to be there dissolved and used in the Manufacture of Spirits; and if any such Distiller refuses or neglects to provide and keep such Storehouse or Room, or to make Entry thereof as aforesaid, or refuses or neglects to pay for any Lock, Key, or Fastening for securing the same, provided and fixed by such Collector or Supervisor as aforesaid, or obtains Admission or Entrance thereto, or has the Means of so doing, or deposits any Sugar therein or removes any Sugar therefrom, except in the Presence of and upon due Notice to the proper Officer of Excise, and except for such Purpose as aforesaid, every such Distiller shall for every such Offence forfeit the Sum of Two hundred Pounds, and all Sugar deposited or removed contrary thereto shall be forfeited.

Penalty.

Distiller, before receiving Sugar, to give Twelve Hours Notice, and shall, on Attendance of the Officer, produce the Sugar in the same State as received, with the Certificate, and such Officer shall weigh, &c. all such Sugar, and, when satisfied, permit the same to be stored.

IV. And be it enacted, That every Distiller using Sugar for the Distillation of Spirits shall, before receiving any such Sugar, give Twelve Hours Notice in Writing to the Officer surveying his Distillery of the Time of Arrival of such Sugar; and every such Distiller shall, on the Attendance of the Officer on such Notice, produce to him all the Sugar received by him, in the same State and in the same Hogsheads, Casks, Bags, or Packages, with the same Marks and Numbers thereon, as the same were cleared and delivered from the Customs Warehouse on Payment of Duty; and such Distiller shall at the same Time deliver up to such Officer the Certificate which accompanied such Sugar; and such Officer, after due Examination thereof, shall weigh and take account of all such Sugar, and on being satisfied therewith shall permit and suffer such Distiller to deposit the same in the locked-up Storehouse or Room before mentioned; and if any such Distiller receiving any such Sugar fails to give such Notice or produce such Sugar, or deliver up such Certificate as aforesaid, or makes any Alteration in the Quantity or Quality of such Sugar, or in the Hogsheads, Casks, Bags, or Packages containing the same, or in the Marks or Numbers thereon, from what the same respectively were when such Sugar was cleared and delivered from the Customs Warehouse, and before such Officer as aforesaid has weighed and taken an Account of the same, and deposited the same in the Storehouse or Room as aforesaid, every such Distiller so offending shall forfeit the Sum of Two hundred Pounds, and all such Sugar shall be forfeited.

Six Hours Notice to be given to the Officer by the Distiller before removing Sugar from the Storehouse to the Mash Tun.

V. And be it enacted, That when any Distiller using Sugar in the Distillation of Spirits is desirous of taking or removing any Sugar out of such Storehouse or Room as aforesaid, for the Purpose of the same being conveyed to the Mash Tun, to be there dissolved and used in the Manufacture of Spirits, such Distiller shall give Six Hours Notice in Writing to the Officer surveying his Distillery of the Time when and the Quantity of Sugar which he is desirous of removing as aforesaid; and every such Officer receiving such Notice shall attend in pursuance thereof at the Time therein mentioned, and shall unlock the Storehouse or Room from which such Sugar is to be removed, and shall see weighed out therefrom the Quantity of Sugar expressed in such Notice, and all such Sugar shall then be conveyed by the Distiller directly from such Storehouse or Room to the Mash Tun in the Distillery of such Distiller, to be there dissolved and used in the Manufacture of Spirits, or shall forthwith be deposited again by such Distiller in Store, under the Lock of the Officer, until the same is again removed on Notice as aforesaid; and if any such Distiller removing any Sugar as aforesaid does not convey the same directly from the Storehouse or Room to the Mash Tun, and there dissolve and use the same in the Manufacture of Spirits, or does not forthwith deposit and store the same again under the Lock of the Officer, or removes or disposes of the same otherwise than as aforesaid, every such Distiller so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds; and all Sugar so removed which is not conveyed, dissolved, and used or again deposited in Store as aforesaid, and all Sugar which is found deposited in any other Place in the Distillery, or in any Premises adjoining thereto, except the Storehouse or Room or Mash Tun aforesaid, shall be forfeited.

Distiller not conveying the Sugar direct from the Storehouse to the Mash Tun liable to a Penalty of 200*l.*, &c.

Officer of Excise to keep an accurate Account of Sugar in Stock in the Storehouse, &c. of Distiller.

Penalty on Distiller if, upon balancing Stock Account, it should be different to that kept by the Officer.

VI. And be it enacted, That the proper Officer of Excise shall, in such Manner and at such Times as the Commissioners of Excise may direct, keep an accurate Account, by way of Debtor and Creditor, of the Sugar in Stock in the Storehouse or Room provided by every Distiller using Sugar in the Distillation of Spirits as aforesaid, and shall in such Account credit such Stock with the full Quantity of Sugar which is from Time to Time weighed by him, and deposited in such Storehouse or Room as aforesaid, and shall debit such Stock with the full Quantity of Sugar which is from Time to Time weighed by him and removed from such Storehouse or Room for the Purpose of the same being conveyed to the Mash Tun, to be there dissolved and used in the Distillation of Spirits; and if at any Time, upon striking a Balance on such Account, the Quantity of Sugar in such Storehouse or Room as aforesaid is found to exceed the Quantity which by the Stock Account kept by such Officer as aforesaid ought to be in such Storehouse or Room, every such Distiller shall be deemed and taken to have deposited Sugar therein without the same having been deposited in the Presence of and upon due Notice to the proper Officer of Excise, and all such Excess of Sugar shall be forfeited; and if the Quantity of Sugar in such Storehouse or Room as aforesaid is found to be less than the Quantity which by the Stock Account kept by such Officer as aforesaid ought to have been in such Storehouse or Room, every such Distiller shall be deemed and taken to have removed Sugar therefrom, without the same having been removed in the Presence of and upon due Notice to the proper Officer of Excise; and every such Distiller shall, over and above all other

other Penalties, forfeit double the Amount of Duty, at the highest Rate of Duty then chargeable on Sugar, upon the Quantity of Sugar so found deficient.

Distiller using Sugar in the Distillation of Spirits shall provide Scales and Weights, and assist the Officer in weighing and taking account of his Sugar.

VII. And be it enacted, That every Distiller using Sugar in the Distillation of Spirits, and providing such Storehouse or Room as aforesaid, shall keep sufficient and just Scales and Weights therein, and shall, when thereunto required by any Officer of Excise, arrange and place all Sugar deposited in such Storehouse or Room, so as to enable such Officer easily and conveniently to weigh and take an Account of the same; and when any Part of such Stock is contained in any Hogsheads, Casks, Bags, or Packages, the Content of which is not known or cannot be easily ascertained by the Officer, such Distiller shall, when so required as aforesaid, declare to such Officer the Kind and Quantity of Sugar contained therein; and such Distiller shall, by himself or his Servants, assist the Officer, as thereunto required, in weighing and taking an Account of all such Stock, and in weighing and taking an Account of all Sugar received and deposited in such Storehouse or Room as aforesaid, or removed therefrom for the Purpose of being conveyed to the Mash Tun; and if any such Distiller shall keep any false, unjust, or insufficient Scales and Weights, or shall by any Art, Device, or Contrivance prevent or impede such Officer from taking a just and true Account of such Stock or Commodities as aforesaid, he shall incur the Penalties and Forfeitures now in that respect imposed by the Laws of Excise in such Case made and provided; and if any such Distiller shall not arrange and place such Stock as aforesaid, or shall not declare to such Officer the Kind and Quantity of Sugar contained in any Hogshead, Cask, Bag, or Package as aforesaid, or shall not assist such Officer as aforesaid, he shall for each and every such last-mentioned Offences forfeit the Penalty of One hundred Pounds.

Allowance to Distiller on Spirits made from Sugar only, 12s. 10d. on every 11½ Gallons Proof Spirits.

VIII. And for encouraging the Use of Sugar in the Distillation of Spirits, be it enacted, That every Distiller who, under the Regulations of this Act, distils Spirits from Wort or Wash brewed or made from Sugar only, not being mixed with any other Materials whatever, shall, at the Close of every brewing and distilling Period, be entitled, under such Regulations, Provisoes, and Restrictions as after mentioned, to an Allowance of Twelve Shillings and Ten-pence for every Eleven Gallons and One Half of a Gallon of Proof Spirits in respect of which such Distiller has been charged with Duty during such Period, for and in respect of the Duty charged upon the Sugar deposited in such Storehouse or Room as aforesaid, and afterwards removed therefrom to be conveyed to the Mash Tun, and actually dissolved there, and used in making the Worts or Wash, from which the Spirits distilled during such Period, and charged with Duty, have been made.

Distiller who uses Sugar only, and claims the Allowance, to deliver an Account of the Quantity of Sugar used;

IX. And be it enacted, That every Distiller who uses Sugar only in the Distillation of Spirits, and claims the Allowance aforesaid, shall from Time to Time and at the End of every distilling Period, deliver to the proper Officer an Account in Writing of the Quantity of Sugar actually used in making Wort or Wash distilled during such Period, and such Officer shall thereupon transmit such Account, and at the same Time make a Return in Writing signed by such Officer to the Collector of Excise, specifying the Quantity of Sugar which appears by the Stock Account kept by such Officer of the Sugar in such Storehouse or Room as aforesaid to have been removed therefrom for the Purpose of being conveyed to the Mash Tun, to be used in the Distillation of Spirits during such Period, and of the Quantity of Proof Spirits with which such Distiller has been charged with Duty for or in respect of such Wort or Wash as aforesaid; and every such Distiller, or the principal Manager of his Distillery, shall make and subscribe a Declaration to the Truth of the Account so delivered by him as aforesaid, in the Form or to the Effect following:

and to make Declaration thereto.

'I *A.B.*, [Distiller, *or* principal Manager of the Distillery of *C.D.*, *as the Case may be*,] do solemnly declare, That within the brewing Period commencing on the Day of and ending on the Day of both inclusive, there were actually removed from my locked-up Storehouse or Room situate at Distillery, and conveyed to the Mash Tun at the said Distillery, the Quantity of Pounds Weight of Sugar, and no more, and that within the said Period there were actually dissolved and used in the Distillation of Spirits Pounds Weight of Sugar, and no more, and that all the Duties of Customs on the whole of the Sugar so dissolved and used were duly paid, and that no other Materials whatsoever were mixed therewith, or mashed or used in the said Distillery during the said Period, and that all the Spirits produced from such Sugar have been duly brought to Charge, and charged with Duty by the proper Officer.'

Penalty on false Declaration.

And if such Declaration shall be defective or untrue in any Particular, the Distiller by whom or on whose Behalf such Declaration has been made shall forfeit the Sum of Two hundred Pounds.

Collector, on receiving Account and Declaration, to pay Allowance; provided the Quantity of Sugar used be 112lbs. Weight for every 11½ Gallons of Spirits; but if less, then 12s. 10d. per Cwt. on the Quantity of Sugar actually removed.

X. And be it enacted, That the Collector of Excise who receives such Account and Declaration thereto, and the Return in Writing aforesaid, shall, on being satisfied therewith, pay or allow to such Distiller, in such Manner as the Commissioners of Excise may direct, a Sum after the Rate of Twelve Shillings and Ten-pence for every Eleven Gallons and One Half of a Gallon of Proof Spirits, in respect of which such Distiller has been charged with Duty during the Period comprised in such Accounts; provided it appears from the Return in Writing aforesaid that One hundred and twelve Pounds Weight Avoirdupois of Sugar have been removed from such Storehouse or Room to be conveyed to the Mash Tun for every Eleven Gallons and One Half of a Gallon of Proof Spirits charged with Duty in such Period; but if it appear by such Return in Writing that a less Quantity than One Hundred and Twelve Pounds Weight Avoirdupois of Sugar for every Eleven Gallons and One Half of a Gallon of Proof Spirits charged with Duty during such Period has been removed as aforesaid, such Collector shall pay or allow such Distiller as aforesaid a Sum after the Rate of Twelve Shillings and Ten-pence for every Hundred Weight only of the Quantity of Sugar actually removed, as appears by such Return in Writing as aforesaid: Provided also, that in case any such Distiller has been charged with or owes any Duty or Duties, or is liable to the Payment of any Penalty or

Duties or Penalties may be deducted from the Allowance.

or Penalties adjudged against such Distiller for any Offence against this Act, or any other Act relating to the Revenue of Excise, such Collector may from Time to Time apply the Amount of every such Allowance, or a sufficient Part thereof, in Satisfaction of such Duty or Duties, Penalty or Penalties, or any of them.

So much of Regulations, &c. of 6 G. 4. c. 80. shall be applied to this Act as respects the Distillation of Spirits from Sugar in England.

So much of Regulations, &c. of 4 G. 4. c. 94. shall be applied to this Act as respects the Distillation of Spirits from Sugar in Scotland and Ireland.

XI. And be it enacted, That the Clauses, Enactments, Powers, Authorities, Rules, Regulations, Fines, Penalties, and Forfeitures in the said first-recited Act of the Sixth Year of the Reign of His late Majesty King *George* the Fourth shall, so far as the same are not contrary to the Regulations of this Act, extend and apply, and be deemed and construed to extend and apply, as far as the same are applicable, to the Distillation of Spirits from Sugar only under this Act in *England*, as fully and in such and the like Manner as if the said first-recited Act had in such respects been Part of this Act; and all Duties now by Law imposed for or upon Spirits distilled in *England* shall be charged, levied, collected, and paid for and upon Spirits distilled in *England* under this Act and the said first-recited Act, at the same Rates and in like Manner as such Duties are now by Law imposed for and upon Spirits distilled in *England;* and all Clauses, Enactments, Powers, Authorities, Rules, Regulations, Fines, Penalties, and Forfeitures in the said second-recited Act of the Fourth Year of the Reign of His said Majesty shall, so far as the same are not contrary to the Regulations of this Act, extend and apply, and be deemed and construed to extend and apply, as far as the same are applicable, to the Distillation of Spirits from Sugar only under this Act in *Scotland* and *Ireland* respectively, as fully and in such and the like Manner as if the said second-recited Act had in such respects as last aforesaid respectively been Part of this Act; and all Duties as the same are now respectively by Law imposed for and upon Spirits distilled in *Scotland* and *Ireland* respectively, or for and upon such Spirits respectively on Removal to *England*, or on Removal from *Ireland* to *Scotland*, shall be charged, levied, collected, and paid for and upon Spirits distilled in *Scotland* and *Ireland* respectively under this Act and the said second-recited Act at the same Rates respectively, and in like Manner, as such Duties respectively are now by Law imposed for and upon Spirits distilled in *Scotland* and *Ireland* respectively, and for and upon such Spirits respectively on Removal to *England*, or on Removal from *Ireland* to *Scotland;* and all Penalties and Forfeitures by this Act imposed shall be sued for, mitigated, recovered, distributed, and applied as any Penalties and Forfeitures under the Laws of Excise.

Act may be amended, &c.

XII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. VII.

An Act for the temporary Relief of destitute Persons in *Ireland*.* [26th *February* 1847.]

9 & 10 Vict. c. 107.

'WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act to facilitate the Employment of the labouring Poor for a limited Period in the distressed Districts in* Ireland; 'but by reason of the great Increase of Destitution sufficient Relief cannot be given according to the 'Provisions of the said Act, and it is necessary to make further Provision for the Relief of the destitute 'Poor in *Ireland* for a limited Time: And whereas the Lord Lieutenant of *Ireland* has appointed 'certain Persons, by the Title of Commissioners for Relief of Destitution in *Ireland:*' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Commissioners, herein-after called Relief Commissioners, or such Persons as shall be hereafter from Time to Time appointed by the Lord Lieutenant to act as such Relief Commissioners, shall have Authority to superintend the Execution of this Act, and shall appoint, subject to the Approval of the Lord Lieutenant of *Ireland*, a sufficient Number of Persons to be Inspectors for the Purposes herein-after mentioned, and also a Secretary, and such Officers and Servants as shall be necessary for the due Execution of this Act, and may from Time to Time, at their Pleasure, remove any Inspector, Secretary, Officer, or Servant so appointed, and may pay and allow to such Inspectors, Secretary, Officers, and Servants, such Salaries, Wages, and Allowances, and defray such other Expences necessarily incurred in the Execution of this Act, as shall be from Time to Time sanctioned by the Commissioners of Her Majesty's Treasury.

Relief Commissioners appointed by the Lord Lieutenant to superintend the Execution of this Act, to appoint Officers, and to pay Salaries, &c. when sanctioned by the Treasury.

Appointment of Relief Commissioners, &c. to be published in the Gazette.

II. And be it enacted, That the Names of the Persons already appointed Relief Commissioners shall be published in the *Dublin Gazette* before they begin to act in the Execution of this Act; and whenever any Person shall be hereafter appointed, or shall cease to be a Relief Commissioner or Inspector, Notice thereof shall in each Case be published in the *Dublin Gazette.*

Relief Committees to be formed under Orders from the Lord Lieutenant.

III. And be it enacted, That it shall be lawful for the Lord Lieutenant of *Ireland* to give Orders for the Constitution of a Relief Committee in any One or more Electoral Divisions of an Union formed for the Relief of the destitute Poor in *Ireland* in which it shall appear to him that this Act should be put in force, and such Relief Committee shall be constituted of such Persons or in such Manner as the Lord Lieutenant, by any General Order or Orders to be from Time to Time published in the *Dublin Gazette*, or by any Special Order applicable to the peculiar Circumstances of any One or more such Unions or Electoral Divisions, and to be published in the *Dublin Gazette*, shall from Time to Time direct: Provided always, that the Justices resident in such Electoral Divisions, if any, and the Guardian or Guardians of the Poor elected for such Electoral Divisions, and one of the Inspectors to be appointed as aforesaid by the Relief Commissioners, shall in every Case be constituted Members of such Relief Committee: Provided also, that no Relief Committee constituted under this Act shall be continued after the First Day of *November* in this Year, unless for the Purpose of settling cloand sing their Accounts.

Justices, Guardians, &c. to be Members of such Committee.

Committee discontinued after Nov. 1.

* See post, C. 31. 55. and 99.

IV. And

IV. And be it enacted, That every Relief Committee or Finance Committee constituted under this Act shall appoint so many Assistants and Servants, and at such Salaries and Allowances, as shall be sanctioned by the Relief Commissioners, on the Report and Recommendation of the Inspector who is upon such Committee, and all such Salaries and Allowances shall be a Charge upon the Rates to be made and levied for the Purposes of this Act. Appointment of Assistants, &c. Salaries, &c. to be charged upon the Rates.

V. And be it enacted, That whenever this Act shall be put in force in any such Union the Relief Commissioners shall appoint an Inspector to act for such Union, who shall be deemed to be also the Inspector for each Electoral Division of such Union, unless it shall appear expedient to the Lord Lieutenant that an Inspector shall be appointed to act specially for any One or more such Electoral Divisions, in which Case such Appointment shall be made accordingly. Inspectors of Unions and Electoral Divisions to be appointed by Relief Commissioners.

VI. And be it enacted, That it shall be lawful for the Lord Lieutenant of *Ireland*, in every Case in which it shall appear to him expedient, to appoint, in every Union in which this Act shall be in force, a Finance Committee, which shall consist of the Inspector to be appointed as aforesaid by the Relief Commissioners for such Union, and of such Justices resident in the Union, or Guardians elected for the Union, or such other Persons as the Lord Lieutenant shall think fit, not being less than Two and not more than Four Persons in addition to such Inspector, and from Time to Time to dissolve any such Finance Committee and appoint another instead thereof, or where an Inspector shall have been specially appointed for One or more Electoral Divisions of an Union it shall be lawful for the Lord Lieutenant to appoint such Finance Committee specially for such Electoral Division or Divisions, and in such Case the Inspector to be appointed specially as aforesaid for such Electoral Division or Divisions shall be a Member of the Finance Committee to be appointed for such Division or Divisions. Lord Lieutenant to appoint Finance Committees in every Union in which this Act shall be in force.

VII. And be it enacted, That in every Union in which this Act shall be in force the several Relief Committees shall from Time to Time make out Lists of Persons to be relieved under the Provisions of this Act within each Electoral Division for which they severally act, according to such Regulations and Instructions as shall be from Time to Time issued to them for their Guidance by the said Relief Commissioners, with Estimates of the Sums which shall appear to them to be needed from Time to Time to defray the necessary Expences for the Purchase, Preparation, Distribution, or Sale of Food, and such other Relief as they shall be authorized by any such Regulations or Instructions to afford, and for providing and fitting up the necessary Buildings and Cooking Utensils, and for Payment of the Persons employed in the Purchase, Preparation, Distribution, or Sale of Food and Relief as aforesaid, and shall from Time to Time send every such List and Estimate to the Finance Committee acting for the Union or for such Electoral Division or Divisions, and shall state to the Finance Committee the Time or Times when in their Opinion any such Sum or any Part thereof will be needed. Lists of Persons to be relieved to be made out and Estimates to be prepared from Time to Time by Relief Committees.

VIII. And be it enacted, That the Finance Committee shall examine such Lists and Estimates, and shall have Authority to revise and amend the same in any Manner which shall appear to them expedient, and they or Two of them, of whom the Inspector shall be One, shall allow and sign every such amended List and Estimate, and thereupon the Inspector of the Union, or Electoral Division or Divisions, (as the Case may be,) shall report the Amount of each allowed Estimate to the Lord Lieutenant of *Ireland*, and the Time or Times when any such Sum or any Part thereof will be needed, and thereupon it shall be lawful for the Lord Lieutenant to cause a Warrant to be issued under the Hand of his Chief Secretary, Under Secretary, or Assistant Secretary for the Amount thereof, or such Proportion thereof as the Lord Lieutenant shall approve, directed to the Guardians of the Poor for the Union to which such Electoral Division or Divisions may belong, requiring the Guardians, out of the Monies collected for defraying the Expences incurred in the Execution of an Act passed in the Second Year of the Reign of Her Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in* Ireland, to pay to such Person as shall be named in the Warrant to receive the same, on behalf of the Finance Committee acting for such Union, Electoral Division or Divisions, within a Time or Times to be mentioned in the Warrant, the Sum of Money mentioned therein, such Sum not being greater than the Proportion of the Amount set forth in the Estimate allowed and signed as aforesaid, which shall be specified by any Regulations to be from Time to Time made by the Commissioners of Her Majesty's Treasury, and that the Guardians shall pay over the said Sum to the Person mentioned in any such Warrant, within the Time or Times mentioned therein. Finance Committee to examine Lists and Estimates, and amend the same if necessary. Lord Lieutenant to issue Warrant to Guardians to defray Expences out of Monies raised under 1 & 2 Vict. c. 56.

IX. And be it enacted, That the Guardians of any Union to whom any such Warrant shall be directed shall pay the Sum mentioned in the Warrant, within the Time or Times mentioned therein, out of any Monies in their Hands collected for defraying the Expences of the last-recited Act, or so much of the Sum mentioned in the Warrant as the Monies in their Hands shall amount to; and if there be no such Money in their Hands, or an insufficient Sum, they shall levy the Sum required as a Part of the Rates to be made and levied for defraying the Expences of the last-recited Act, and for that Purpose shall proceed in the same Manner and have the same Powers, Remedies, and Privileges as are provided by the Acts in force for Relief of the destitute Poor in *Ireland* for levying Money for defraying the Expences of the last-recited Act, and from Time to Time shall pay over the Sums so collected to the Person mentioned in the Warrant; and any Rate made and levied for the Purposes of this Act shall be deemed a Rate made and levied for defraying the Expences of the last-recited Act, and the same Persons shall be liable, and the same Hereditaments rateable thereunto, and all the Provisions of the Acts in force for Relief of the destitute Poor in *Ireland* shall apply to the Rates so made and levied as if they were made and levied under the Authority of the last-recited Act, and the Receipt of the Person named in the Warrant shall be Guardians to collect the Money required with Poor Rates. Any Rate made for the Purposes of this Act to be deemed a Rate made under the last-recited Act.

be a sufficient Discharge to the Guardians for the Sum so paid by them, and shall be allowed as such in auditing and passing their Accounts.

If Guardians neglect or refuse to pay Money authorized by this Act, Poor Law Commissioners may dissolve the Board, and appoint paid Officers to carry the same into execution.

X. And be it enacted, That if the Guardians shall refuse or wilfully neglect to pay the Sum mentioned in any such Warrant out of any Monies in their Hands as aforesaid, or to procure Payment thereof to be made by any of the Ways and Means authorized by this Act, or where such Monies shall be insufficient, if they shall refuse or wilfully neglect to make and levy such Rate as aforesaid, so that the Sum mentioned in the Warrant shall not be paid to the Person mentioned in the Warrant within the Time or Times mentioned therein, or if the said Guardians shall fail in any respect duly and efficiently to discharge their Duties in the Execution of this Act, it shall be lawful for the Commissioners appointed for carrying into execution the said Act of the Second Year of the Reign of Her Majesty to declare such Board of Guardians to be dissolved, and thereupon to appoint such and so many paid Officers as they may think fit to carry into execution the Acts in force for the Time being for the Relief of the destitute Poor in *Ireland*, and this Act, and from Time to Time to revoke and determine any such Appointment, and from Time to Time as they shall see fit to define and direct the Execution of the Duties of such Officers, and the Amount and Nature of the Security to be given by such of them as the last-mentioned Commissioners shall think ought to give Security, and to regulate the Amount of Salaries payable to such Officers respectively, and the Time and Mode of Payment thereof, and such Salaries shall be chargeable on and payable out of the Rates levied for the Relief of the destitute Poor of such Union, and all Officers so appointed shall continue to hold their Offices during the Continuance of this Act, unless their Appointment shall be sooner revoked and determined by the last-mentioned Commissioners.

After any Rate made, Notice to be given of the Amount, &c.

XI. And be it enacted, That as soon as may be after making any Rate for the Purposes of this Act the Guardians shall give Notice in One or more Newspapers usually circulating in the County of the Amount of such Rate, and of the Time when it will be payable, and of the Place where the Book containing the Particulars of such Rate may be inspected by the Rate-payers.

Monies to be paid to Relief Committees or expended in Purchases for them.

XII. And be it enacted, That the Sums so paid over to the Person mentioned in any such Warrant on behalf of the Finance Committee of any Union, Electoral Division or Divisions, and also all Sums which shall be raised by voluntary Contributions, shall be either paid over to the Relief Committee of the Electoral Division or Divisions on account of which they were severally demanded, at such Times and in such Manner as shall be directed by any Instructions or Regulations to be from Time to Time issued to them by the Relief Commissioners, or shall be employed by the said Finance Committee, pursuant to the like Instructions and Regulations, in procuring such Food and Necessaries as may be needed by any such Relief Committee, for enabling them most effectually to carry out the Purposes of this Act.

Charges may be apportioned between the Union and the several Electoral Divisions, with the Sanction of the Lord Lieutenant.

XIII. And be it enacted, That the said Relief Commissioners, with the Sanction of the Lord Lieutenant of *Ireland*, shall be empowered from Time to Time to direct whether the whole or any Part of the Sum mentioned in any such Warrant so issued on behalf of any Electoral Division shall be borne by and charged exclusively against such Electoral Division, or whether the whole or any Part thereof shall be borne by and charged against the whole Union; and the Guardians shall charge the whole Union and the several Electoral Divisions accordingly; and in the Absence of any Directions by the said Relief Commissioners, the whole Sum for which any such Warrant shall issue on behalf of any Electoral Division shall be borne by and charged against such Electoral Division exclusively; and whenever any such Directions shall be made directing that the whole or any Part of any Sum mentioned in any such Warrant shall be charged against the whole Union, such Directions shall be annexed to the Warrant and sent to the Guardians therewith.

Inspector to certify to the Relief Commissioners the Amounts to be levied and the Sums paid.

XIV. And be it enacted, That the Inspector of any such Union or Electoral Division or Divisions shall from Time to Time certify under his Hand to the Relief Commissioners the Amount of the several Sums mentioned in such allowed Estimates, and also the several Amounts for the Levy of which the Guardians shall have proceeded toward making Rates, and the actual Amounts which shall have been paid pursuant to the said Warrants.

Treasury may cause Advances to be made for enabling Relief Commissioners to grant Loans on the Credit of Rates in course of making and collecting.

XV. 'And whereas it is expedient to give Facilities for the Advance of Money on the Credit of Rates 'which are in course of Collection, or which are to be made;' be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, to cause to be issued, as a temporary Advance, from Time to Time, at any Time before the First Day of *October* in this Year, as they may find necessary, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money, not exceeding Three hundred thousand Pounds, by way of Imprest, to the said Relief Commissioners for the Execution of this Act, to be by them applied by way of Loan on the Security of the Rates made or to be made as herein-after provided, for the Purposes of this Act; and all such Sums of Money shall be repaid to the Consolidated Fund by the said Relief Commissioners, in such Manner as the Commissioners of Her Majesty's Treasury may direct, from and out of the Rates to be levied in the Union on behalf of which such Loan shall have been made.

As soon as Guardians shall have resolved on making Rate Loans may be granted.

XVI. And be it enacted, That as soon as any Board of Guardians shall have resolved on making any Rate for the Purposes of this Act, and the Inspector of the Union shall have certified under his Hand to the Relief Commissioners that such Resolution has been passed, and that to the best of his Belief the Guardians are proceeding with all possible Despatch to make and levy such Rate, the Relief Commissioners may, if they shall think fit, make such Loans on the Credit of the Rates so about to be made as shall be authorized by the Commissioners of Her Majesty's Treasury.

XVII. And

As to the Repayment of Loans.

XVII. And be it enacted, That the Amount of any such Loan, or any Proportion thereof which the Relief Commissioners shall think fit to advance, from Time to Time, shall be paid by the said Relief Commissioners to the Person mentioned in the Warrant to receive Money on behalf of the Finance Committee of the Union, Electoral Division or Divisions, on whose Behalf such Money is to be paid, to be by them applied in the Manner herein-before directed as to the Sums received under any such Warrant, and thereupon the Treasurer of the Union shall pay to the Relief Commissioners the Rates levied in such Union, except such Part as he shall be allowed to retain for the other Purposes of the Acts in force for the Relief of the destitute Poor in *Ireland*, by any Regulations to be from Time to Time made by the Relief Commissioners, until the whole Amount of the Loan, or Advances made on account of such Loan, shall be reimbursed to the said Relief Commissioners; and any Treasurer of any Union who, after Notice of any such Loan or Advance given to him in Writing under the Hand of any One of the said Relief Commissioners, shall pay away to any Person other than the Person appointed in and by such Notice to receive the Rates on behalf of the Relief Commissioners any Part of any Rate collected in such Union, beyond what he shall have been so allowed to retain by the Regulations of the said Relief Commissioners, until the whole of such Loan or Advances shall have been reimbursed to the said Relief Commissioners, shall be liable to pay to the said Relief Commissioners the Sum which he shall have so wrongfully paid away; and in case of Nonpayment thereof it shall be lawful for any Justice of the Peace, on Complaint of any One of the said Inspectors, to levy the Amount so wrongfully paid away by Distress and Sale of the Goods and Chattels of such Treasurer; and the Receipt of the Receiver mentioned in and by such Notice shall be a sufficient Discharge to the Treasurer for so much Money as shall be paid by him to such Receiver, and shall be allowed in auditing and passing his Accounts.

On Application of Relief Commissioners Treasury may make Grants in aid of Rates or Contributions for the Purposes of this Act.

XVIII. And be it enacted, That, on the Application of the Relief Commissioners, the Commissioners of Her Majesty's Treasury shall be empowered to cause to be issued and paid from Time to Time, as they shall find necessary, out of any Monies which may be granted for that Purpose, any Sum or Sums of Money, under such Regulations and Conditions as the said Commissioners of Her Majesty's Treasury shall think fit, in aid of the Rates so to be made as aforesaid or of voluntary Contributions for the Purposes of this Act, and all such Monies shall be paid over to the Finance Committee of the Union, or Electoral Division or Divisions, on account of which it shall have been issued, and shall be applied and accounted for in like Manner as the Monies paid pursuant to any Warrant as aforesaid.

Rules and Regulations to be made by Relief Commissioners for the Purposes of this Act.

XIX. And be it enacted, That the said Relief Commissioners shall be authorized and required from Time to Time to make Rules and Regulations in regard to the Proceedings of any such Finance Committees and Relief Committees, and in regard to the making out the Lists of destitute Persons, the making or revising and allowing Estimates as to Relief Funds, the Mode of Application for Relief, the Mode of Inquiry into the Circumstances of the Applicants for Relief, the Description of Relief to be afforded, and whether by Gift or Sale, the Mode of granting, ordering, and giving such Relief, the keeping the Accounts thereof, the Security to be given by any Person who shall receive any Monies for the Purposes of this Act, the making of Reports, and such other Matters as the said Commissioners shall deem necessary; and the Relief to be furnished under this Act shall be administered subject to the Rules and Regulations so to be made by the said Relief Commissioners.

Relief to be administered subject to such Rules, &c.

Guardians, Officers, and Members of Relief Committees, &c. not to be concerned in Contracts while in Office.

XX. And be it enacted, That no Guardian, paid Officer, Member of any Finance Committee or Relief Committee under this Act, or other Person in whose Hands the Collection of any Rates, Grants, Loans, or voluntary Contributions, or the providing for, ordering, Management, Control, or Direction of the Relief of the destitute Poor, under the Provisions of this Act, shall or may be placed, shall, either in his own Name or the Name of any other Person, provide, furnish, or supply for his own Profit any Materials, Goods, or Provisions for the Use of the destitute Poor under this Act during the Time for which he or they shall retain such Appointment, nor shall be concerned for his own Profit directly or indirectly in furnishing or supplying the same, or in any Contract relating thereto, under pain of forfeiting the Sum of One hundred Pounds, with full Costs of Suit, to any Person who shall sue for the same by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Dublin*.

Produce of Sales to be applied for the Purposes of this Act.

XXI. And be it enacted, That when, pursuant to any such Regulations as aforesaid, any Food or Necessaries shall have been sold under the Direction of any Relief Committee, the Monies arising from such Sale shall be applied for the Purposes of this Act by such Relief Committee, subject to such Instructions and Regulations as they shall from Time to Time receive in respect thereof from the said Relief Commissioners.

No Grant or Loan after 1st October.

XXII. And be it enacted, That no Warrant shall be issued under this Act, nor shall any Grant or Loan be made by the Commissioners of Her Majesty's Treasury in aid of any Rates to be levied under this Act, after the First Day of *October* in this Year.

Interpretation of Act.

XXIII. And be it enacted, That in this Act the Words "Lord Lieutenant" shall be construed to extend to any Lords Justices, or other Chief Governor or Governors of *Ireland*.

Act may be amended, &c.

XXIV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. VIII.

An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and forty-seven. [18th *March* 1847.]

CAP. IX.

An Act for raising the Sum of Eight Millions by way of Annuities.* [18th *March* 1847.]

" Every Contributor of 89*l.* 10*s.* to be entitled to 100*l.* in the Three *per Cent.* Consols from 5th *January* " 1847, § 1. Contributors who have made Deposits to pay Remainder of Subscriptions by Instalments, " § 2. Guardians, &c. having the Disposition of Monies of Infants may contribute for them, § 3. Con- " tributors entitled to Annuities of Three Pounds *per Centum*, payable half-yearly, § 4. Time at which " Stock may be transferred. Bank to prepare Books for entering Names of Contributors, &c., § 5. " Periods for Payment of first Dividend, § 6. Annuities payable and transferable at the Bank, § 7. " Money to be issued out of the Consolidated Fund for Payment of Annuities and Charges in respect of " the said Sum of 8,000,000*l.*; and shall be charged upon the said Fund, § 8, 9. The Bank to appoint " a Cashier and an Accountant General, and the Treasury to order Money to be issued to the Cashier " for Payment of Annuities, § 10. Cashier to give Receipt for Subscriptions, which may be assigned " before 15th *October* 1847. Cashier to give Security for paying the Money he receives into the " Exchequer, § 11. A Book to be kept in the Accountant General's Office for entering Contributors " Names, a Duplicate whereof to be transmitted to the Auditor of the Exchequer, § 12. Contributors " duly paying their Subscriptions entitled to Annuities Tax-free, § 13. In case Contributors fail to " advance the Residue of the Sums subscribed for, the Deposit of 12*l.* to be forfeited, § 14. Annuities " to be deemed Personal Estate, § 15. Treasury may apply the Money paid into the Exchequer for " any of the Purposes for which it might be advanced under 9 & 10 *Vict.* c. 107., &c., § 16. Accountant " General to keep Books for entering Assignments and Transfers. Transfers not liable to Stamp " Duties, § 17. Treasury to defray Incidents attending Execution of this Act, § 18. Bank may retain " a certain Sum, and apply it to their own Use, for Services performed, § 19. Annuities created under " this Act to be added to and be deemed Part of the Three *per Cent.* Consols, § 20. Punishment of " Persons found guilty of forging or counterfeiting Receipts for Contributions, &c. 7 *W.* 4. & 1 *Vict.* " c. 84.—§ 21. Bank to continue a Corporation for the Purposes of this Act until the Annuities hereby " granted shall be redeemed, § 22. Penalty on taking any Fee or Gratuity for receiving Contributions " or paying or transferring Annuities, § 23. Persons sued may plead the General Issue. Costs, § 24."

CAP. X.

An Act to render valid certain Proceedings for the Relief of Distress in *Ireland*, by Employment of the Labouring Poor, and to indemnify those who have acted in such Proceedings. [18th *March* 1847.]

9 & 10 Vict. c. 107.

' WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act to facilitate the Employment of the Labouring Poor, for a limited Period, in the distressed Districts in* Ireland, ' authorizing Presentments for the Execution of Public Works in *Ireland:* And whereas by reason of ' the Increase of Distress in *Ireland* it became necessary to provide further Means of employing the ' Labouring Poor, and thereupon the Lord Lieutenant of *Ireland*, on the Fifth Day of *October* last, by ' a certain Letter, a Copy of which is contained in the Schedule annexed to this Act, written and signed ' by his Direction by the Chief Secretary to the Lord Lieutenant, and addressed to the Chairman of the ' Commissioners of Public Works in *Ireland*, announced that he would sanction Presentments that ' should be made at any Sessions held under the said Act, for Works of a re-productive Character and ' permanent Utility, subject to the Regulations specified in the said Letter, in the same Manner as if ' they had been strictly Public Works, and presented as such in the Manner required by the said Act: ' And whereas Extraordinary Presentment Sessions have been called and held under the Provisions of ' the said Act, and the Justices and Cess-payers constituting such Sessions have made Presentments for ' various Works of a public Nature, and also for various Works of a re-productive Character and ' permanent Utility: And whereas in certain Cases the Justices and Cess-payers, by reason of such ' Announcement, apportioned on the several Electoral Divisions or Parts of Electoral Divisions of ' Poor Law Unions in the Barony, Half Barony, County of a City, or County of a Town for which such ' Sessions were held, the Sum to be assessed on such Barony, Half Barony, County of a City, or County ' of a Town respectively, and presented for Works to be executed in such respective Electoral ' Divisions, or Parts thereof: And whereas, for the immediate Employment of the Labouring Poor, it ' became necessary that the Execution of the Works so presented as aforesaid should be commenced ' forthwith after the making of such Presentments, the same having been approved by the Lord Lieu- ' tenant, although in certain Cases such Presentments, or the Proceedings taken before or after the ' making thereof, were not in strict Conformity with the Provisions of the said Act or the said ' Announcement: And whereas it is necessary and expedient that all Presentments made at any such ' Sessions before the passing of this Act, which have been approved of, or shall be approved of as ' herein-after mentioned, and the Advances which have been made or shall be made thereon, and the ' several Proceedings had and taken or which shall be had and taken thereunder, should be ratified and ' confirmed, and made as valid and effectual as if the same had been made, done, and carried on pursuant ' to the Provisions of the said recited Act, and that the Sums of Money therein presented for should be ' raised, levied, and paid in manner herein-after mentioned, and that all Persons who have acted in any ' Manner, by reason of such Announcement, in making such Presentments or in taking such Proceedings

* See post, C. 36.

' as

'as aforesaid, should be indemnified and saved harmless from all Penalties and legal Proceedings in 'consequence thereof:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Presentments which have been made at any Presentment Sessions in *Ireland*, called and held under the Provisions of the said recited Act, at any Time before the passing of this Act, and which have been or shall be approved by the Lord Lieutenant of *Ireland* and by the Commissioners of Her Majesty's Treasury, and all Works consequent upon such Presentments, the Execution of which has been or shall be commenced or carried on by or under the Direction of the Commissioners of Public Works in *Ireland*, and all Advances of Public Money for the Execution of the said Works which shall have been or shall be made, and all things done or to be done in Execution of such Presentments, shall be ratified and confirmed, and be as valid and effectual as if the same had been presented and approved and such Advances had been made strictly in accordance with the Provisions of the said recited Act; and the said Commissioners of Public Works shall be authorized to begin, execute, and complete the Works so presented for and approved, in the same Manner as if the Execution thereof had been or were duly authorized by the said recited Act.

All Presentments made at Presentment Sessions held under recited Act, and approved by Lord Lieutenant and the Treasury, declared valid.

II. And be it enacted, That all Persons who shall have acted in any Manner in making any Presentment under the said Act, or by reason of the said Announcement, or in any Proceeding for giving Effect to any such Presentment, or in making any Advance of Money by reason thereof, shall be freed, acquitted, and indemnified from and against all Penalties and legal Proceedings in consequence thereof.

All Persons who have acted in making Presentments, &c. indemnified.

III. 'And whereas divers Persons, representing themselves to be Proprietors of Land within the Terms 'of an Act passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act to promote the 'Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage 'in* Ireland, and divers other Persons representing themselves to be the Agents of and acting for and 'on behalf of such Proprietors, have at such Sessions applied for and obtained Presentments for Works of 'Drainage or Sub-soiling of Lands, and have given Undertakings agreeing that so much of the Monies 'for which such Presentments were made as should by an Award to be made by the Commissioners of 'Public Works in *Ireland*, or any Two of them, appear to have been expended upon the Lands specified 'in the said Undertakings respectively, with Interest thereon at the Rate of Three Pounds Ten Shillings '*per Centum per Annum*, should be a Charge on the said Lands exclusively, and should and might be 'levied out of the same exclusively, which Undertakings have in many Cases been accepted and acted 'upon by the said Commissioners of Public Works;' be it therefore enacted, That all Undertakings which have been or shall be so accepted and acted upon, and all Presentments for Works mentioned and referred to in such Undertakings respectively, made at any Sessions called and held before the passing of this Act, under the Provisions of the said recited Act, in whatever Form or at whatever Time or Times such Undertakings respectively may have been or shall be so given or accepted and acted upon, and in whatever Form or at whatever Time or Times such Presentments respectively may have been made, shall be ratified and confirmed to all Intents and Purposes; and such Undertakings respectively shall be valid and binding upon the Person or Persons respectively giving the same, and upon the Lands therein respectively specified; and the Money mentioned in any such Undertaking, or so much thereof as by an Award to be made by the said Commissioners of Public Works, or any Two of them, and which said Award the said last-mentioned Commissioners, or any Two of them, shall be authorized and required to make, shall appear to have been expended upon any of the Lands specified in any such Undertaking, shall be a Charge on the Lands specified in such Undertaking and Award; and the Money mentioned in any such Award, with Interest thereon at the Rate of Three Pounds Ten Shillings *per Centum per Annum*, shall be charged upon, raised, and levied from and out of the Lands so specified in such Award, and shall be payable, at the Time or Times appointed in such Award, by the Person or Persons who, under the Provisions of the said Act passed in the Sixth Year of the Reign of Her Majesty, and of the several Acts for the Amendment thereof, would be liable for the Repayment of the same, provided the same had been expended and charged on the said Lands for Works of Drainage executed under the Provisions of the said last-mentioned Acts, and shall be raised, levied, and recovered, by such Persons as the Commissioners of the Treasury shall from Time to Time appoint, in the same Manner, and by the like Remedies, and with the like Powers and Authorities, and subject to the like Provisions, as by the said last-mentioned Acts is provided for the Recovery of Money for Works of Drainage, in so far as the same may be applicable to the Purposes of this Act.

Where Persons have under 5 & 6 Vict. c. 89. obtained Presentments for Works of Drainage, &c., and have given Undertakings that the Monies shall be expended upon the Lands specified, the same shall be ratified, &c.

Money mentioned in such Undertaking shall be a Charge on the Lands.

IV. And be it enacted, That every Occupier of Land who, not being a Proprietor thereof within the Terms of the said Act passed in the Sixth Year of the Reign of Her Majesty, shall pay any Sum of Money for the Land in his Occupation, charged thereupon under and by virtue of such Award under this Act, shall and is hereby authorized to deduct from and out of his Rent the Amount of the Sum of Money which he shall so pay as aforesaid; and the next immediate Landlord of such Occupier, if not himself such Proprietor of such Land, shall and he is hereby authorized to make the like Deduction from the Rent payable by him, and so on, each Sub-Lessee and Sub-Lessor of such Land, not being such Proprietor, being entitled to deduct the Sum so charged upon such Land under or by virtue of such Award from and out of the Rent payable to his next immediate Landlord, until such Deduction shall be made from the Rent payable to a Person being the Proprietor, within the Terms of the said Act passed in the Sixth Year of the Reign of Her Majesty, who shall not be entitled to make any such Deduction from the Rent (if any) payable by him; and every such Occupier, Sub-Lessee, or Sub-Lessor, as the Case may be, paying any such Sum of Money, shall be acquitted and discharged of the Sum so paid by him, as fully and effectually

Occupiers paying Money on Demand of Landlord may deduct the same out of his Rent.

effectually as if the same had been actually paid to his Landlord, except where there shall be any Lease or Agreement to the contrary, made after the passing of this Act; but nothing herein contained shall extend or be construed to enable any such Occupier, Sub-Lessee, or Sub-Lessor to deduct from his Rent any Costs or Expences incurred by the Nonpayment of the Monies charged and to be levied under and by virtue of this Act.

In case Land so drained being in the Occupation of Persons not Proprietors of the same, Commissioners of Public Works shall fix the Amount of increased Rent the Occupier ought to pay.

V. And be it enacted, That in case any Land which shall be drained or sub-soiled as aforesaid shall at the Time of making any Award under this Act be in the Occupation of any Person who shall not be the Proprietor thereof within the Terms of the said Act passed in the Sixth Year of the Reign of Her Majesty, then and in every such Case the said Commissioners of Public Works shall determine the Amount of increased Rent, if any, which the Occupier of such Lands ought to pay by reason of the draining and sub-soiling thereof, and shall signify their Determination by Endorsement in Writing on the Lease or other Instrument by which such Lands may be held, or by a separate Instrument under their Hands and Seals, or under the Hands and Seals of any Two of them (in which Determination the said Commissioners shall be bound to have regard, and as far as possible to give Effect, to any Agreement which shall be shown to their Satisfaction to have been entered into by the Proprietor and any Person or Persons having an immediate or derivative Title from him in the said Lands respecting the said draining and sub-soiling thereof); and the Occupier of such Lands shall pay to his next immediate Landlord the said increased Rent, and the immediate Landlord of such Occupier, if not himself such Proprietor as last aforesaid, shall pay the said increased Rent to his immediate Landlord, and so successively each Sub-Lessor and Sub-Lessee of such Land, not being such Proprietor as last aforesaid, shall pay the same to his immediate Landlord, until such Payment shall be made to the Proprietor of such Lands within the Terms of the said Act passed in the Sixth Year of the Reign of Her Majesty; and the said increased Rent shall be due and payable at the same Times as the Rent originally reserved would be due and payable between the respective Parties and the Landlord of such Occupier; and every intermediate Landlord shall have the same Remedies for the Recovery of such increased Rent as he or they might have or were entitled to have for the Rent originally reserved.

Increased Rent payable at the same Time as original Rent.

Presentments made after 5th Oct. 1846, and before the passing of this Act, may be assessed either on the Barony at large or on the Electoral Divisions, as shall be determined by the Commissioners of Public Works.

VI. 'And whereas at certain of such Sessions held after the said Fifth Day of *October*, Presentments 'were, by reason of the said Announcement, made for Works other than those of Drainage and sub-'soiling, but the Proceedings at such Sessions were in many Cases not taken in strict Conformity with 'the Provisions of the said first-recited Act, nor with the Regulations contained in the said Announce-'ment, and it is necessary to define whether the Cost of Works executed or to be executed in pursuance 'thereof should be charged upon the Barony, Half Barony, County of the City, or County of the Town 'for which such Sessions were held, or upon any and what Electoral Divisions or Parts thereof contained 'within the Limits of such Barony, Half Barony, County of a City, or County of a Town respectively;' be it therefore enacted, That any Sum of Money mentioned in any Presentment made at any such Sessions held after the said Fifth Day of *October* last, and before the passing of this Act, or so much thereof as has been or shall be expended in or about the Works executed or to be executed under such Presentments, shall be charged upon the Barony, Half Barony, County of a City, or County of a Town for which such Sessions were held, or upon the Electoral Division or Part thereof situate within such Barony, Half Barony, County of a City, or County of a Town respectively within which such Work shall have been or shall be executed, as shall be determined by the Commissioners of Public Works, by an Instrument under the Hands and Seals of any Two of them: Provided always, that, One Calendar Month at least before executing any such Instrument, the said Commissioners shall cause a Schedule of the Presentments, and of their Determination respecting the Manner of charging the several Sums for which such Presentments were made, to be lodged with the Secretary of the Grand Jury, for the Purpose of being laid before the next Presentment Sessions holden for the Barony or Half Barony, or County of a City or County of a Town in which such Presentments were made; and that if the Justices, and Cess-payers associated with them in the Business of such Presentment Sessions, shall be dissatisfied with the Determination of the said Commissioners respecting the Manner of charging any such Sum, it shall be lawful for them, by Resolution, to appoint any of their Number to prepare and present to the Lord Lieutenant, within Fourteen Days after the holding of such Presentment Sessions, a Memorial, signed by the Chairman of such Presentment Sessions, setting forth the Grounds of their Objections thereunto; and a Copy of every such Memorial, signed by the Chairman of such Presentment Sessions, shall be lodged within the said Fourteen Days in the Office of the said Commissioners; and thereupon the Lord Lieutenant shall inquire into and revise the Determination of the said Commissioners, and if he shall be of opinion that such Determination ought to be altered shall direct in what Manner the Sum referred to in the Memorial shall be charged, and the Decision of the Lord Lieutenant shall be final, and the Commissioners shall execute the said Instrument conformably to such Decision.

If Justices, &c. be dissatisfied with the Determination of Commissioners they may present a Memorial to the Lord Lieutenant, who shall inquire into the same, &c.

As to the raising of Money charged upon the Barony at large.

VII. And be it enacted, That if in such last-mentioned Instrument the said last-mentioned Commissioners shall determine that any such Sum of Money therein mentioned shall be charged upon any such Barony, Half Barony, County of a City, or County of a Town, then the Amount thereof, with Interest at the Rate of Three Pounds and Ten Shillings *per Centum per Annum*, shall be charged upon such Barony, Half Barony, County of a City, or County of a Town, and shall be applotted, raised, levied, recovered, paid, and applied in the like Manner, and by the same Remedies, and with the like Powers and Authorities, and subject to the like Provisions, as by the said first-recited Act is provided with respect to any Monies charged and recoverable by and under that Act.

VIII. And

VIII. And be it enacted, That if in such last-mentioned Instrument the said last-mentioned Commissioners shall determine that any such Sum of Money therein mentioned shall be charged upon any Electoral Division, or Part thereof, as aforesaid, then the Amount thereof, with such Interest as last aforesaid, shall be charged exclusively upon the said Electoral Division, or such Part thereof as aforesaid, and shall be applotted, raised, levied, and recovered from and shall be payable by the Occupiers and other Persons rateable and rated for the Relief of the Poor in respect of Lands and Hereditaments within such Electoral Division, or such Part thereof as aforesaid, and shall be applotted, raised, levied, recovered, paid, and applied in the like Manner, and by the same Remedies, and with the like Powers and Authorities, and subject to the like Provisions, so far as the same can be applied, as is by the said first-recited Act provided with respect to any Sum of Money presented under that Act to be raised and levied off any Barony, Half Barony, County of a City, or County of a Town; and all Proceedings with respect to such Presentments shall be deemed to be as valid as if such Electoral Divisions or such Parts thereof as aforesaid respectively were Baronies or Half Baronies, or Counties of Cities or Counties of Towns, and all the Provisions of that Act with reference to any Sum of Money presented to be raised off any Barony, Half Barony, County of a City, or County of a Town shall be in force and be applicable, as far as the Case will admit, to the Money to be raised and levied off such several Electoral Divisions or Parts thereof respectively.

As to the raising of Money charged upon the Electoral Divisions.

IX. And be it enacted, That the said Commissioners shall, within Three Weeks next after the next Meeting of Parliament, and also within Three Weeks next after the Beginning of every following Session of Parliament, until all the Accounts arising out of the Proceedings under the first-recited Act and this Act shall be closed, send to the Commissioners of Her Majesty's Treasury an Account of the several Sums which they shall have certified to the Secretary of the Grand Jury of each County in *Ireland*, or which, by any Award or Instrument as aforesaid, they shall have charged on any County, or County of a City or County of a Town, Barony, Half Barony, or Electoral Division, or the Lands of any Proprietor, in such Form and with such Particulars as shall be directed by the said Commissioners of the Treasury, and a Copy of every such Account shall be laid before both Houses of Parliament.

Accounts of Sums certified to be transmitted to the Treasury, and laid before Parliament.

X. And be it enacted, That the said first-recited Act and this Act shall be construed together as One Act.

This Act and 9 & 10 Vict. c. 107. to be as One Act.

XI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

SCHEDULE.

Sir, Dublin Castle, 5 October 1846.

I am directed by the Lord Lieutenant to inform you, that his Excellency has had under his Consideration the various Representations which have been made to him of the Operation of the Poor Employment Act, and of the Difficulty of finding in the greater Number of Baronies "Public Works" upon which it would be expedient or beneficial to expend Money to the Extent requisite for affording Employment to the People during the Existence of the present Distress, and with a view of obviating the bad Effects of a great Expenditure of Money in the Execution of Works comparatively unproductive, he desires that the Commissioners of Public Works will direct the Officers acting under them in the respective Counties to consider and report upon such Works of a re-productive Character and permanent Utility as may be presented in the Manner herein-after mentioned at any Sessions held under the above Act; and his Excellency will be prepared to sanction and approve of such of those Works as may be recommended by the Board, and so presented, in the same Manner as if they had been strictly "Public Works," and presented as such in the Manner required by the Act:

1. The Presentment Sessions will estimate the Sum which it may be necessary to raise off the Barony for the Purpose of affording Employment:
2. They will also ascertain the Proportion of such Assessment which, according to the last Poor Law Valuation, may be chargeable upon each Electoral Division of an Union, or Portion of an Electoral Division (if the whole shall not be included,) in the Barony, and they shall obtain for this Purpose, from the Clerk of each Poor Law Union, a Copy of such Valuation:
3. They will present for such useful and profitable Works to be executed in each Electoral Division, to the Amount of its Proportion of the Assessment, ascertained as above:
4. In case of Drainage, however, and sub-soiling so far as it shall be connected with Drainage, an Undertaking shall be given in Writing, and transmitted with the Presentment by the Person or Persons whose Lands are proposed to be drained (being "Proprietor" in the Terms of the Act 5 and 6 Victoria, Chapter 89,), stating that the Money so to be expended shall be a Charge exclusively on the Lands so to be improved, and be levied from the same, according to an Award to be made by the Commissioners, as under the last-mentioned Act and its Amendments.

His Excellency wishes it to be further understood, that in case these Regulations are not acted upon, and the Portions of the Assessment which would be leviable from each Electoral Division are not presented to be expended on some Work within such Division, the Proceedings at such Sessions must be considered with strict reference to the Provisions of the 9th and 10th Victoria, Chapter 107.

His Excellency, considering also that many Baronies have already held Sessions under that Act, to which Baronies the Opportunity of making Applications in the Manner now prescribed has not been afforded, it is his Desire that all Works already sanctioned in those Baronies, or applied for and which it may become requisite to sanction, in order to afford continued Employment, shall be proceeded with until other Sessions may be conveniently held in such Baronies.

His

His Excellency, in taking upon himself the Responsibility, under the urgent Circumstances of the Case, of inviting the Magistrates and Cess-payers to provide Employment for the People by the Execution of useful and reproductive Works, confidently trusts, with their Assistance, and the Blessing of the Almighty on their united Exertions, that the Calamity with which it has pleased Providence to afflict Ireland may yet in its Results become conducive to the Production of a greater Abundance of human Food from the Soil, and to the future permanent Improvement of the Country.

I have the Honour to be,
Sir,
Your obedient Servant,

The Chairman of the Board of Public Works. H. LABOUCHERE.

CAP. XI.

An Act to explain and amend the Act authorizing the Advance of Money for the Improvement of Land by Drainage in *Great Britain*. [30th *March* 1847.]

9 & 10 Vict. c. 101.

'WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act to authorize the Advance of Public Money, to a limited Amount, to promote the Improvement of Land in* Great Britain *and* Ireland *by Works of Drainage:* And whereas it is expedient that the said Act should be explained and amended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Expences herein-after mentioned shall be deemed to be and may be included among the Expences of Works of Drainage, in respect of which Advances may be made under the Provisions of the said Act; (that is to say,)

Certain Expences deemed to be included as Expences of Works of Drainage.

The Expence of making or improving and securing from or for the Benefit of the Land proposed to be improved by Drainage an Outfall through other Land, or such Part, as the Commissioners may think reasonable, of the Expence of making or improving and securing such Outfall, for the Benefit of the Land in respect of which the Advance may be applied for, and of other Land:

The Expence of making open Drains and Watercourses, including such open Drains and Watercourses as may need frequent Repair, where reasonable Security for their Maintenance shall appear to the Commissioners to be afforded by the Interests or Liabilities of the Tenants and Occupiers of the Land:

And the Expence of fencing, trenching, and clearing the Surface of Land to be drained for the Purpose of converting the same from Waste or Pasture into Arable or Tillage Land, where such fencing, trenching, and clearing respectively shall appear to the Commissioners to be necessary to secure and render productive the proposed Improvement by Drainage:

Provided that it shall appear to the Commissioners that in all the Cases aforesaid the Works will effect an Improvement in the yearly Value of the Land, which will exceed the utmost yearly Amount which can be charged thereon under the said Act in respect of the Advance applied for.

Plans, &c. may be dispensed with in certain Cases.

II. And be it enacted, That where by the said Act the Plan, Estimate, and Specification of the proposed Drainage is required to be inspected or examined by and to be annexed to the Report of the Assistant Commissioner, or Surveyor or Engineer, it shall be sufficient for the Assistant Commissioner, or Surveyor or Engineer, unless the Commissioners shall otherwise direct, to inquire into and to embody in his Report such Particulars of the Land proposed to be drained, and of the proposed or any other Manner of effecting the Drainage thereof, and of the estimated Expences of such Drainage, as shall appear to him necessary and sufficient to enable the Commissioners to judge of the Expediency of an Advance in respect of the proposed Works; and where in the Provisional Certificate, or in any subsequent Proceedings, Reference is by the said Act required to be made to the Plan and Specification annexed to such Report, Reference may be made thereto, or to the said Report, as Circumstances may require; and it shall be lawful for the Commissioners to certify their Opinion that an Advance should be made in respect of any Works, notwithstanding any Deviation therein from the proposed Manner of effecting the Drainage, if such Deviation shall appear to the Commissioners to be expedient, and productive of Improvement as permanent and of as great yearly Amount as the Manner at first proposed.

Applicants for Advances may withdraw or reduce the Amount of their Applications.

III. And be it enacted, That all Parties who shall have made Applications for Advances under the said Act may at any Time, before Provisional Certificates shall have been issued thereon respectively, by Writing addressed to the Commissioners, withdraw or reduce the Amount of the Advances for which their several Applications are made; and the Commissioners may deal with any Application for such reduced Advance in the same Manner in all respects as if the Advance for which such Application is made had been originally limited to the Amount to which the same shall be so reduced.

Applicants may substitute Applications (in respect of other Lands) for the Applications withdrawn or reduced in Amount.

IV. Provided always, and be it enacted, That any Party who shall withdraw an Application or reduce the Amount of the Advance for which his Application may have been made, under the Provision hereinbefore contained, may at the Time of such Withdrawal or Reduction substitute for the Application so withdrawn an Application for an Advance for the Drainage of any of his Lands not comprised in his previous Application; and if the Advance applied for by such substituted Application do not exceed the Advance for which the Application so withdrawn may have been made, or (in the Case of such Reduction as aforesaid) do not exceed the Amount withdrawn by Reduction from the Advance for which the previous Application may have been made, the Commissioners may, in dealing with such substituted Application, give the same the Benefit (if any) in respect of Priority to which they might have deemed

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it entitled if it had been made at the same Time, and instead, in whole or in part, of the previous Application: Provided always, that every such substituted Application shall, in respect to the Notice required to be given by Advertisement, and all Inquiries and Proceedings to be had thereupon, except as aforesaid, be dealt with as an original Application.

Where separate Applications have been made by the same Owner for several Ad. vances, the same may be con. solidated.

V. And be it enacted, That where separate Applications shall have been made by the same Owner for several Advances for the Drainage of several Lands, or where successive Applications shall have been made for an Advance, and a further Advance for Works of Drainage on the same Lands, it shall be lawful for the Commissioners (with the Consent of the Owner for the Time being of such Lands or Land) by their Provisional Certificate, or by any other Writing under their Seal, to declare such several Applications to be consolidated and treated as One Application, and thenceforth the Proceedings and the Provisional Certificate, and the Certificates respectively which shall be had and issued upon such consolidated Application, shall be had, framed, and issued respectively in the same Manner, and shall have the same Force and Effect in all respects, as if the aggregate Amount of the Advances applied for by the several Applications had been applied for, and in the Case of several Lands and Works as if such several Lands and Works had been all mentioned and included in One Application: Provided always, that where such separate Applications as aforesaid shall have been made for Advances for the Drainage of several Lands, such Applications shall not be consolidated without the like Notice by Advertisement of the proposed Consolidation as by the said recited Act is required in respect of an Application for an Advance; and where such Notice by Advertisement shall be given, any Person who would have been authorized to dissent from an Application for an aggregate Advance in respect of the Lands comprised in such several Applications may dissent from such proposed Consolidation, and the Provisions of the said recited Act in relation to Dissents shall be applicable to Dissents from a proposed Consolidation.

Advances may be made on account in certain Cases.

VI. And be it enacted, That where a Provisional Certificate has been or shall have been issued under the said Act, it shall be lawful for the Commissioners, whether a Declaration shall or shall not have been inserted in the Provisional Certificate for this Purpose, to certify to the Commissioners of the Treasury that an Advance on account should be made in respect of any Part of the proposed Works which shall have been actually executed, not exceeding in Amount the whole of the Sum then actually expended thereon, in case it shall be shown to the Satisfaction of the Commissioners that the Part so executed will, independently of the Part remaining unexecuted, be durable and effectual, and produce an Improvement in the yearly Value of the Land exceeding the Amount of the yearly Charge which can be made under the said Act in respect of such Advance.

Time for Completion of Works.

VII. And be it enacted, That no Provisional Certificate shall be issued under the said Act unless it shall be shown to the Satisfaction of the Commissioners, or Security be given to their Satisfaction by the Party applying for the Advance, that the Works for which the Advance is to be made may be completed within Five Years from the Date of the Certificate; and the Commissioners shall annex to every Provisional Certificate to be issued under the Authority of the said Act a Provision that all Works in respect of which they shall certify their Opinion that an Advance should be made shall be completed within Five Years as aforesaid, and no Provisional Certificate shall be issued upon any Application or Applications by the same Owner for any larger Sum than Ten thousand Pounds: Provided always, that in case it shall be shown to the Satisfaction of the Commissioners, or Security be given to their Satisfaction by the Party applying for the Advance, that the Works for which the Advance is to be made may be completed within Three Years from the Date of the Certificate, and that it shall also appear to the Satisfaction of the Commissioners that such Works are to be executed within any District in *Scotland* in which Distress prevails, and that such Works may be executed by the Labour of the Inhabitants of such District, it shall and may be lawful for the said Commissioners in such Case, on the Application of any Owner, and with the Sanction of the Commissioners of Her Majesty's Treasury, to issue a Provisional Certificate or Provisional Certificates for such larger Sum or Sums as they in their Discretion shall see fit, subject to a Provision to be annexed to such last-mentioned Certificate that such Works shall be completed within the said Period of Three Years.

Form of Certificates, and their Effect.

VIII. And be it enacted, That Certificates and Provisional Certificates under the said Act may respectively be made in such Form as the Commissioners shall think fit; and every such Certificate and Provisional Certificate respectively, when sealed with the Seal of the Commissioners, shall for all Purposes be conclusive Evidence that all the Applications and Acts whatsoever which ought to have been made and done previously to the issuing thereof have been made and done by the Persons authorized to make and do the same, and that an Advance may be issued by virtue of such Certificate, and that the Land shall become charged in respect of such Advance; and no such Certificate or Provisional Certificate shall be impeached by reason of any Omission or Mistake therein.

Provisional Certificate may be assigned.

IX. And be it enacted, That any Owner of Land to whom a Provisional Certificate shall have been issued under the said Act, or any subsequent Owner of such Land, may assign such Provisional Certificate, by way of Security, to any Person who may have advanced or may agree to advance Monies for the Execution of the Works therein mentioned, and such Assignment may be made by an Endorsement on the Provisional Certificate in the Form set forth in the Schedule to this Act; and such Assignee shall be entitled to claim and receive, upon and in respect of such Provisional Certificate, such Advances as the Owner by whom the Assignment shall have been made might have claimed and received in case such Assignment had not been made, subject nevertheless to the Right of the Owner as against such Assignee to an Account of the Advances so received, or of so much thereof as shall not be owing on his

Security; and, subject to the Rights of Assignees as aforesaid, each Advance shall be made to the Owner by whom the Works in respect of which an Advance may be made shall appear to the Commissioners to have been executed, and who shall have been named in the Certificate accordingly, or to the legal personal Representative of such Owner; and where an aggregate Advance shall be made in respect of Works which shall have been in part executed by an Owner whose Ownership shall have ceased, and in part by a subsequent Owner, the Advance shall be apportioned by the Commissioners between the Owners in such Manner as by the Report of a Surveyor or Assistant Commissioner, or otherwise, shall appear to the Commissioners to be reasonable, having regard to the Sums expended by the successive Owners, and such successive Owners may be named in the Certificate accordingly.

As to the Words "Owner of Lands."

X. And be it declared and enacted, That the Words "Owner of Lands" shall, as to Lands in *Scotland*, include any Corporation.

This Act to be deemed Part of the recited Act.

XI. And be it enacted, That this Act and the recited Act shall be construed together as One Act, and the Provisions herein contained shall be deemed to extend to all Proceedings and Matters already taken and done in the same Manner as if such Provisions had been originally inserted in the said recited Act.

Act may be amended, &c.

XII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

SCHEDULE to which this Act refers.

Form of Assignment of Provisional Certificate.

I *A.B.* of in consideration of the Sum of Pounds paid to me [*or* of the Advances which may be made to me] by *C.D.*, do hereby assign to the said *C.D.* the within written Provisional Certificate, and all my Right and Interest in and to the Advances which may be made in virtue thereof, to the Intent that the said *C.D.*, his Executors, Administrators, or Assigns, may claim and receive such Advances, and may thereout retain the said Sum of with Interest for the same at per Centum per Annum [*or* such Sums as may be advanced to me by the said *C.D.* as aforesaid, with Interest at per Centum per Annum from the Time of the respective Advances thereof].

In witness whereof I have hereunto set my Hand, this Day of 18 .

CAP. XII.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. [23d *April* 1847.]

[*Number of Forces*, 108,398.]

Persons subject to this Act.

II. And be it enacted, That all the Provisions of this Act shall apply to all Persons who are or shall be commissioned or in Pay as an Officer, or who are or shall be listed or in Pay as a Non-commissioned Officer or Soldier, and to all Persons employed on the Recruiting Service receiving Pay in respect of such Service, and to the Officers and Soldiers belonging to the Forces of the *East India* Company while such Officers or Soldiers shall be in any Part of the United Kingdom, and to the Officers and Persons who are or shall be serving and hired to be employed in the Royal Artillery and Field Train, and to Master Gunners, and Gunners, and Conductors of Stores, and to all Officers and Persons who are or shall be serving in the Regiment of Royal Engineers and the Corps of Royal Sappers and Miners, and in the Corps of Royal Military Surveyors and Draftsmen, and to Persons in the Ordnance and Commissariat Departments, who are or shall be serving with any Part of Her Majesty's Forces at home or abroad, under the Command of any Officer having Commission from Her Majesty or from His late Majesty King *William* the Fourth, and to all Storekeepers and other Civil Officers who are or shall be employed by or act under the Ordnance at any of Her Majesty's Ordnance Establishments in the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, or at Foreign Stations; provided that nothing in this Act contained shall extend to affect any Security which has been given by such Storekeeper, Barrack Master, or other Officer, or their Sureties, for the due Performance of their respective Offices, under the Provisions of an Act passed in the Fiftieth Year of the Reign of His Majesty King *George* the Third, to regulate the taking of Securities in all Offices, but that such Bonds and other Securities shall be and remain in full Force and Effect.

Act to extend to Jersey, Guernsey, &c.

III. And be it enacted, That this Act shall extend to the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, as to the Provisions therein for enlisting of Recruits, whether Minors or of full Age, and swearing and attesting such Recruits, and for mustering and paying, and to the Provisions for the Trial and Punishment of Officers and Soldiers who shall be charged with Mutiny and Desertion, or any other of the Offences which are by this Act declared to be punishable by the Sentence of a Court-martial, and also to the Provisions which relate to the Punishment of Persons who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Clothes, Military Furniture, or Regimental Necessaries from any Soldier or Deserter, or who shall cause the Colour of any such Clothes to be changed, or who shall aid in the Escape of a Prisoner from a Military Prison, or who shall introduce forbidden Articles into such Prison, or shall carry out any such Articles, or who shall assault any Officer of such Prison, and also to the Provisions for exempting Soldiers from being taken out of Her Majesty's Service for not supporting or for leaving chargeable to any Parish any Wife

Wife or Child or Children, or on account of any Breach of Contract to serve or work for any Employer, or on account of any Debts under Thirty Pounds, in the said Islands.

Foreign Troops in this Country.

IV. And be it enacted, That all Officers and Soldiers of any Troops, being mustered and in Pay, which shall be raised and serving in any of Her Majesty's Dominions abroad, or in Places in possession of or occupied by Her Majesty's Subjects under the Command of any Officer having any Commission immediately from Her Majesty, shall be subject to the Provisions of this Act and of Her Majesty's Articles of War, in like Manner as Her Majesty's other Forces are; and if such Officers and Soldiers, having been made Prisoners, be sent into *England* or *Ireland*, although not allowed to serve therein, all the Provisions of this Act in regard to billeting Soldiers shall apply to such Officers and Soldiers.

Militia and Yeomanry

V. And be it enacted, That nothing in this Act contained shall in anywise be construed to extend to any Militia Forces or Yeomanry or Volunteer Corps in *Great Britain* or *Ireland*, excepting only in such Cases wherein, by any Act or Acts for regulating any of the said Forces or Corps, the Provisions contained in any Act for punishing Mutiny and Desertion shall be specifically made applicable to the said Corps.

Power to constitute Courts-martial.

VI. And be it declared and enacted, That for the Purpose of bringing Offenders against this Act and the Articles of War to Justice Her Majesty may from Time to Time, in like Manner as has been heretofore used, grant Commissions under the Royal Sign Manual for the holding Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, and may grant Commissions or Warrants under the said Royal Sign Manual to the Chief Governor or Governors of *Ireland*, the Commander of the Forces, or the Person or Persons commanding in chief, or commanding for the Time being any Body of Her Majesty's Forces, as well within the United Kingdom of *Great Britain* and *Ireland* and the *British* Isles as in any of Her Majesty's Garrisons and Dominions or elsewhere beyond Seas, for convening Courts-martial, and for authorizing any Officer under their respective Commands not below the Degree of a Field Officer to convene Courts-martial, as Occasion may require, for the Trial of Offences committed by any of the Forces under the Command of any such last-mentioned Officer, whether the same shall have been committed before or after such Officer shall have taken upon him such Command; and any Person subject to this Act, who shall in any Part of Her Majesty's Dominions or elsewhere commit any of the Offences for which he may be liable to be tried by Court-martial by virtue of this Act or the Articles of War, may be tried or punished for the same in any Part of Her Majesty's Dominions where he may have come after the Commission of the Offence, as if the Offence had been committed where such Trial shall take place.

General Courts-martial.

VII. And be it enacted, That a General Court-martial convened in *Saint Helena*, *Africa*, *Honduras*, the *Australian* Colonies, and the Settlements on the Coast of *China*, shall consist of not less than Five Commissioned Officers; that if convened in *Jamaica*, *Newfoundland*, *Bermuda*, or the *Bahamas*, or in any Part out of the Queen's Dominions, excepting the Parts afore mentioned, it shall consist of not less than Seven; and that if convened in any other Part of the Queen's Dominions, or of the Settlements of the *East India* Company, it shall consist of not less than Thirteen Commissioned Officers, and shall have Power to sentence any Officer or Soldier to suffer Death, Transportation, or any other Punishment which shall accord with the Provisions of this Act.

District or Garrison Courts-martial.

VIII. And be it enacted, That a District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in *Bermuda*, the *Bahamas*, *Saint Helena*, *Africa*, *Jamaica*, *Honduras*, *Newfoundland*, the *Australian* Colonies, the Windward and Leeward Islands, *British Guiana*, and the Settlements on the Coast of *China*, where it may consist of not less than Five Commissioned Officers, and in *Africa* when convened for the Trial of Desertion of not less than Three Commissioned Officers; and such Court-martial shall have the same Power as a General Court-martial to sentence any Soldier to such Punishments as shall accord with the Provisions of this Act; provided that such Court-martial shall not have Power to try a Commissioned Officer, nor to pass any Sentence of Death or Transportation.

Regimental and Detachment Courts-martial.

IX. And be it enacted, That a Regimental or Detachment Court-martial shall consist of not less than Five Officers, unless it is found to be impracticable to assemble that Number, when Three may be sufficient, and shall have Power to sentence any Soldier to Corporal Punishment, to Imprisonment, and to Forfeiture of Pay, in such Manner as shall accord with the Provisions of this Act.

Courts-martial on Line of March or in Troop Ships.

X. And be it enacted, That in Cases of Mutiny and gross Insubordination, or other Offences committed on the Line of March, or on board any Transport Ship, Convict Ship, Merchant Vessel, or Troop Ship not in Commission, the Offence may be tried by a Regimental or Detachment Court-martial, and the Sentence confirmed and carried into execution on the Spot by the Officer in the immediate Command of the Troops, provided that the Sentence shall not exceed that which a Regimental Court-martial is competent to award.

Courts-martial in special Cases out of the Queen's Dominions.

XI. And be it enacted, That it shall be lawful for any Officer commanding any District, Detachment, or Portion of Her Majesty's Troops which may at any Time be serving out of Her Majesty's Dominions, upon Complaint made to him of any Offence committed against the Property or Person of any Inhabitant of or Resident of any such Countries, by any Person serving with or belonging to Her Majesty's Armies, being under the immediate Command of any such Officer, to convene a Court-martial, which shall consist of not less than Three Officers, for the Purpose of trying any such Person; and every such Court-martial shall have the same Powers in regard to Sentence upon Offenders as are granted by this Act to General Courts-martial; provided that no Sentence of any such Court-martial shall be executed until the General commanding the Army to which the Division, Brigade, Detachment, or Party to which any

Person so tried, convicted, and adjudged to suffer Punishment shall belong shall have approved and confirmed the same.

Mixed Courts-martial in case of Marines and East India Company.

XII. And be it enacted, That, where necessary or expedient, Officers of Her Majesty's Royal Marines, or Officers in the Service of the *East India* Company, or Officers of both such Services, may sit on Courts-martial, together with Officers of Her Majesty's Land Forces, whether the Commanding Officer by whose Order such Court-martial is assembled belongs to the Land or to the Marine Forces; and when the Person to be tried shall belong to the Land Forces, then the Proceedings of such Court shall be regulated, to all Intents and Purposes, as if the Court was composed of Officers of Her Majesty's Land Forces only, and the Provisions of this Act, and the Oaths hereby prescribed, shall be applicable to the Proceedings of such Court; but where the Person to be tried shall belong to Her Majesty's Royal Marines, then the Provisions of an Act passed in the present Session of Parliament, for the Regulation of Her Majesty's Royal Marine Forces while on shore, and the Oaths therein prescribed, shall be applicable; and where the Person to be tried shall be in the Service of the *East India* Company the Provisions of an Act passed in the Third and Fourth Years of the Reign of Her present Majesty, to amend the Laws for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the *East India* Company, and the Oaths thereby prescribed, shall be applicable, notwithstanding any Officer, though in the actual Service of the said Company, may hold a Commission from Her Majesty or from His late Majesty King *William* the Fourth.

President of Courts-martial.

XIII. And be it enacted, That the President of every Court-martial shall be appointed by the Authority convening such Court, and shall in no Case be the Officer commanding in chief or Governor of the Garrison where the Offender shall be tried, nor Commander of the Regiment or Detachment to which the Prisoner belongs; nor in the Case of a General Court-martial under the Degree of a Field Officer, unless a Field Officer cannot be had; nor in any Case whatever under the Degree of a Captain, save in the Case of a Detachment Court-martial holden out of Her Majesty's Dominions, or holden on the Line of March, or on board any Transport Ship, Convict Ship, Merchant Vessel, or Troop Ship not in Commission.

Proceedings at Trial.

XIV. And be it enacted, That in all Trials by Court-martial, as soon as the President and other Officers appointed to serve thereon shall be assembled, their Names shall be read over in the Hearing of the Prisoner, who shall thereupon be asked if he objects to being tried by the President or by any of such Officers; and if the Prisoner shall then object to the President, such Objection shall be referred to the Decision of the Authority by whom such President shall have been appointed; but if he object to any Officer other than the President, such Objection shall be decided by the President and the other Officers so aforesaid appointed to form the Court; and when the Place of the President or other Officer in respect of whom any Challenge shall have been made and allowed shall be supplied by some Officer in respect of whom no Challenge shall have been made or allowed, or if no Challenge whatever shall have been made, or, if made, not allowed, the President and the other Officers composing the Court shall take the Oaths in the Schedule to this Act annexed before the Judge Advocate or his Deputy, or Person officiating as such, and on Trials by other Courts-martial before the President of such Court, who are hereby respectively authorized to administer the same, and any sworn Member may administer the Oath to the President; and as soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, the Oath in the Schedule to this Act annexed; and no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight of the Clock in the Morning and Four in the Afternoon, except in Cases which require an immediate Example, and except in the *East Indies*, where such Proceedings or Trial may be had between the Hours of Six in the Morning and Four in the Afternoon.

Swearing and summoning Witnesses.

XV. And be it enacted, That all General and other Courts-martial shall have Power and Authority, and are hereby required, to administer an Oath to every Witness or other Person who shall be examined before such Court in any Matter relating to any Proceeding before the same; and every Person, as well Civil as Military, who may be required to give Evidence before a Court-martial, shall, in the Case of General Courts-martial, be summoned by the Judge Advocate General or his Deputy, or the Person officiating as such, and in the Case of all other Courts-martial, by the President of the Court; and all Persons so summoned and attending as Witnesses before any Court-martial shall, during their necessary Attendance in or on such Courts, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested, or if such Court be not sitting, then by any Judge of the Superior Courts of *Westminster* or *Dublin*, or the Court of Session in *Scotland*, or of the Courts of Law in the *East* or *West Indies*, or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge, by any Affidavit in a summary Way, that such Witness was arrested in going to or returning from or attending upon such Court-martial; and all Witnesses so duly summoned as aforesaid who shall not attend on such Courts, or attending shall refuse to be sworn, or being sworn shall refuse to give Evidence or to answer all such Questions as the Court may legally demand of them, shall be liable to be attached in the Court of Queen's Bench in *London* or *Dublin*, or the Court of Session, or Sheriff Depute or Stewarts Depute, or their respective Substitutes, within their several Shires and Stewartries in *Scotland*, or Courts of Law in the *East* or *West Indies*, or in any of Her Majesty's Colonies, Garrisons, or Dominions in *Europe* or elsewhere respectively, upon Complaint made, in like Manner

Manner as if such Witness had neglected to attend in a Trial in any Proceeding in the Court in which such Complaint shall be made.

Previous Convictions to be put in Evidence.

XVI. And be it enacted, That after a Prisoner has been found guilty of any Charge or Charges, the Court before which any such Prisoner shall have been tried shall, before passing Sentence on such Prisoner, and for the Purpose only of affixing Punishment, receive in Evidence against him any previous Convictions by Courts-martial, the Proceedings of which have been duly confirmed, and in like Manner and for the like Purpose the Court shall receive in Evidence any previous Conviction of such Prisoner by a Court of ordinary Criminal Jurisdiction, where the Offence charged in the Indictment was of a felonious, fraudulent, or unnatural Nature; and in the Case of Convictions by Courts-martial a Certificate, which shall purport to contain a Copy of the Charges, Finding, and Sentence of the Court, and of the Minute of Confirmation of such Finding and Sentence, made from the original Minutes of such Court, or from the Court-martial Book, and which shall further purport to be signed by the Judge Advocate General or by his Deputy, or by the Officer officiating as such, or by the Officer confirming the Proceedings, or by his Adjutant General, Brigade Major, or other like Officer, in case such Copy be taken from the original Minutes, or by the Commanding Officer, Adjutant, or other Officer having the Custody of the Court-martial Book, in case such Copy be taken from the said Book, shall be sufficient Evidence of such Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in any such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender; and in the Case of a Conviction by a Court of ordinary Criminal Jurisdiction, any Certificate transmitted as herein-before provided to the Officer commanding a Regiment by the Clerk of any such Court, or other Officer having Custody of the Records of such Court, or the Deputy of such Clerk, containing the Substance and Effect of any Indictment, omitting the formal Part, together with the Judgment of the Court thereon, and purporting to be signed by such Clerk or other Officer, or by the Deputy of such Clerk, shall be sufficient Evidence of such last-mentioned Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such last-mentioned Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender: Provided always, that before any such Evidence shall be received it shall be proved to the Satisfaction of the Court that the said Prisoner had previously to his Trial received Notice of the Intention to produce such Evidence against him; and provided also, that the Court shall in no Case award to him any other Punishment or Punishments than may by this Act and by the Articles of War be awarded for the Offence of which he shall have been so found guilty.

Report of Proceedings of General and District Courts-martial.

XVII. And be it enacted, That every Judge Advocate, or Person officiating as such at a General Court-martial, and the President of every District or Garrison Court-martial, where the Offender shall be a Non-commissioned Officer or Soldier belonging to Her Majesty's Land Forces, are required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the original Proceedings and Sentence thereof to the Judge Advocate General in *London*, in whose Office they shall be carefully preserved; and any Person tried by a General Court-martial, or any Person on his Behalf, shall be entitled, on Demand, to a Copy of such Sentence and Proceedings (paying reasonably for the same), whether such Sentence shall be approved or not, at any Time not sooner than Six Months if the Trial took place at *Gibraltar* or in the *Mediterranean*, Three Months if at any other Station within *Europe*, and Twelve Months if elsewhere in Her Majesty's Dominions; provided that such Demand as aforesaid shall have been made within the Space of Three Years from the Date of the Approval or other final Decision upon the Proceedings before such General Court-martial.

No second Trial, but Revision allowed.

XVIII. And be it enacted, That no Officer or Soldier, being acquitted or convicted of any Offence, shall be liable to be tried a second Time by the same or any other Court-martial for the same Offence; and that no Finding, Opinion, or Sentence given by any Court-martial, and signed by the President thereof, shall be revised more than once, nor shall any additional Evidence be received by the Court on any Revision.

Crimes punishable with Death.

XIX. And be it enacted, That if any Person subject to this Act shall at any Time during the Continuance of this Act begin, excite, cause, or join in any Mutiny or Sedition in Her Majesty's Land or Marine Forces, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any Mutiny or intended Mutiny shall not, without Delay, give Information thereof to his Commanding Officer; or shall hold Correspondence with or give Advice or Intelligence to any Rebel or Enemy of Her Majesty, either by Letters, Messages, Signs, or Tokens, in any Manner or Way whatsoever; or shall treat or enter into any Terms with such Rebel or Enemy without Her Majesty's Licence, or Licence of the General or Chief Commander; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge, or which he shall be commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer, or others, to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend, or shall desert Her Majesty's Service; or shall leave his Post before relieved, or shall be found sleeping on his Post; or shall strike or shall use or offer any Violence against his Superior Officer, being in the Execution

Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or who being confined in a Military Prison shall offer any Violence against a Visitor or other Officer, being in the Execution of his Office, all and every Person and Persons so offending in any of the Matters before mentioned, whether such Offence shall be committed within this Realm, or in any other of Her Majesty's Dominions, or in Foreign Parts, upon Land or upon the Sea, shall suffer Death or such other Punishment as by a Court-martial shall be awarded.

Judgment of Death.

XX. And be it enacted, That no Judgment of Death by a Court-martial shall pass unless Two Thirds at least of the Officers present shall concur therein.

Commutation of Death for Transportation.

XXI. And be it enacted, That whensoever any General Court-martial by which any Soldier shall have been tried and convicted of any Offence punishable with Death shall not think the Offence deserving of Capital Punishment such Court-martial may adjudge the Offender, according to the Degree of the Offence, to be transported as a Felon for Life or for a certain Term of Years, or may sentence him to general Service as a Soldier in any Corps and in any Country or Place which Her Majesty shall thereupon direct, or may, if such Offender shall have enlisted for a limited Term of Years, sentence him to serve for Life as a Soldier in any Corps which Her Majesty shall please to direct; provided that in all Cases where a Capital Punishment shall have been awarded by a General Court-martial it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, instead of causing such Sentence to be carried into execution, to order the Offender to be transported as a Felon, either for Life or for a certain Term of Years, as shall seem meet to Her Majesty, or, if in the *East Indies*, to the Officer commanding as aforesaid.

Embezzlement punishable by Transportation.

XXII. And be it enacted, That every Paymaster or other Commissioned Officer of Her Majesty's Forces, or any Person employed in the Ordnance or Commissariat Department, or in any Manner in the Care or Distribution of any Money, Provisions, Forage, or Stores, who shall embezzle or fraudulently misapply, damage, or be concerned in or connive at the Embezzlement, fraudulent Misapplication, or Damage, of any Money, Provisions, Forage, Arms, Clothing, Ammunition, or other Military Stores belonging to Her Majesty's Forces, or for Her Majesty's Use, may be tried for the same by a General Court-martial, which may adjudge any such Offender to be transported as a Felon for Life or for any certain Term of Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from Her Majesty's Service, and Incapacity of serving Her Majesty in any Office, Civil, or Military, as such Court shall think fit, according to the Nature and Degree of the Offence; and every such Offender shall, in addition to any other Punishment, make good at his own Expence the Loss and Damage sustained, which shall have been ascertained by such Court-martial; and in every such Case the Court is required to ascertain by Evidence the Amount of the Loss or Damage incurred, and to declare by their Sentence that such Amount shall be made good by such Offender; and the Loss and Damage so ascertained as aforesaid shall be a Debt to Her Majesty, and may be recovered in any of Her Majesty's Courts at *Westminster* or in *Dublin*, or the Court of Exchequer in *Scotland*, or in any Court in Her Majesty's Colonies where the Person sentenced by such Court-martial shall be resident, after the said Judgment shall be confirmed and made known; and every Officer sentenced to be transported as a Felon, when such Sentence shall be duly confirmed, shall thereupon cease to belong to Her Majesty's Service, and for ever be incapable of serving Her Majesty in any Military Capacity.

Execution of Sentences of Transportation in the United Kingdom.

XXIII. And be it enacted, That whenever Her Majesty shall intend that any Sentence of Transportation heretofore or hereafter passed upon any Offender by any Court-martial shall be carried into execution for the Term specified in such Sentence or for any shorter Term, or shall be graciously pleased to commute as aforesaid to Transportation any Sentence of Death passed by any such Court, the Sentence, together with Her Majesty's Pleasure thereupon, shall be notified in Writing by the Officer commanding in chief Her Majesty's Forces in *Great Britain* and *Ireland*, or in the temporary Absence of such Officer by the Adjutant General, or when there shall not be any Commander-in-Chief of Her Majesty's Forces in *Great Britain* and *Ireland*, then by the Secretary of War or his Deputy, to any Judge of the Queen's Bench, Common Pleas, or Exchequer in *England* or *Ireland*, and thereupon such Judge shall make an Order for the Transportation of such Offender in conformity with such Notification, and shall also do all such other Acts consequent upon such Notification as such Judge is authorized to do by any Act in force touching the Transportation of other Offenders; and the Person in whose Custody such Offender shall at that Time be, and all other Persons whatsoever whom the said Order may concern, shall be bound to obey and shall be assistant in the Execution thereof, and shall be liable to the same Punishment for Disobedience, or for interrupting the Execution of such Order, as if the Order had been made under the Authority of any such Act as aforesaid; and every Person so ordered to be transported shall be subject to every Provision made by Law and in force concerning Persons convicted of any Crime and under Sentence of Transportation; and from the Time when such Order of Transportation shall be made every Act in force touching the Escape of Felons, or their afterwards returning or their being at large without Leave, shall apply to such Offender, and to all Persons aiding and abetting, contriving or assisting in any Escape or intended Escape, or returning without Leave of any such Offender; and the Judge who shall make any Order of Transportation as aforesaid shall direct the Notification of Her Majesty's Pleasure, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of Queen's Bench; and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender, or to any Person applying in his or Her Majesty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held,

held, before whom he was convicted, and the Conditions on which the Order of Transportation was given; which Certificate shall be sufficient Proof of the Conviction and Sentence of such Offender, and also of the Terms on which such Order for his Transportation was given, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

In the Colonies.

XXIV. And be it enacted, That whenever any Sentence of Transportation heretofore or hereafter passed upon any Offender by any Court-martial holden in the *East Indies*, or in any Part of Her Majesty's Foreign Dominions, is to be carried into execution for the Term specified in such Sentence or for any shorter Term, or when Sentence of Death has been or shall as aforesaid be commuted to Transportation, the same shall be notified by the Officer commanding Her Majesty's Forces at the Presidency or Station, or in his Absence by the Adjutant General for the Time being, to some Judge of one of the Supreme Courts of Judicature in the *East Indies*, or Chief Justice, or some other Judge, as the Case may be, in any Part of Her Majesty's Foreign Dominions, who shall make Order for the Transportation or intermediate Custody of such Offender, in like Manner as for the Transportation or intermediate Custody of any other Convict; and upon any such Order being made it shall be duly notified to the Governor of the Presidency if in the *East Indies*, or to the Governor of the Colony if in any of Her Majesty's Colonies, or to the Person who shall for the Time being be exercising the Office of Governor of such Presidency or Colony, who on Receipt of such Notification, shall cause such Offender to be removed to some Colony or Place in obedience to the Directions for the Removal of Convicts, which shall from Time to Time be transmitted from Her Majesty through one of Her Principal Secretaries of State to such Presidency or Colony; and such Offender on being so removed shall undergo the Sentence of Transportation which has been passed upon him in the Colony or Place to which he has been so removed or sent, and whilst such Sentence shall remain in force shall be liable to be there imprisoned and kept to hard Labour, and otherwise dealt with under such Sentence in the same Manner as if he had been sentenced to be imprisoned, with hard Labour, during the Term of his Transportation, by the Judgment of a Court of competent Jurisdiction in the Colony or Place to which he has been so removed or sent.

Power to inflict Corporal Punishment.

XXV. And be it enacted, That any Court-martial may sentence any Soldier to Corporal Punishment not extending to Life or Limb for Immorality, Misbehaviour, or Neglect of Duty; provided that no such Sentence of Corporal Punishment exceed Fifty Lashes.

Power to inflict Corporal Punishment and Imprisonment.

XXVI. And be it enacted, That it shall be lawful for any General, District, or Garrison Court-martial, in addition to any Sentence of Corporal Punishment, to award Imprisonment, with or without hard Labour, for any Period not exceeding One Year.

Power to commute Corporal Punishment.

XXVII. And be it enacted, That in all Cases in which Corporal Punishment shall form the whole or any Part of the Sentence awarded by any Court-martial, it shall be lawful for Her Majesty, or for the General or other Officer authorized to confirm the Sentences of Garrison or District, Regimental or Detachment Courts-martial, to commute such Corporal Punishment, or any Part thereof, to Imprisonment, with or without hard Labour, for any Period not exceeding Forty Days.

Forfeiture of Pay and Pension by Sentence of Court-martial.

XXVIII. And be it enacted, That any General Court-martial may, in addition to any other Punishment which it may be competent to award, sentence any Offender to Forfeiture of all Advantage as to additional Pay, and Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service or might accrue from future Service, according to the Nature of the Case; and that any District or Garrison Court-martial may also, in addition to any Sentence which such Court may award, sentence any Offender to such Forfeiture for Desertion or for disgraceful Conduct,

In wilfully maiming or injuring himself or any other Soldier, whether at the Instance of such other Soldier or not, with Intent to render himself or such other Soldier unfit for Service:

In tampering with his Eyes, with Intent thereby to render himself unfit for Service:

In wilfully doing any Act, or wilfully disobeying any Orders, whether in Hospital or otherwise, thereby producing or aggravating Disease or Infirmity, or delaying his Cure:

In malingering or feigning Disease:

In stealing or embezzling Government Stores, or in receiving them knowing them to have been stolen:

In stealing any Money or Goods, the Property of a Comrade, of a Military Officer, or of any Military or Regimental Mess or Band, or in receiving any such Money or Goods knowing the same to have been stolen:

In making any false or fraudulent Accounts, Returns, Matters, or Entries, or assisting or conniving at the same being made, or producing the same as true knowing the same to be false or fraudulent:

In stealing or embezzling or fraudulently misapplying public Money intrusted to him:

Or in committing any Offence of a felonious or fraudulent Nature, to the Injury of or with Intent to injure any Person, Civil or Military:

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind.

Forfeiture of Pay and Pension on Conviction of Desertion or Felony.

XXIX. And be it enacted, That every Soldier who shall be found guilty of Desertion by a Court-martial, such Finding having been duly approved, or of Felony in any Court of ordinary Criminal Jurisdiction in *England* or *Ireland*, or of any Crime or Offence in any Court of Criminal Judicature in any Part of the United Kingdom, or in any Dominion, Territory, Colony, Settlement, or Island belonging to or occupied by Her Majesty out of the United Kingdom, which would, if committed therein, amount to Felony, shall thereupon forfeit all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, in addition to any Punishment which such Court may award.

XXX. And

Forfeiture of Pay when in Confinement under Sentence; or during Absence on Commitment under a Charge; or in arrest for Debt; or when Prisoner of War; or when convicted of Desertion, or of Absence without Leave; or when absent without Leave, not exceeding Five Days.

XXX. And be it enacted, That no Soldier shall be entitled to Pay, or to reckon Service towards Pay or Pension, when in Confinement under a Sentence of any Court, or during any Absence from Duty by Commitment or Confinement under any Charge of which he shall be afterwards convicted, either by Court-martial or by any Court of ordinary Criminal Jurisdiction, or whilst in arrest for Debt; and that when any Soldier shall be absent as a Prisoner of War he shall not be entitled to Pay, or to reckon Service towards Pay or Pension, for the Period of such Absence; but upon rejoining Her Majesty's Service due Inquiry shall be made by a Court-martial, and unless it shall be proved to the Satisfaction of such Court that the said Soldier was taken Prisoner through wilful Neglect of Duty on his Part, or that he had served with or under, or in some Manner aided the Enemy, or that he had not returned as soon as possible to Her Majesty's Service, he may thereupon be recommended by such Court to receive either the whole of such Arrears of Pay or a Proportion thereof, and to reckon Service during his Absence; and that any Soldier who shall be convicted of Desertion, or of Absence without Leave, shall, in addition to any Punishment awarded by the Court, forfeit his Pay for the Day or Days during which he was in a State of Desertion, or during his Absence without Leave; and if any Soldier shall absent himself without Leave for any Period not exceeding Five Days, and shall not account for the same to the Satisfaction of the Commanding Officer, or if any Soldier shall be guilty of any other Offence which the Commanding Officer may not think necessary to bring before a Court-martial, the Commanding Officer may order that such Soldier shall be imprisoned for any Period not exceeding One hundred and sixty-eight Hours, with or without hard Labour, or with or without solitary Confinement, as the said Commanding Officer may think fit, and such Soldier shall forfeit his Pay for any Day or Days on which he may be so imprisoned; and the said Commanding Officer may moreover order that, in addition to or instead of such Imprisonment and Forfeiture, or any other Punishment which he has Authority to inflict, any Soldier who shall have so absented himself as aforesaid shall forfeit his Pay for the Day or Days on which he shall have so absented himself, and in pursuance of any such Order as aforesaid the Pay of the Soldier shall be accordingly forfeited: Provided that such Soldier shall not be liable to be afterwards tried by a Court-martial for any Offence for which he shall have been so punished, ordered to suffer Imprisonment, Punishment, or Forfeiture as aforesaid; provided also, that any Soldier who shall be so ordered to suffer Imprisonment or Forfeiture of Pay shall, if he so request, have a Right to be tried by a Court-martial for his Offence instead of submitting to such Imprisonment or Forfeiture; provided that it shall be lawful for Her Majesty's Secretary at War to order or withhold the Payment of the whole or any Part of the Pay of any Officer or Soldier during the Period of Absence by any of the Causes aforesaid.

Forfeiture of Pay for Drunkenness on Duty.

XXXI. And be it enacted, That any Court-martial may sentence any Soldier for being drunk when on or for Duty or Parade or on the Line of March, to be deprived of a Penny a Day of his Pay for any Period not exceeding Thirty Days, in addition to any other Punishment which such Court may award.

Forfeiture of Pay and Liquor for habitual Drunkenness.

XXXII. And be it enacted, That any General or District Court-martial, before which any Soldier shall be convicted of habitual Drunkenness, shall, in addition to any other Punishment which such Court is competent to award, deprive such Soldier of his Allowance in lieu of Beer at home, or of his Liquor when issued in Kind abroad, or of such Portion of his additional or regular Pay, for such Period, not exceeding Two Years, and under such Restrictions and Regulations, as may accord with Her Majesty's Articles of War, subject to Restoration on subsequent good Conduct; and after any other Punishment which the Court may award, every Regimental or Detachment Court-martial shall deprive a Soldier, if convicted of a Charge of habitual Drunkenness, of his Allowance in lieu of Beer at home, or of his Liquor when issued in Kind abroad, or of such Portion of his additional or regular Pay, for such Period, not exceeding Six Months, and under such Restrictions and Regulations, as may accord with Her Majesty's Articles of War, subject to Restoration on subsequent good Conduct.

Stoppages.

XXXIII. And be it enacted, That, in addition to any other Punishment which the Court may award, a Court-martial may further direct that any Offender may be put under Stoppages until he shall have made good —

Any Loss or Damage occasioned by him in any of the Instances of disgraceful Conduct herein-before specified:

Any Loss or Destruction of, or Damage or Injury to, any Property whatsoever, occasioned by his wilful or negligent Misconduct:

Any Loss or Destruction of, or Damage or Injury to, his Horse or to the Horse of any other Soldier, or any Loss or Destruction of, or Damage or Injury to, his Accoutrements or Regimental Necessaries, or any Loss or Destruction of, or Damage or Injury to, the Accoutrements or Regimental Necessaries of any other Soldier, occasioned by his wilful or negligent Misconduct:

Any Expence necessarily incurred by his Drunkenness or other Misconduct:

Provided always, that, except in the Case of the Loss or Destruction of Accoutrements and Regimental Necessaries, in which Case the Court may by its Sentence direct that the said Stoppages shall continue till the Cost of replacing the same be made good, the Amount of any Loss, Destruction, Damage, or Injury, or Expence, shall be ascertained by Evidence, and the Offender shall be placed under Stoppages for such an Amount only as shall be proved to the Satisfaction of the Court: Provided also, that after satisfying the Charges for his Messing and Washing, so much only of the Pay of the Soldier may be stopped and applied as shall leave him a Residue at the least of One Penny a Day.

Discharge with Ignominy.

XXXIV. And be it enacted, That whenever any Soldier shall have been convicted of any such disgraceful Conduct, and the Court in respect thereof shall have made the Forfeiture of all Claim to Pension

on

on Discharge a Part of the Sentence passed on such Soldier, such Court may further recommend that he be discharged with Ignominy from Her Majesty's Service.

Marking Deserters.

XXXV. And be it enacted, That on the first and on every subsequent Conviction of Desertion the Court-martial, after awarding such Punishment as it may think fit, may order the Offender to be marked on the Left Side, Two Inches below the Arm-pit, with the Letter D, such Letter not to be less than an Inch long, and to be marked upon the Skin with some Ink or Gunpowder, or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated.

Power of Imprisonment by different Kinds of Courts-martial.

XXXVI. And be it enacted, That a General or District Court-martial may sentence any Soldier to Imprisonment, with or without hard Labour, and may also direct that such Offender shall be kept in solitary Confinement for any Portion or Portions of such Imprisonment not exceeding Twenty-eight Days at a Time, nor Eighty-four Days in any One Year, with Intervals between the Periods of solitary Confinement of not less Duration than such Periods; and that any Regimental or Detachment Court-martial may sentence any Soldier to Imprisonment, with or without hard Labour, for any Period not exceeding Forty Days, or to solitary Confinement for any Period not exceeding Twenty Days, or may sentence a Soldier to Imprisonment, Part thereof to be with or without hard Labour, and Part thereof in solitary Confinement: Provided always, that when such Court shall direct the Imprisonment to be Part in solitary Confinement and Part otherwise, the whole Period of such Imprisonment shall not exceed Twenty Days, and the Part thereof in solitary Confinement shall not exceed Ten Days.

Imprisonment of Offenders already under Sentence for previous Offence.

XXXVII. And be it enacted, That whenever Sentence shall be passed by a Court-martial on a Person already imprisoned under Sentence of a Court-martial for any former Offence, it shall be lawful for the Court to award Imprisonment for the subsequent Offence to commence at the Expiration of the Imprisonment to which such Person shall have been previously sentenced, and where such Person shall be already under Sentence, either of Imprisonment or Transportation, the Court, if empowered to pass Sentence of Transportation, may award such Sentence for the subsequent Offence to commence at the Expiration of the Imprisonment or Transportation to which such Persons shall have been previously sentenced, although the aggregate of the Terms of Imprisonment or Transportation respectively may exceed the Term for which either of those Punishments would be otherwise awarded.

Term and Place of Imprisonment.

XXXVIII. And be it enacted, That, save as herein-before specially provided, every Term of Imprisonment under the Sentence of a Court-martial, whether original or revised, shall be reckoned as commencing on the Day on which the original Sentence and Proceedings shall have been signed by the President; and the Place of Imprisonment under the Sentences of General Courts-martial shall be appointed by the Officer commanding the District, Garrison, Island, or Colony, and under the Sentence of any other Court-martial shall be appointed by the Officer confirming the Proceedings of such Court-martial, and in default of such Appointment, then the Place of Imprisonment shall be appointed by the Officer commanding the Regiment or Corps to which the Offender belongs or is attached.

Military Prisons.

XXXIX. And be it enacted, That it shall be lawful for the Secretary at War to set apart any Buildings now erected or which may hereafter be erected, or any Part or Parts thereof, as Military Prisons, and to declare that any Building, or any Two or more separate and detached Buildings, shall be, and thenceforth such Building or Buildings shall be deemed and taken to be, a Military Prison; and every Military Prison, whether the same now exist or may hereafter be established, which shall be, or which under the Provisions of any former Act of Parliament have been, so as aforesaid set apart or declared, shall be deemed to be a public Prison within the Meaning of this Act; and all and every the Powers and Authorities with respect to County Gaols or Houses of Correction which now are or which may hereafter be vested in any of Her Majesty's Principal Secretaries of State shall, with respect to all such Military Prisons, belong to and may be exercised by the Secretary at War; and it shall be lawful for the Secretary at War from Time to Time to make, alter, and repeal Rules and Regulations for the Government and Superintendence of any such Military Prison, and of the Governor, Provost Marshal, Officers, and Servants thereof, and of Offenders confined therein; and it shall be lawful for the Secretary at War from Time to Time to appoint an Inspector General and Inspectors of Military Prisons, and a Governor or Provost Marshal, and all other necessary Officers and Servants for any such Military Prison, and, as Occasion may arise, to remove the Governor or Provost Marshal, Officer, or Servant of any such Military Prison, and the General or other Officer commanding any District or Foreign Station within which may be any such Military Prison, or such General or other Officer, and such other Person and Persons as the Secretary at War may from Time to Time appoint, shall be a Visitor or Visitors of such Prison; and the Secretary at War may authorize any General Officer commanding on a Foreign Station to appoint periodically Visitors to any Military Prison within his Command; and the Secretary at War shall transmit to the Visitor or Visitors of every Military Prison established by his Authority a Copy of the Rules and Regulations which are to be observed and enforced, and the same shall accordingly be observed and enforced within such Prison; and every Inspector, Visitor, and Governor of any such Military Prison respectively shall, subject to such Rules and Regulations as may from Time to Time be made by the Secretary at War, have and exercise in respect of such Prison, and of the Governors, Officers, and Servants thereof, and of the Prisoners confined therein, all the Powers and Authorities, as well in respect of administering Oaths as otherwise, which any Inspector, Visiting Justice, or Governor of a County Gaol or House of Correction may respectively exercise as such.

Custody of Prisoners under Military Sentence in Common Gaols.

XL. And be it enacted, That every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison or of any Gaol or House of Correction in any Part of Her Majesty's Dominions shall receive into his Custody any Military Offender under Sentence of Imprisonment by a General or other Court-martial, upon

upon Delivery to him of an Order in Writing in that Behalf from the Officer commanding the Regiment or Corps to which the Offender belongs or is attached, which Order shall specify the Period of Imprisonment which the Offender is to undergo, and the Day and Hour of the Day on which he is to be released; and such Governor, Provost Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without hard Labour, and with or without solitary Confinement, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be discharged or delivered over to Military Custody before the Expiration of that Time under an Order duly made for that Purpose; and whenever Troops are called out in aid of the Civil Power, or are stationed in Billets, or are on the Line of March, every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, shall receive into his Custody any Soldier, for a Period not exceeding Seven Days, upon Delivery to him of an Order in Writing on that Behalf from the Officer commanding such Troops; and any Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, who shall refuse to receive and to confine, or to discharge or deliver over, any Military Offender in the Manner herein before prescribed, shall forfeit for every such Offence the Sum of One hundred Pounds.

Proviso for Removal of Prisoners.

XLI. And be it enacted, That in the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial in any public Prison other than the Military Prisons set apart by the Authority of this Act, or in any Gaol or House of Correction in any Part of Her Majesty's Dominions, it shall be lawful for the Officer who confirmed the Proceedings of the Court, or for the Officer commanding the District, Garrison, Island, or Colony, to give, as often as Occasion may arise, an Order in Writing directing that the Prisoner be discharged, or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and such Prisoner shall accordingly, on the Production of such Order, be discharged or be delivered over, as the Case may be; provided also, that the Time during which any Prisoner under Sentence of Imprisonment by a Court-martial shall be detained in Military Custody shall be reckoned as Imprisonment under the Sentence, for whatever Purpose such Detention shall take place.

Their Subsistence in Common Gaols.

XLII. And be it enacted, That the Gaoler or Person having the immediate Inspection of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions, shall diet and supply every Soldier with Fuel and other Necessaries according to the Regulations of such Place of Confinement, and shall receive on account of every Soldier, during the Period of his Imprisonment, Sixpence *per Diem*, which the Secretary of War shall cause to be issued out of the Subsistence of such Soldier, upon Application in Writing signed by any Justice within whose Jurisdiction such Place of Confinement shall be locally situated, together with a Copy of the Order of Commitment, and which Sum of Sixpence *per Diem* shall be carried to the Credit of the Fund from which the Expence of such Place of Confinement is defrayed.

Expiration of Imprisonment in Common Gaols.

XLIII. And be it enacted, That every Gaoler, or Person having the immediate Inspection of any public Prison, Gaol, House of Correction, or other Place of Confinement, to whom any Notice shall have been given, or who shall have reason to believe or to know, that any Person in his Custody for any Offence, Civil or Military, is a Soldier liable to serve Her Majesty on the Expiration of his Imprisonment, shall give, if in *Great Britain*, to the Secretary at War, and if in *Ireland* to the General commanding Her Majesty's Forces in *Ireland*, One Month's Notice of the Period of such Expiration of Imprisonment, or if there shall not be sufficient Time for a Month's Notice then the longest practicable Notice thereof.

Musters and Punishment for false Musters.

XLIV. And be it enacted, That Musters shall be taken of every Regiment, Troop, or Company in Her Majesty's Service, twice at least in every Year, at such Times as shall be appointed; and no Soldier shall be absent from such Musters unless properly certified to be employed on some other Duty of the Regiment, or to be sick, or in Prison, or on Furlough; and every Officer who shall make any false or untrue Muster of Man or Horse, or shall wittingly or willingly allow or sign the Muster Roll wherein such false Muster is contained, or any Duplicate thereof, or who shall directly or indirectly take or cause to be taken any Money or Gratuity for mustering any Soldiers, or for signing any Muster Rolls or Duplicates thereof, or shall knowingly muster any Person by a wrong Name, upon Proof thereof upon Oath made by Two Witnesses before a General Court-martial, shall for such Offence be forthwith cashiered, and shall be thereby utterly disabled to have or hold any Civil or Military Office or Employment within the United Kingdom of *Great Britain* and *Ireland*, or in Her Majesty's Service.

Trials for Desertion after subsequent Re-enlistment.

XLV. And be it enacted, That every Soldier shall be liable to be tried and punished for Desertion from any Corps into which he may have enlisted, or from Her Majesty's Service, although he may of right belong to the Corps from which he shall have originally deserted; and whether such Soldier shall be tried for deserting from the Corps into which he originally enlisted, or for deserting from the same Corps into which he may have subsequently enlisted, or for any other Desertion, every Desertion previous or subsequent to that for which he may be so tried may, if duly stated in the Charges, be given in Evidence against him on such Trial.

Apprehension of Deserters in the United Kingdom.

XLVI. And be it enacted, That upon reasonable Suspicion that a Person is a Deserter it shall be lawful for any Constable, or if no Constable can be immediately met with then it shall be lawful for any Officer or Soldier in Her Majesty's Service, to apprehend or cause such suspected Person to be apprehended, and to bring or cause him to be brought before any Justice living in or near such Place, and acting for the County or Borough wherein such Place is situate, or for the County adjoining such first-mentioned

mentioned County or such Borough; and such Justice is hereby authorized and required to inquire whether such suspected Person is a Deserter, and if it shall appear by the Testimony of One or more Witnesses, taken upon Oath, or by the Confession of such suspected Person, or by the Knowledge of such Justice, that such suspected Person is a Deserter, such Justice shall forthwith cause him to be conveyed in Civil Custody to the Head Quarters or Depôt of the Regiment to which he belongs, if stationed within Five Miles of the Place of Apprehension, or if such Head Quarters or Depôt shall not be stationed within Five Miles, then to the nearest or most convenient public Prison, (other than a Military Prison set apart under the Authority of this Act,) whether such Prison be in the County or Borough in which such suspected Person was apprehended or in which he was committed or not; or if the Deserter shall have been apprehended by a Party of Soldiers of his own Regiment, in charge of a Commissioned Officer, such Justice may deliver him up to such Party, unless the Officer shall deem it necessary to have the Deserter committed to Prison for safe Custody; and such Justice shall transmit an Account thereof, in the Form prescribed in the Schedule annexed to this Act, to the Secretary at War, specifying therein whether such Deserter was delivered to his Regiment or to the Party of his Regiment in order for his being taken to the Head Quarters or Depôt of his Regiment, or whether such Deserter was committed to Prison, to the end that the Person so committed may be removed by an Order from the Office of the said Secretary at War, and proceeded against according to Law; and such Justice shall also send to the Secretary at War a Report, stating the Names of the Persons by whom the Deserter was apprehended and secured; and the Secretary at War shall transmit to such Justice an Order for the Payment to such Persons of such Sum, not exceeding Forty Shillings, as the Secretary at War shall be satisfied they are entitled to, according to the true Intent and Meaning of this Act; and for such Information, Commitment, and Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings and no more; and every Gaoler and other Person into whose Custody any Person charged with Desertion is committed shall immediately upon the Receipt of the Person so charged into his Custody pay such Fee of Two Shillings, and also upon the Production of a Receipt from the Medical Practitioner who may have been required to examine such suspected Person a Fee of Two Shillings and Sixpence, and shall notify the Fact to the Secretary at War, and transmit also to the Secretary at War a Copy of the Commitment, to the end that such Secretary at War may order Repayment of the same; and that when any Person shall be apprehended and committed as a Deserter in any of Her Majesty's Colonies the Justice shall forthwith cause him to be conveyed to some public Prison, if the Regiment to which he is suspected to belong shall not be in the Colony, or, if the Regiment be in the Colony, the Justice may, if within reasonable Distance, deliver him into Custody at the nearest Military Post, although the Regiment to which such Person is suspected to belong may not be stationed at such Military Post; and such Justice shall in every Case transmit to the General or other Officer commanding in the Colony a Description Return in the Form prescribed, to the end that such Person may be removed by the Order of such Officer, and proceeded against according to Law.

In the Colonies.

XLVII. And be it enacted, That every Gaoler or Person having the immediate Inspection of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions, is hereby required to receive and confine every Deserter who shall be delivered into his Custody by any Soldier conveying such Deserter under lawful Authority, on Production of the Warrant of the Justice of the Peace on which such Deserter shall have been taken, or some Order from the Office of the Secretary at War, which Order shall continue in force until the Deserter shall have arrived at his Destination; and such Gaoler or Person shall be entitled to One Shilling for the safe Custody of the said Deserter while halted on the March, and to such Subsistence for his Maintenance as shall be directed by Her Majesty's Regulations.

Temporary Custody of Deserters in Gaols.

XLVIII. And be it enacted, That any Recruit who shall desert prior to joining the Regiment for which he has enlisted shall, on being apprehended, and committed for such Desertion by any Justice of the Peace upon the Testimony of One or more Witnesses upon Oath, or upon his own Confession, be liable to be transferred to any Regiment or Depôt nearest to the Place where he shall have been apprehended, or to any other Regiment to which Her Majesty may deem it more desirable that he should be transferred: Provided always, that all Cavalry Recruits so committed for Desertion shall be transferred to Cavalry Regiments, and Infantry Recruits to Infantry Regiments; and that such Deserters thus transferred shall not be liable to other Punishment for the Offence, nor to any other Penalty, except the Forfeiture of their personal Bounty, reserving only for them that Part of the Bounty which is applicable to and required for the Provision of Necessaries.

Desertion of Recruits.

XLIX. And be it enacted, That any Person who shall voluntarily deliver himself up and confess himself to be a Deserter from Her Majesty's Forces, or the embodied Militia, or the Forces of the *East India* Company, or who, while serving in any of Her Majesty's Forces, or the embodied Militia, or the Forces of the *East India* Company, shall to any Officer or Non-commissioned Officer thereof confess himself to be a Deserter as aforesaid, or who, upon being apprehended for any Offence, shall, in the Presence of the Justice, confess himself to be a Deserter as aforesaid, shall be deemed to have duly enlisted and to be a Soldier, and shall be liable to serve in any of Her Majesty's Forces, as Her Majesty shall think fit to appoint, whether such Person shall have been actually enlisted as a Soldier or not; or in case such Person shall not be a Deserter as aforesaid, he shall be liable to be taken before Two Justices of the Peace, and, on Proof that any such Confession as aforesaid was false, shall by them be adjudged to be punished, if in *England*, as a Rogue and Vagabond, and if in *Scotland* or *Ireland* by Commitment to some Prison or House of Correction, there to be kept to hard Labour for any Time not

Fraudulent Confession of Desertion.

exceeding Three Months, or be deemed guilty of obtaining Money under false Pretences within the true Intent and Meaning, if in *England*, of an Act passed in the Seventh and Eighth Years of His Majesty King *George* the Fourth, intituled *An Act for amending and consolidating the Laws in* England *relative to Larceny and other Offences connected therewith*, and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, or shall be deemed guilty, if in *Scotland*, of Falsehood, Fraud, and wilful Imposition; and every Person so deemed to be guilty of obtaining Money under false Pretences, or of Falsehood, Fraud, and wilful Imposition, as the Case may be, shall be liable to be proceeded against and punished accordingly; and the Confession and receiving Subsistence as a Soldier by such Person shall be Evidence of the false Pretence, or of the Falsehood, Fraud, and Imposition, as the Case may be, and of the obtaining Money to the Amount of the Value of such Subsistence, and the Value of such Subsistence so obtained may be charged in the Indictment as so much Money received by such Person; and in case such Person shall have been previously convicted of the like Offence, or shall have been summarily convicted and punished in *England* as a Rogue and Vagabond, or in *Scotland* or *Ireland* by Commitment, for making a fraudulent Confession of Desertion, such former Conviction may be alleged in the Indictment, and may be proved upon the Trial of such Person; and in such Indictment for a Second Offence it shall be sufficient to state that the Offender was at a certain Time and Place convicted of obtaining Money under false Pretences as a Deserter, or for making a fraudulent Confession of Desertion, without otherwise describing the said Offence; and a Certificate containing the Substance and Effect only (omitting the formal Part) of the Indictment and Conviction for the former Offence, purporting to be signed by the Clerk of the Court or other Officer having the Custody of the Records of the Court where the Offender was first convicted, or by the Deputy of such Clerk, or by the Clerk of the convicting Magistrates, shall, upon Proof of the Identity of the Person of the Offender, be sufficient Evidence of the first Conviction, without Proof of the Signature or official Character of the Person appearing to have signed the same; and if the Person so confessing himself to be a Deserter shall be serving at the Time in any of Her Majesty's Forces, he shall be deemed to be and shall be dealt with by all Justices and Gaolers as a Deserter.

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

Extension of Furlough in case of Sickness.

L. And be it enacted, That when there shall not be any Military Officer of Rank, not inferior to Captain, or any Adjutant of Regular Militia, within convenient Distance of the Place where any Non-commissioned Officer or Soldier on Furlough shall be detained by Sickness or other Casualty rendering necessary any Extension of such Furlough, it shall be lawful for any Justice who shall be satisfied of such Necessity to grant an Extension of Furlough for a Period not exceeding One Month; and the said Justice shall by Letter immediately certify such Extension and the Cause thereof to the Commanding Officer of the Corps or Detachment to which such Non-commissioned Officer or Soldier belongs, if known, and if not, then to the Agent of the Regiment, in order that the proper Sum may be remitted to such Non-commissioned Officer or Soldier, who shall not during the Period of such Extension of Furlough be liable to be treated as a Deserter; provided that nothing herein contained shall be construed to exempt any Soldier from Trial and Punishment, according to the Provisions of this Act, for any false Representation made by him in that Behalf to the said Justice, or for any Breach of Discipline committed by him in applying for and obtaining the said Extension of Furlough.

No Person acquitted or convicted by the Civil Magistrate, or by a Jury, to be tried by Court-martial for the same Offence.

LI. And be it enacted, That no Person having been acquitted or convicted of any Crime or Offence by the Civil Magistrate, or by the Verdict of a Jury, shall be liable to be again tried for the same Crime or Offence by a Court-martial, or punished for the same, otherwise than by cashiering; and that whenever any Officer or Soldier shall have been tried by any Court of ordinary Criminal Jurisdiction, the Clerk of such Court or other Officer having the Custody of the Records of such Court, or the Deputy of such Clerk, shall, if required by the Officer commanding the Regiment to which such Officer or Soldier shall belong, transmit to him a Certificate, containing the Substance and Effect only of the Indictment, omitting the formal Part, and containing also a Copy of the Entry of the Judgment of the Court thereon if such Officer or Soldier shall have been convicted, or of the Acquittal of such Officer or Soldier, and shall be allowed for such Certificate a Fee of Three Shillings.

Soldiers not to be taken for Debts under 30*l.*

LII. And be it enacted, That no Person whatever enlisted into Her Majesty's Service as a Soldier shall be liable to be arrested or taken therefrom, by reason of the Warrant of any Justice or other Process, for not supporting, or for leaving chargeable on any Parish, Township, or Union, any Wife or any Child or Children, or (except in the Case of an Apprentice) on account of any Breach of Contract or Engagement to serve or work for any Employer; and no Person enlisted as a Soldier or serving as a Non-commissioned Officer or Drummer on the permanent Staff of the disembodied Militia shall be liable to be taken out of Her Majesty's Service by any Process or Execution whatsoever, other than for some Criminal Matter, unless an Affidavit shall be made by the Plaintiff or some one on his Behalf, for which no Fee shall be taken, before some Judge of the Court out of which such Process or Execution shall issue, or before some Person authorized to take Affidavits in such Courts, of which Affidavit a Memorandum shall, without Fee, be endorsed upon the Back of such Process, that the original Debt for which the Action has been brought or Execution sued out amounts to the Value of Thirty Pounds at least, over and above all Costs of Suit in the Action or Actions on which the same shall be grounded; and any Judge of such Court may examine into any Complaints made by a Soldier, or by his Superior Officer, and by Warrant under his Hand discharge such Soldier without Fee, he being shown to be duly enlisted, and to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs

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to such Complainant, who shall have for the Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid; provided that any Plaintiff upon Notice of the Cause of Action first given in Writing to any Soldier, or left at his last Quarters or Place of Residence before such Listing, may file a Common Appearance in any Action to be brought for or upon account of any Debt whatsoever, and proceed therein to Judgment and Outlawry, and have Execution other than against the Body.

Officers not liable to take Parish Apprentices.

LIII. And be it enacted, That no Officer of Her Majesty's Forces residing in Barracks or elsewhere under Military Law shall be deemed liable to have any Parish poor Child bound Apprentice to him.

Officers not to be Sheriffs or Mayors.

LIV. And be it enacted, That no Person who shall be commissioned and in Full Pay as an Officer shall be capable of being nominated or elected to be Sheriff of any County or other Place, or to be Mayor, Portreeve, Alderman, or shall be capable of holding any Office in any Municipal Corporation in any City, Borough, or Place in *Great Britain* or *Ireland*.

Enlisting and swearing of Recruits.

LV. And be it enacted, That every Person who shall receive Enlisting Money, knowing it to be such, from any Person employed in the Recruiting Service, and being an Officer, Non-commissioned Officer, an attested Soldier, or an Out-Pensioner of *Chelsea* Hospital authorized to enlist Recruits, shall be deemed to be enlisted as a Soldier in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist whether he does or does not belong to the Militia, and shall within Twelve Hours after the Receipt of the Enlisting Money cause to be taken down in Writing the Name and Place of Abode of such Recruit, and (if such Recruit shall not reside in or in the Vicinity of the Town or Place where he offered to enlist) the Place also at which he shall declare that he intends to sleep, in order that, within Forty-eight but not sooner than Twenty-four Hours (any intervening *Sunday* not included) after his having received the Enlisting Money, Notice of his having so enlisted be given to the Recruit, or left at his usual Place of Abode, or at the Place where he stated that it was his Intention to sleep; and when any Person shall be enlisted as a Soldier in Her Majesty's Land Service he shall, within Four Days (any intervening *Sunday* not included) but not sooner than Twenty-four Hours after such enlisting, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before any Justice or other Magistrate residing in the Vicinity of the Place where such Person shall have enlisted, or before any Justice or other Magistrate acting for the Division, District, or Place where such Recruit shall have been enlisted, and not being an Officer in the Army; and if such Recruit shall declare his having voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall then and there, and in the Presence of the said Recruit, record or cause to be recorded in Writing his Answers thereunto; and the said Justice is hereby required forthwith to read over, or cause his Clerk in his Presence to read over, to such Recruit, the Fortieth and Forty-sixth Articles of the Articles of War against Mutiny and Desertion, and to administer to such Recruit the Oath in the Schedule to this Act annexed, or for Service in the Forces of the *East India* Company, as may be applicable to the Case of the Recruit, and no other Oaths; and the Fee for administering each Oath shall be One Shilling and no more; and the said Justice is hereby required to give under his Hand the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified shall refuse to take the Oath in the Schedule to this Act annexed before the said Justice, it shall be lawful for the Officer or Non-commissioned Officer with whom he enlisted to detain and confine such Person until he shall take the said Oath of Fidelity.

Dissent and Relief from Enlistment.

LVI. And be it enacted, That any Recruit appearing as aforesaid before such Justice shall be at liberty to declare his Dissent to such Enlisting, and upon such Declaration, and returning the Enlisting Money, and also paying the Sum of Twenty Shillings for the Charges expended upon him, together with the full Amount of Subsistence and Beer Money which shall have been paid to such Recruit subsequent to the Period of his having been enlisted, shall be forthwith discharged and set at liberty in the Presence of such Justice; but if such Person shall refuse or neglect, within the Space of Twenty-four Hours after so declaring his Dissent, to return and pay such Money as aforesaid, he shall be deemed and taken to be enlisted as if he had given his Assent thereto before the said Justice: Provided also, that it shall be lawful for any Justice to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Four Days as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Person belonging to the Recruiting Party shall be with the Recruit, if it shall appear to such Justice, upon Proof to his Satisfaction, that the Recruiting Party has left the Place where such Recruit was enlisted, or that the Recruit could not procure any Person belonging to such Party to go with him before the Justice; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and after deducting One Shilling as the Fee to his Clerk for reporting the Payment to the Secretary at War shall be paid to any Person belonging to the Recruiting Party entitled thereto demanding the same; provided that no Recruit who has been actually, though erroneously, discharged by the Justice before the Expiration of Twenty-four Hours after the Time of his Enlistment shall be liable on that account to be proceeded against as having deserted from Her Majesty's Service; and the Justice who shall discharge any Recruit shall in every Case give a Certificate thereof, signed with his Hand, to the Recruit, specifying the Cause thereof.

Offences connected with Enlistment.

LVII. And be it enacted, That if any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before such

such Justice, or shall thereafter absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Four Days as aforesaid, such Recruit shall be deemed to be enlisted and a Soldier in Her Majesty's Service as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Four Days as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit were disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted; provided that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for Attestation a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot be found and apprehended, transmit a Duplicate thereof to Her Majesty's Secretary at War, in order that, in the event of such Recruit being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he be finally adjudged to be a Deserter; and any Recruit who shall enlist into Her Majesty's Forces, and who shall be discovered to be incapable of active Service by reason of any Infirmity concealed or not declared by such Recruit before the Justice at the Time of his Attestation, may be transferred to any Garrison or Veteran or Invalid Battalion or Company, or into Her Majesty's Marine Forces, notwithstanding he shall have enlisted for any particular Regiment, and shall be entitled to receive such Proportion or Residue of Bounty only as Her Majesty may allow in that Behalf, instead of the Bounty upon which such Man shall have been enlisted, any thing in any Act or Acts, or any Rules and Regulations relating to Soldiers, to the contrary notwithstanding; and it shall be lawful for any Two Justices acting for the County, District, City, Burgh, or Place where any such Recruit shall at any Time happen to be when any such Recruit shall be brought, and shall be proved upon Oath before them to have concealed his having been a Soldier and discharged, or to have concealed his having been discharged upon any prior Enlistment, or to have wilfully concealed any such Infirmity, or to have designedly made any false Representation upon being attested, to adjudge such Recruit, if in *England*, to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law in force may be inflicted upon Rogues and Vagabonds, and to adjudge such Person, if in *Scotland* or *Ireland*, to be imprisoned with hard Labour in any Prison or House of Correction for any Period not exceeding Three Months; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oaths and Certificates in the Schedule to this Act annexed, before the Justice, at the Time of his Attestation, and shall obtain any Enlisting Money or Bounty for entering into Her Majesty's Service or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act passed in the Seventh and Eighth Years of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith;* and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith;* and such Recruit, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition, and any such Recruit shall be tried for any such Offence in any County or Place where he may at any Time happen to be; and the Production of such Certificate, and Proof of the Handwriting of the Justice giving such Certificate, shall be sufficient Evidence of such Party having represented the several Particulars contained in the Oath sworn by him, and specified in the Certificate of the Justice at the Time of his being attested; and that Proof by the Oath of One or more credible Witnesses that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment in Her Majesty's Service, or to Her Majesty's Ordnance, Navy, or Marines, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and such Proof of such Acknowledgment shall be certified to the Secretary at War by the Justice before whom such Proof shall have been given; and any Man having been enrolled to serve in the Militia at the Time of offering to enlist who shall deny that he is a Militia Man then actually enrolled and engaged to serve, or shall deny to the Justice before whom he shall be attested that he belongs to the Militia, shall, on Conviction thereof before any One Justice in the United Kingdom, either upon Oath of One Witness or upon his own Confession, or upon the Production of the Attestation, and the before-mentioned Acknowledgment of such Person, certified by the Secretary at War or Deputy Secretary at War, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable, and shall from the Day on which his Engagement to serve in the Militia shall end, and not sooner, belong as a Soldier to the Corps of Her Majesty's Regular Forces, or of the *East India* Company's Forces, into which he shall have so enlisted; provided that every such Person shall be liable to serve within the United Kingdom of *Great Britain* and *Ireland* in any Regiment, Battalion, or Corps of Her Majesty's Regular Forces, or of the *East India* Company's Forces, in which he has so enlisted, during all the Time the Militia to which

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, and liable to be apprehended and dealt with and punished as a Deserter from the Corps in which he shall have so enlisted, if he shall neglect or refuse to join and serve in such Corps as aforesaid.

Punishment of Officers offending against Laws regarding Enlistment.

LVIII. And be it enacted, That every Military Officer, who shall wilfully act contrary to the Provisions of this Act in any respect regarding the enlisting and attesting of Recruits for Her Majesty's Service or for the Service of the *East India* Company, shall, upon Proof thereof upon Oath by Two Witnesses before a General Court-martial, be cashiered, and disabled to hold any Civil or Military Office or Employment in Her Majesty's Service.

Enlistment and Re-enlistment abroad.

LIX. 'And whereas it is expedient that Provision should be made for enlisting and attesting of 'Soldiers desirous of re-enlisting and others desirous of enlisting abroad;' be it therefore enacted, That it shall be lawful for any Person duly appointed by Her Majesty by any Warrant signed by the Secretary at War in that Behalf, and not being a General Officer nor holding any Regimental Commission, to enlist and attest, out of *Great Britain* or *Ireland*, any Soldiers or Persons desirous of enlisting or re-enlisting into Her Majesty's Service; and any Person so appointed shall have the same Powers in that Behalf as are given to Justices in the United Kingdom for all such Purposes of Enlistment and Attestation; and any Person so enlisted or re-enlisted shall be deemed to be an attested Soldier; and as often as any Corps shall be relieved or disbanded at any Station beyond the Seas it shall be lawful for any Officers thereunto authorized by the Officer commanding in chief at such Station to receive as Transfers as many of the Soldiers belonging to the Corps leaving the Station as shall be willing and fit for Service for any Corps appointed to remain; and every Soldier so transferred is hereby deemed to be discharged from his former Corps; and an attested Certificate of Transfer shall be delivered to the Soldier.

Enlistment of Negroes.

LX. And be it enacted, That all Negroes or Persons of Colour who, although not born in any of Her Majesty's Colonies, Territories, or Possessions, shall have voluntarily enlisted into Her Majesty's Service, shall while serving be deemed to be Soldiers legally enlisted into Her Majesty's Service, and entitled to all the Privileges of natural-born Subjects; and all Negroes purchased by or on account of Her Majesty previous to the total Abolition of Slavery throughout the *British* Colonies, and serving in any of Her Majesty's Forces, and all Negroes who have been seized and condemned as Prize under the Slave Trade Acts, and appointed to serve in Her Majesty's Army, shall be deemed to be and shall be entitled to all the Advantages of Negroes or Persons of Colour voluntarily enlisted to serve as Soldiers in any of Her Majesty's Colonial Forces.

Apprentice enlisting to be liable to serve after the Expiration of his Apprenticeship.

LXI. And be it enacted, That any Person duly bound as an Apprentice who shall enlist as a Soldier in Her Majesty's or the *East India* Company's Service, and shall state to the Magistrate before whom he shall be carried and attested that he is not an Apprentice, shall be deemed guilty of obtaining Money under false Pretences within the true Intent and Meaning of the before-recited Acts, if in *England* or in *Ireland*, and of Falsehood, Fraud, and wilful Imposition, if in *Scotland*, and shall after the Expiration of his Apprenticeship, whether he shall have been so convicted and punished or not, be liable to serve as a Soldier in any of Her Majesty's Regular Forces, or in the Forces of the *East India* Company, according to the Terms of the Enlistment; and if on the Expiration of his Apprenticeship he shall not deliver himself up to some Officer authorized to receive Recruits, may be taken as a Deserter from Her Majesty's Forces.

Claims of Masters to Apprentices.

LXII. And be it enacted, That no Master shall be entitled to claim an Apprentice who shall enlist as a Soldier in Her Majesty's or the *East India* Company's Service, unless he shall, within One Calendar Month after such Apprentice shall have left his Service, go before some Justice, and take the Oath mentioned in the Schedule to this Act annexed, and produce the Certificate of such Justice of his having taken such Oath, which Certificate such Justice is required to give in the Form in the Schedule to this Act annexed; and unless such Apprentice shall have been bound, if in *England*, for the full Term of Seven Years, not having been above the Age of Fourteen when so bound, and, if in *Ireland* or in the *British* Isles, for the full Term of Five Years at the least, not having been above the Age of Sixteen when so bound, and, if in *Scotland*, for the full Term at least of Four Years, by a regular Contract or Indenture of Apprenticeship, duly extended, signed, and tested, and binding on both Parties by the Law of *Scotland*, prior to the Period of Enlistment, and unless such Contract or Indenture in *Scotland* shall, within Three Months after the Commencement of the Apprenticeship, and before the Period of Enlistment, have been produced to a Justice of the Peace of the County in *Scotland* wherein the Parties reside, and there shall have been endorsed thereon by such Justice a Certificate or Declaration signed by him, specifying the Date when and the Person by whom such Contract or Indenture shall have been so produced, which Certificate or Declaration such Justice of the Peace is hereby required to endorse and sign, and unless such Apprentice shall, when claimed by such Master, be under Twenty-one Years of Age; provided that any Master of an Apprentice indentured for the Sea Service shall be entitled to claim and recover him in the Form and Manner above directed, notwithstanding such Apprentice may have been bound for a less Term than Seven, Five, or Four Years as aforesaid: Provided also, that any Master who shall give up the Indentures of Apprenticeship within One Month after the enlisting of such Apprentice shall be entitled to receive to his own Use so much of the Bounty payable to such Recruit, after deducting therefrom Two Guineas to provide him with Necessaries, as shall not have been paid to such Recruit before Notice given of his being an Apprentice.

LXIII. And

Punishment of Apprentices enlisting.

LXIII. And be it enacted, That no Apprentice claimed by his Master shall be taken from any Corps or Recruiting Party but under a Warrant of a Justice residing near, and within whose Jurisdiction such Apprentice shall then happen to be, before whom he shall be carried, and such Justice shall inquire into the Matter upon Oath, which Oath he is hereby empowered to administer, and shall require the Production and Proof of the Indenture, and that Notice of the said Warrant has been given to the Commanding Officer, and a Copy thereof left with some Officer or Non-commissioned Officer of the Party, and that such Person so enlisted declared that he was no Apprentice; and such Justice, if required by such Officer or Non-commissioned Officer, shall commit the Offender to the Common Gaol of the said Place, and shall keep the Indenture to be produced when required, and shall bind over such Person as he may think proper to give Evidence against the Offender, who shall be tried at the next or at the Sessions immediately succeeding the next General or Quarter Sessions of the County, Division, or Place, unless the Court shall on just Cause put off the Trial; and the Production of the Indenture, with the Certificate of the Justices that the same was proved, shall be sufficient Evidence of the said Indenture; and every such Offender in *Scotland* may be tried by the Judge Ordinary in the County or Stewartry, in such and the like Manner as any Person may be tried in *Scotland* for any Offence not inferring a Capital Punishment; provided that any Justice not required as aforesaid to commit such Apprentice may deliver him to his Master.

Wages of Servants enlisting.

LXIV. And be it enacted, That it shall be lawful for the Justice before whom any Recruit shall be attested before the Expiration of the Term of Service for which he had been hired by his Master to adjudge to such Recruit a reasonable Proportion of his Wages for the Time he has actually served; and the said Justice shall make an Order for the Payment of the Amount so awarded, and in case of Neglect or Refusal to pay the same within Four Days shall issue his Warrant for levying the same by Distress and Sale of the Goods and Chattels of the Master.

Removal of Doubts as to Attestation of Soldiers.

LXV. 'And whereas certain Soldiers who have heretofore been duly enlisted, and who have voluntarily taken the Oath of Allegiance and Fidelity, and are now receiving Her Majesty's Pay, have been sworn and attested, but Doubts have arisen whether the Justices before whom the said Soldiers have been so sworn and attested were duly qualified to administer to such Soldiers the Oaths prescribed by the several Acts passed for the punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters;' be it enacted, That in every Case where any such Soldier, having been duly enlisted, shall have been so attested and sworn, and shall not have claimed to be discharged on or before the Seventeenth Day of *March* One thousand eight hundred and forty-six, he shall not be entitled to his Discharge by reason of such Informality, but shall be liable to all the Provisions of this Act, and of the Act passed during the last Session of Parliament for the punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, where in force, and shall be entitled to the full Benefit of his past Service, and to all Pay and Pension in respect thereof, to all Intents and Purposes and in like Manner as if he had been duly attested and sworn.

Authorized Deductions only to be made from the Pay of the Army.

LXVI. And be it enacted, That no Secretary at War, Paymaster General of the Army, Paymaster, or any other Officer whatsoever, or their under Officers, shall receive any Fees, or make any Deductions whatsoever but of the Pay of any Officer or Soldier in Her Majesty's Army, or from their Agents, which shall grow due from and after the Twenty-fifth Day of *April* One thousand eight hundred and forty-seven, other than the usual Deductions, or such other necessary Deductions as shall from Time to Time be required by Her Majesty's Regulations, or by Her Majesty's Order signified by the Secretary at War; and every Paymaster or other Officer having received any Officer's or Soldier's Pay, who shall unlawfully detain the same for the Space of One Month, or refuse to pay the same when it shall become due, according to the several Rates and agreeably to the several Regulations established by Her Majesty's Orders, shall, upon Proof thereof before a Court-martial, be discharged from his Employment, and shall forfeit One hundred Pounds, and the Informer, if a Soldier, if he demand it, shall be discharged from any further Service; provided as aforesaid that it shall be lawful for Her Majesty's Secretary at War to give Orders for withholding the Pay of any Officer or Soldier for any Period during which such Officer or Soldier shall be absent without Leave, or improperly absent from his Corps and from his Duty, or, in case of any Doubt as to the proper Issue of Pay, to withhold it from the Parties aforesaid until Her Majesty's Orders shall have been signified by the Secretary at War.

How and where Troops may be billeted.

LXVII. 'And whereas by Petition of Right in the Third Year of King *Charles* the First it is enacted and declared, that the People of the Land are not by the Laws to be burdened with the sojourning of Soldiers against their Wills; and by a Clause in an Act of the Parliament of *England*, made in the Thirty-first Year of the Reign of King *Charles* the Second, for granting a Supply to His Majesty of Two hundred and six thousand four hundred and sixty-two Pounds Seventeen Shillings and Three-pence, for paying and disbanding the Forces, it is declared and enacted, that no Officer, Civil or Military, nor other Person whosoever, should thenceforth presume to place, quarter, or billet any Soldier upon any Subject or Inhabitant of this Realm, of any Degree, Quality, or Profession whatsoever, without his Consent, and that it shall be lawful for any Subject or Inhabitant to refuse to quarter any Soldier, notwithstanding any Warrant or Billetting whatsoever: And whereas by an Act passed in *Ireland* in the Sixth Year of the Reign of Queen *Anne*, intituled *An Act to prevent the Disorders that may happen by the marching of Soldiers, and providing Carriages for the Baggage of Soldiers on their March*, it was enacted, that no Officer, Soldier, or Trooper in the Army, nor the Servant of any Officer, nor any Attendant on the Train of Artillery, should at any Time thereafter be allowed any Quarters in any Part of *Ireland*, save only during such Time as he or they should be and remain in some

6 Anne (I.)

'Seaport

'Seaport Town in order to be transported, or during such Time as there should be any Commotion in 'any Part of *Ireland*, by reason of which Emergency the Army should be commanded to march from any 'Part of *Ireland* to another:' But forasmuch as at this Time, during the Continuance of this Act, there is and may be Occasion for the marching and quartering of Regiments, Troops, and Companies in several Parts of the United Kingdom of *Great Britain* and *Ireland*, be it enacted, That it shall be lawful for all Constables of Parishes and Places, and other Persons specified in this Act, in *England* and *Ireland*, and they are hereby required, to billet the Officers and Soldiers in Her Majesty's Service and Persons receiving Pay in Her Majesty's Army, and the Horses belonging to Her Majesty's Cavalry, and also all Staff and Field Officers Horses, and all Bât and Baggage Horses belonging to any of Her Majesty's other Forces, when on actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by Her Majesty's Regulations, in Victualling Houses and other Houses specified in this Act, (taking care in *Ireland* not to billet less than Two Men in One House, except only in case of billeting Cavalry as specially provided); and that they shall be received by the Occupiers of such Houses in which they are so allowed to be billeted, and be furnished by such Victuallers with proper Accommodation in such Houses, or if any Victualler shall not have sufficient Accommodation in the House upon which a Soldier is billeted, then in some good and sufficient Quarters to be provided by such Victualler in the immediate Neighbourhood, and in *England* with Diet and Small Beer, and with Stables, Hay, and Straw for such Horses as aforesaid, paying and allowing for the same the several Rates herein-after provided; and at no Time when Troops are on a March shall any of them, whether Infantry or Cavalry, be billeted above One Mile from the Place mentioned in the Route; and in all Places where Cavalry shall be billeted in pursuance of this Act, the Men and their Horses shall be billeted in one and the same House, except in case of Necessity; and in no other Case whatsoever shall there be less than One Man billeted where there shall be One or Two Horses, nor less than Two Men where there shall be Four Horses, and so in proportion for a greater Number; and in no Case shall a Man and his Horse be billeted at a greater Distance from each other than One hundred Yards; and the Constables are hereby required to billet all Soldiers and their Horses on their March in a just and equal Proportion upon the Keepers of all Houses within One Mile of the Place mentioned in the Route, although some of such Houses may be in the adjoining County, in like Manner in every respect as if such Houses were locally situate within such Place; provided that nothing herein contained shall be construed to extend to authorize any Constable to billet Soldiers out of the County to which such Constable belongs when the Constable of the adjoining County shall be present and undertake to billet the due Proportion of Men in such adjoining County; and no more Billets shall at any Time be ordered than there are effective Soldiers and Horses present to be billeted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present; and if any Person shall find himself aggrieved by having an undue Proportion of Soldiers billeted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice, then to Two or more Justices, within whose Jurisdiction such Soldiers are billeted, such Justices respectively shall have Power to order such of the Soldiers to be removed, and to be billeted upon other Persons as they shall see Cause; and when any of Her Majesty's Cavalry or any Horses as aforesaid shall be billeted upon the Occupiers of Houses in which Officers or Soldiers may be quartered by virtue of this Act who shall have no Stables, then and in such Case, upon the written Requisition of the Commanding Officer of the Regiment, Troop, or Detachment, the Constable is hereby required to billet the Men and their Horses, or Horses only, upon some other Person or Persons who have Stables by this Act liable to have Officers and Soldiers billeted upon them; and upon Complaint being made by the Person or Persons to whose House or Stables the said Men and Horses shall have been so removed to Two or more Justices within whose Jurisdiction such Men or Horses shall be so billeted, it shall be lawful for such Justices to order a proper Allowance to be paid by the Person relieved to the Persons receiving such Men and Horses, or to be applied in furnishing the requisite Accommodation; and Commanding Officers may exchange any Man or Horse billeted in any Place with another Man or Horse billeted in the same Place, for the Benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billeted on such Houses; and the Constables are hereby required to billet such Men and Horses so exchanged accordingly; and it shall be lawful for any Justice, at the Request of any Officer or Non-commissioned Officer commanding any Soldiers requiring Billets, to extend any Routes or enlarge the Districts within which Billets shall be required, in such Manner as shall appear to be most convenient to the Troops; provided that to prevent or punish all Abuses in billeting Soldiers, it shall be lawful for any Justice within his Jurisdiction, by Warrant or Order under his Hand, to require any Constable to give him an Account in Writing of the Number of Officers and Soldiers who shall be quartered by such Constables, together with the Names of the Persons upon whom such Officers and Soldiers are billeted, stating the Street or Place where such Persons dwell, and the Sign, if any, belonging to those Houses; and it shall be lawful for Constables to billet Officers and Soldiers in *Scotland* according to the Provisions of the Laws in force in *Scotland* at the Time of its Union with *England*; and no Officer shall be obliged to pay for his Lodging where he shall be regularly billeted, except in the Suburbs of *Edinburgh:* Provided that no Officer or Soldier shall be billeted in *England* in any private Houses, or in any Canteen held or occupied under the Authority of the Ordnance Department, or upon Persons who keep Taverns only, being Vintners of the City of *London* admitted to their Freedom of the said Company in right of Patrimony or Apprenticeship, notwithstanding such Persons who keep such Taverns only have taken out Victualling Licences, nor in the Houses of any Distiller kept for distilling Brandy and Strong Waters, nor in the

Exemptions from Billets.

House of any Storekeeper whose principal Dealing shall be more in other Goods and Merchandize than in Brandy and Strong Waters, so as such Distillers and Shopkeepers do not permit tippling in such Houses, nor in the House of Residence in any Part of the United Kingdom of any Foreign Consul duly accredited as such.

Billeting the Guards in and near Westminster.

LXVIII. And be it enacted, That the Officers and Soldiers of Her Majesty's Foot Guards shall be billeted within the City and Liberties of *Westminster* and Places adjacent, lying in the County of *Middlesex* (except the City of *London*), and in the County of *Surrey*, and in the Borough of *Southwark*, in the same Manner and under the same Regulations as in other Parts of *England*, in all Cases for which particular Provision is not made by this Act; and the High Constable shall, on Receipt of the Order for billeting Soldiers, deliver Precepts to the several Constables within their respective Divisions, in pursuance of which the said Constables shall billet such Officers and Soldiers equally and proportionally on the Houses subjected thereto by this Act; and the said Constables shall at every General Sessions of the Peace to be holden for the said City and Liberties, Counties, and Borough respectively, make and deliver to the Justices then in open Session assembled, upon Oath, which Oath the said Justices are hereby required to administer, Lists, signed by them respectively, of the Houses subject by this Act to receive Officers and Soldiers, together with the Names and Rank of all Officers and Soldiers billeted on each respectively, which Lists shall remain with the respective Clerks of the Peace for the Inspection of all Persons, without Fee or Reward; and such Clerk shall forthwith from Time to Time deliver to any Persons who shall require the same true Copies of any such Lists, upon being paid Two-pence *per* Sheet for the same, each Sheet to contain at the least One hundred and fifty Words.

Military Officers not to act as Justices in billeting.

LXIX. And be it enacted, That no Justice having or executing any Military Office or Commission in any Part of the United Kingdom shall, directly or indirectly, be concerned in the billeting or appointing Quarters for any Soldier in the Regiment, Troop, or Company under the immediate Command of such Justice, but that all Warrants, Acts, or Things so appointed by such Justice for or concerning the same shall be void.

Allowance to Innkeepers.

LXX. And be it enacted, That the Innholder or other Person on whom any Soldier is billeted in *England* shall, if required by such Soldier, furnish him for every Day on the March, and for a Period not exceeding Two Days when halted at the intermediate Place upon the March, and for the Day of the Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by Her Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previous to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder or other Person furnishing the same shall be paid the Sum of Ten-pence; and all Innholders and other Persons on whom Soldiers may be billeted in *England*, except when on the March and entitled to be furnished with the hot Meal as aforesaid, shall furnish such Soldier with Candles, Vinegar, and Salt, and shall allow them the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall be paid in consideration thereof the Sum of One Halfpenny *per Diem* for each Soldier; and the Sum to be paid to the Innholder or other Person on whom any of the Horses belonging to Her Majesty's Forces shall be billeted in *England*, for Hay and Straw, shall be Nine-pence *per Diem* for each Horse; and in *Ireland* the Sum to be paid for Forage to the Innholder or other Person, for Horses billeted by virtue of this Act, shall be the Rate established by the Lord Lieutenant or other sufficient Authority from Time to Time, the same to be regulated by the average Rate of Contracts for Forage in *Ireland*; and for the Use of Stables in *Ireland*, when such Horses are provided with Hay and Straw by Contract, and not by the Occupiers of the Houses on which they are billeted, the Sum of Four-pence *per* Week for each Horse shall be paid; and every Officer to whom it belongs to receive or who does actually receive the Pay for any Officers or Soldiers shall every Four Days, or before they shall quit their Quarters if they shall not remain so long as Four Days, settle the just Demands of all Victuallers or other Persons upon whom such Officers and Soldiers are billeted, out of their Pay and Subsistence, before any Part of the said Pay or Subsistence be distributed to them respectively; and if any Officer as aforesaid shall not pay the same, upon Complaint, and Oath made thereof by any Two Witnesses, at the next Quarter Sessions for the County or City where such Quarters were situated, the Secretary at War is hereby required (upon Certificate of the Justices before whom such Oath was made of the Sum due upon such Accounts, and the Persons to whom the same is owing,) to give Orders to the Regimental Agent to pay the said Sums, and to charge the same against such Officers; and in case of any Soldier being suddenly ordered to march, and that the respective Commanding Officers are not enabled to make Payment of the Sums due for the Lodging of the Men and Stabling for the Horses, every such Officer shall, before his Departure, make up the Account with every Person upon whom such Soldier may have been billeted, and sign a Certificate thereof; which Account and Certificate shall be transmitted to the Agent of the Regiment, who is hereby required to make immediate Payment thereof, and to charge the same to the Account of such Officer.

Definition of Terms.

LXXI. And be it enacted, That all the Powers and Provisions in this Act contained relating to *England* shall be construed to extend to *Wales* and the Town of *Berwick-upon-Tweed*; and all Powers and Provisions relating to the *British* Isles shall be construed to extend to *Guernsey*, *Jersey*, *Alderney*, *Sark*, and *Man*, and all Isles thereto and to *England* and *Ireland* belonging; and all Powers and Provisions relating to Soldiers shall be construed to extend to Non-commissioned Officers, unless when otherwise provided; and all Powers and Provisions relating to Justices shall be construed to extend to all Magistrates authorized to act as such in their respective Jurisdictions, and to Chief Magistrates

of

of exclusive local Jurisdictions; and all the Powers given to and Regulations made for the Conduct of Constables in relation to the billeting of Officers and Soldiers, and all Penalties and Forfeitures for any Neglect thereof, shall extend to all Tithingmen, Headboroughs, and such like Officers, and Inspectors or other Officers of Police, and High Constables and other Chief Officers and Magistrates of Cities, Towns, Villages, Hamlets, Parishes, and Places in *England* and *Ireland*, and to all Justices of the Peace, Magistrates of Burghs, Commissioners of Police, and other Chief Officers and Magistrates of Cities, Towns, Villages, Parishes, and Places in *Scotland*, who shall act in the Execution of this Act in relation to billeting; and all Provisions for billeting Officers and Soldiers in Victualling Houses shall extend and apply to all Inns, Livery Stables, Alehouses, and to the Houses of Sellers of Wine by Retail, whether *British* or Foreign, to be drank in their own Houses, or Places thereunto belonging, and to all Houses of Persons selling Brandy, Strong Waters, Cider, or Metheglin, by Retail, in *England* and *Ireland*; and in *Ireland*, when there shall not be found sufficient Room in such Houses, then to billetting Soldiers in such Manner as has been heretofore customary. Powers and Regulations as to Billets.

LXXII. And be it enacted, That for the regular Provision of Carriages for Her Majesty's Forces, and their Baggage, in their Marches in *Great Britain* and *Ireland*, all Justices of the Peace within their several Jurisdictions, being duly required thereunto by an Order from Her Majesty, or the General of Her Forces, or the Master General or Lieutenant General of Her Majesty's Ordnance, or other Person duly authorized in that Behalf, shall, on Production of such Order to such Justices by some Officer or Non-commissioned Officer of the Regiment so ordered to march, issue a Warrant to any Constable having Authority to act in any Place from, through, near, or to which the Troop shall be ordered to march, (for each of which Warrants the Fee of One Shilling only shall be paid,) requiring him to provide the Carriages, Horses, and Oxen, and Drivers therein mentioned, and allowing sufficient Time to do the same, specifying the Places from and to which the said Carriages shall travel, and the Distance between the Places, for which Distance only so specified Payment shall be demanded, and which Distance shall not, except in Cases of pressing Emergency, exceed a Day's March prescribed in the Order of Route, and shall in no Cases exceed Twenty-five Miles; and the Constables receiving such Warrants shall order such Persons as they shall think proper, having Carriages, to furnish the requisite Supply, who are hereby required to furnish the same accordingly; and when sufficient Carriages cannot be procured within the proper Jurisdiction, any Justice of the next adjoining Jurisdiction shall, by a like Course of Proceeding, supply the Deficiency; and in order that the Burden of providing Carriages may fall equally, and to prevent Inconvenience arising from there being no Justice near the Place where Troops may be quartered on the March, any Justice residing nearest to such Place may cause a List to be made out once in every Year of all Persons liable to furnish such Carriages, and of the Number and Description of their said Carriages, (which Lists shall at all seasonable Hours be open to the Inspection of the said Persons,) and may by Warrant under his Hand authorize the Constable within his Jurisdiction to give Orders to provide Carriages, without any special Warrant for that Purpose, which Orders shall be valid in all respects; and all Orders for such Carriages shall be made from such Lists in regular Rotation as far as the same can be done. Supply of Carriages.

LXXIII. And be it enacted, That in every Case in which the whole Distance for which any Carriage shall be impressed shall be under One Mile the Rate of a full Mile shall be paid; and the Rates to be paid for Carriages impressed shall be, in *England*, for every Mile which a Waggon with Four or more Horses, or a Wain with Six Oxen or Four Oxen and Two Horses, shall travel, One Shilling; and for every Mile any Waggon with narrow Wheels, or any Cart with Four Horses, carrying not less than Fifteen Hundred Weight, shall travel, Nine-pence; and for every Mile any other Cart or Carriage with less than Four Horses, and not carrying Fifteen Hundred Weight, shall travel, Sixpence; and in *Ireland*, for every Hundred Weight, loaded on any Wheel Carriage, One Halfpenny *per* Mile; and in *England* such further Rates may be added, not exceeding a total Addition *per* Mile of Four-pence, Three-pence, or Two-pence, to the respective Rates of One Shilling, Nine-pence, or Sixpence, as may seem reasonable to the Justices assembled at General Sessions for their respective Districts, or to the Recorder of any Municipal City, Borough, or Town, Corporate or not Corporate; and the Order of such Justices or Recorder at Sessions shall specify the average Price of Hay and Oats at the nearest Market Town at the Time of fixing such additional Rates, the Period for which the Order shall be enforced not exceeding Ten Days beyond the next General Sessions; and no such Order shall be valid unless a Copy thereof, signed by the presiding Magistrate and one other Justice, or by the Recorder, shall be transmitted to the Secretary at War within Three Days after the making thereof; and also in *England*, when the Day's March shall exceed Fifteen Miles, the Justice granting his Warrant may fix a further reasonable Compensation, not exceeding the usual Rate of Hire fixed by this Act; and when any additional Rates or Compensation shall be granted, the Justice shall insert in his own Hand in the Warrant the Amount thereof, and the Date of the Order of Sessions if fixed by Sessions, and the Warrant shall be given to the Officer commanding, as his Voucher; provided that the Officer or Non-commissioned Officer demanding Carriages by virtue of the Warrant of a Justice shall, in *England*, pay the proper Sums into the Hands of the Constables providing Carriages, who shall give Receipts for the same on unstamped Paper, and, in *Ireland*, the Officers or Non-commissioned Officers as aforesaid shall pay to the Owners or Drivers of the Carriages, and One Third Part of such Payment shall be made before the Carriage be loaded, and all the said Payments in *Ireland* shall be made, if required, in the Presence of a Justice or Constable; provided that no Carriage shall be liable to carry more than Thirty Hundred Weight in *England*, and in *Ireland* no Car shall be liable to carry more than Six Hundred Weight, and no Dray more than Rates to be paid for Carriages, and Regulations relating thereto.

Twelve Hundred Weight; but the Owner of such Carriages in *Ireland* consenting to carry a greater Weight shall be paid at the same Rate for every Hundred Weight of the said Excess; and the Owners of such Carriages in *Ireland* shall not be compelled to proceed, though with any less Weight, under the Sum of Three-pence a Mile for each Car, and Sixpence a Mile for each Dray; and the Loading of such Carriages in *Ireland* shall be first weighed, if required, at the Expence of the Owner of the Carriage, if the same can be done in a reasonable Time, without Hindrance to Her Majesty's Service; and the providing and paying for Carriages in *Scotland* shall be regulated by the Law in force at the Time of the Union with *England;* provided that a Cart with One or more Horses for which the Furnisher shall receive Nine-pence a Mile shall be required to carry Fifteen Hundred Weight at the least; provided that no Penalties or Forfeitures in any Act relating to Highways or Turnpike Roads in the United Kingdom shall apply to the Number of Horses and Oxen, or Weight of Loading of the aforesaid Carriages, which shall not on that Account be stopped or detained; and whenever it shall be necessary to impress Carriages for the March of Soldiers from *Dublin*, at least Twenty-four Hours Notice of such March, and in case of Emergency as long Notice as the Case will admit, shall be given to the Lord Mayor of *Dublin*, who shall summon a proportional Number of Cars and Drays, at his Discretion, out of the licensed Cars and Drays and other Cars and Drays within the County of the said City, and they shall by Turns be employed on this Duty at the Prices and under the Regulations hereinbefore mentioned; and no Country Cars, Drays, or other Carriages coming to Markets in *Ireland* shall be detained or employed against the Will of the Owners in carrying the Baggage of the Army on any Pretence whatsoever.

Supply of Carriages in Cases of Emergency.

LXXIV. And be it enacted, That it shall be lawful for Her Majesty, or the Lord Lieutenant or Chief Governors of *Ireland*, by Her or their Order, distinctly stating that a Case of Emergency doth exist, signified by the Secretary at War, or if in *Ireland* by the Chief Secretary or Under Secretary, or the First Clerk in the Military Department, to authorize any General or Field Officer commanding Her Majesty's Forces in any District or Place, or to the Chief Acting Agent for the Supply of Stores and Provisions, by Writing under his Hand, reciting such Order of Her Majesty or Lord Lieutenant or Chief Governor aforesaid, to require all Justices within their several Jurisdictions in *England* and *Ireland* to issue their Warrants for the Provision not only of Waggons, Wains, Carts, and Cars kept by or belonging to any Person and for any Use whatsoever, but also of Saddle Horses, Coaches, Post Chaises, Chaises, and other Four-wheeled Carriages kept for Hire, and also of Boats, Barges, and other Vessels used for the Transport of any Commodities whatsoever upon any Canal or navigable River, as shall be mentioned in the said Warrants, therein specifying the Place and Distance to which such Carriages or Vessels shall go; and on the Production of such Requisition to such Justice by any Officer of the Corps ordered to be conveyed, or by any Officer of the Commissariat or Ordnance Department, such Justice shall take all the same Proceedings in regard to such additional Supply so required on the said Emergency as he is by this Act required to take for the ordinary Provision of Carriages; and all Provisions whatsoever of this Act, as regards the procuring of the ordinary Supply of Carriages, and the Duties of Officers and Non-commissioned Officers, Justices, Constables, and Owners of Carriages, in that Behalf, shall be to all Intents and Purposes applicable for the providing and Payment, according to the Rates of Posting or of Hire usually paid for such other Description of Carriages or Vessels so required on Emergency, according to the Length of the Journey or Voyage in each Case, but making no Allowance for Post Horse Duty, or Turnpike, Canal, River, or Lock Tolls, which Duty or Tolls are hereby declared not to be demandable for such Carriages and Vessels while employed in such Service or returning therefrom; and it shall be lawful to convey thereon not only the Baggage, Provisions, and Military Stores of such Regiment or Detachment, but also the Officers, Soldiers, Servants, Women, Children, and other Persons of and belonging to the same.

Justices empowered to reimburse Constables for Sums expended by them.

LXXV. And be it enacted, That it shall be lawful for the Justices of the Peace assembled at their Quarter Sessions to direct the Treasurer to pay, without Fee, out of the public Stock of the County or Riding, or if such public Stock be insufficient then out of the Monies which the said Justices shall have Power to raise for that Purpose, in like Manner as for County Gaols and Bridges, such reasonable Sums as shall have been expended by the Constables within their respective Jurisdictions for Carriages and Vessels, over and above what was or ought to have been paid by the Officer requiring the same, regard being had to the Season of the Year and Condition of the Ways by which such Carriages and Vessels are to pass.

Routes in Ireland.

LXXVI. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor for the Time being of *Ireland* to depute, by Warrant under his Hand and Seal, some proper Person to sign Routes in Cases of Emergency, for the marching of any of Her Majesty's Forces in *Ireland*, in the Name of such Lord Lieutenant or Chief Governor.

Tolls.

LXXVII. And be it enacted, That all Her Majesty's Officers and Soldiers, being in proper Staff or Regimental or Military Uniform, Dress or Undress, and their Horses, (but not when passing in any hired or private Vehicle,) and all Recruits, marching by Route, and all Prisoners under Military Escort, and all Carriages and Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, when conveying Persons or Baggage or returning therefrom, shall be exempted from Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike Roads or Bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed; and any Toll Collector who shall demand and receive Toll from any of Her Majesty's Officers or Soldiers, they being in proper Staff or Regimental or Military Uniform, Dress or Undress,

Undress, or for their Horses, or from any Recruits, marching by Route, or from any Prisoners under Military Escort, or for any Carriages or Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, when conveying Persons or Baggage or returning therefrom, every such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, for which Forfeiture and Penalty he shall be prosecuted before a Justice of the Peace; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal from Payment of Tolls, in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as hereinbefore enacted.

Ferries.

LXXVIII. And be it enacted, That when any Soldiers on Service have Occasion in their March by Route to pass regular Ferries in *Scotland*, the Officer commanding may at his Option pass over with his Soldiers as Passengers, and shall pay for himself and each Soldier One Half only of the ordinary Rate payable by single Persons, or may hire the Ferry Boat for himself and his Party, debarring others for that Time, and shall in all such Cases pay only Half the ordinary Rate for such Boat.

Marching Money on Discharge.

LXXIX. And be it enacted, That every Soldier entitled to his Discharge shall, if then serving abroad, be sent, if he shall so require it, to *Great Britain* or *Ireland* free of Expence, and shall be entitled to receive Marching Money from the Place of his being landed (or if discharged at home, shall receive Marching Money from the Place of his Discharge,) to the Parish or Place in which he shall have been originally enlisted, or at which he shall at the Time of his Discharge decide to take up his Residence, such Place not being at a greater Distance from the Place of his Discharge than the Place of his original Enlistment.

Notification to Parishes of good or bad Conduct of Soldiers.

LXXX. And be it enacted, That the Churchwardens of every Parish in *England* and *Ireland* and the Constables or other Officers of every Parish or Place in *Scotland*, on receiving a Notification from the Secretary at War of the Names of any Soldiers belonging to the said Parish who have, for meritorious Conduct in the Army, received Her Majesty's special Approbation, or who, in consequence of Misconduct, have been dismissed Her Majesty's Service with Disgrace, shall affix such Notification on the Outside of the Door of the Church or Chapel belonging to such Parish or Place on the *Sunday* next succeeding the Receipt of the said Notification.

Ordinary Course of Criminal Justice not to be interfered with.

LXXXI. And be it enacted, That nothing in this Act shall be construed to extend to exempt any Officer or Soldier from being proceeded against by the ordinary Course of Law; and that if any Commanding Officer shall neglect or refuse, on Application being made to him for that Purpose, to deliver over to the Civil Magistrate any Officer or Soldier under his Command accused of any Crime or Offence against the Person, Estate, or Property of any of Her Majesty's Subjects which is punishable by the well-known Laws of the Land, or shall wilfully obstruct, neglect, or refuse to assist the Officers of Justice in apprehending any Officer or Soldier under his Command so accused as aforesaid, such Officer shall, upon Conviction thereof in any of Her Majesty's Superior Courts at *Westminster*, *Dublin*, or *Edinburgh*, be deemed to be thereupon cashiered, and shall be thenceforth utterly disabled to have or hold any Civil or Military Office or Employment in the United Kingdom of *Great Britain* and *Ireland*, or in Her Majesty's Service; and a Certificate thereof, containing the Substance and Effect of the Indictment only, omitting the formal Part, with the Copy of the Entry of the Judgment of the Court thereon, shall be transmitted to the Judge Advocate General in *London*.

Punishment of Officers obstructing Civil Justice.

Penalty for Disobedience by Agents.

LXXXII. And for enforcing a prompt Observance of the Rules and Orders for the due Appropriation of the Public Funds applicable to Army Services, and in order that a true and regular Account may be kept and rendered by the Agents for the several Corps, be it enacted, That the said Agents are hereby required to observe such Orders as shall from Time to Time be given by Her Majesty under Her Sign Manual, or by the Secretary at War, or by Her Majesty's Chief Governor or Governors of *Ireland*, or by the Lord Treasurer or Commissioners of the Treasury; and if any Person, being or having been an Agent, shall refuse or neglect to comply with such Orders in relation to his Duty as Agent, or shall unlawfully withhold or detain the Pay of any Officer or Soldier after the Space of One Month after the Receipt thereof, he shall for the First Offence forfeit the Sum of One hundred Pounds, and, if still an Agent, for the Second Offence be discharged from his Employment as an Army Agent, and be utterly disabled to have or hold such Employment thereafter, or, if he shall have ceased to be an Army Agent, shall for the Second and every succeeding Offence forfeit the Sum of Two hundred Pounds.

Penalty on trafficking in Commissions.

LXXXIII. And be it enacted, That every Person not being an authorized Army Agent, who shall negotiate or act as Agent, for and in relation to the Purchase, Sale, or Exchange of any Commission in Her Majesty's Forces, shall forfeit for every such Offence the Sum of One hundred Pounds; and every Person whether authorized or not as an Army Agent, who shall receive any Money or Reward in respect of any such Purchase, Sale, or Exchange, or shall negotiate or receive, for any Purpose whatsoever, any Money or Consideration where no Price is allowed by Her Majesty's Regulations, or any Money or Consideration exceeding the Amount so allowed, shall forfeit One hundred Pounds, and Treble the Value of the Consideration where the Commission is not allowed to be sold, or Treble the Excess of such Consideration beyond the regular Price.

Penalty for procuring false Musters.

LXXXIV. And be it enacted, That every Person not having any Military Commission who shall give or procure to be given any untrue Certificate, whereby to excuse any Soldier for his Absence from any Muster or any other Service which he ought to attend or perform, or who shall directly or indirectly cause to be taken any Money or Gratuity for mustering any Soldiers, or for signing any Muster Rolls or Duplicates thereof, shall forfeit for every such Offence the Sum of Fifty Pounds; and any Person who shall

shall falsely be mustered, or offer himself to be mustered, or lend or furnish any Horse to be falsely mustered, shall, upon Oath made by Two Witnesses before some Justice of the Peace residing near the Place where such Muster shall be made, forfeit the Sum of Twenty Pounds, and the Informer, if he belongs to Her Majesty's Service, shall, if he demand it, be forthwith discharged.

Penalty on unlawful recruiting.

LXXXV. And be it enacted, That all the Persons (except such Recruiting Parties as may be stationed under Military Command) who shall cause to be advertised, posted, or dispersed Bills for the Purpose of procuring Recruits or Substitutes for the Line, Embodied Militia, or *East India* Company's Service, or shall open or keep any House, Place of Rendezvous, or Office, or receive any Person therein under such Bill or Advertisement, as connected with the Recruiting Service, or shall directly or indirectly interfere therewith, without Permission in Writing from the Adjutant General, or from the Directors of the *East India* Company, (as the Case may be,) shall forfeit for every such Offence the Sum of Twenty Pounds.

Penalty for inducing Soldiers to desert.

LXXXVI. And be it enacted, That any Person who shall in any Part of Her Majesty's Dominions, by Words or by any other Means whatsoever, directly or indirectly procure any Soldier to desert, or shall by Words or by any other Means whatsoever attempt to procure or persuade any Soldier to desert, and any Person who, knowing that any Soldier is about to desert, shall aid or assist him in deserting, or knowing any Soldier to be a Deserter, shall conceal such Deserter, or aid or assist such Deserter in concealing himself, shall be deemed guilty of a Misdemeanor, and shall, on Conviction thereof, be liable to be punished by Fine or Imprisonment, or both, as the Court before which such Conviction shall take place may adjudge.

Penalty for forcible Entry in pursuit of Deserters.

LXXXVII. And be it enacted, That any Officer or Soldier who shall forcibly enter into or break open any Dwelling House or Outhouse or shall give any Order under which any Dwelling House or Outhouse shall be forcibly entered into or broken open, without a Warrant from One or more Justices of the Peace, shall, on Conviction thereof before Two Justices of the Peace, forfeit a Sum not exceeding Twenty Pounds.

Penalties on aiding Escape or Attempt to escape of Prisoners, and on Breach of Prison Regulations.

LXXXVIII. And be it enacted, That if any Person shall convey or cause to be conveyed into any Military Prison appointed to be a public Prison under this Act, any Arms, Tools, or Instruments, or any Mask or other Disguise, to facilitate the Escape of any Prisoner, or shall by any Means whatever aid and assist any Prisoner to escape or in attempting to escape from such Prison, whether an Escape be actually made or not, such Person shall be deemed guilty of Felony, and upon being convicted thereof shall be transported beyond the Seas for any Term not exceeding Fourteen Years; and if any Person shall bring or attempt to bring into such Prison, in contravention of the existing Rules, any spirituous or fermented Liquor, he shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds and not less than Ten Pounds, or to Imprisonment with or without hard Labour for any Time not exceeding Three Calendar Months; and if any Person shall bring into such Prison to or for any Prisoner, without the Knowledge of the Governor, any Money, Clothing, Provisions, Tobacco, Letters, Papers, or other Articles not allowed by the Rules of the Prison to be in the Possession of a Prisoner, or shall throw into the said Prison any such Articles, or shall by Desire of any Prisoner, without the Sanction of the Governor, carry out of the Prison any of the Articles aforesaid, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or to Imprisonment, either with or without hard Labour, for any Time not exceeding One Calendar Month; and if any Person shall assault or violently resist any Officer of such Prison in the Execution of his Duty, or shall aid or excite any Person so to assault or resist any such Officer, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or to Imprisonment, either with or without hard Labour, for any Time not exceeding One Calendar Month, or if the Offender be a Soldier already under Sentence of Imprisonment he shall, upon Conviction thereof by a Board of not less than Three of the Visitors of the Prison, be liable to be sentenced for every such Offence to be imprisoned, either with or without hard Labour, for any Time not exceeding Six Calendar Months, in addition to so much of the Time for which he was originally sentenced as may then be unexpired; and all the Provisions of any Act or Acts of Parliament for the Regulation or better ordering of Gaols, Houses of Correction, or Prisons in *England* and *Wales*, shall be deemed to apply to all Military Prisons, so far as any Provision relates to such Offences; and it shall be lawful for the Governor, Provost Marshal, Officer, or Servant of any Military Prison to use and exercise all the Powers and Authorities given by any such Act to the Gaoler, Keeper, or Turnkey of any Prison, or to his or their Assistants, to apprehend, or to cause Offenders to be apprehended, in order to their being taken before a Justice or Justices of the Peace; and all the Powers and Authorities given by such Act to any Justice or Justices of the Peace to convict Offenders in any of the above Cases, together with the Forms of Convictions contained in any such Act, shall be applicable to the like Offences when committed in respect of Military Prisons; and all the Provisions contained in any such Act relating to Suits and Actions prosecuted against any Person for any thing done in pursuance of such Act shall be deemed to apply to all Suits and Actions prosecuted against any Person acting in pursuance of such Act in respect of Military Prisons.

Certain Provisions of Gaol Acts to apply to Military Prisons.

Penalty on purchasing Soldiers Necessaries, Stores, &c.

LXXXIX. And be it enacted, That any Person who shall knowingly detain, buy, exchange, or receive from any Soldier or Deserter or any other Person, on any Pretence whatsoever, or shall solicit or entice any Soldier, or shall be employed by any Soldier, knowing him to be such, to sell, any Arms, Ammunition, Clothes, or Military Furniture, or any Provisions, or any Sheets or other Articles used in Barracks, provided under Barrack Regulations, or Regimental Necessaries, or any Article of Forage provided for any Horses belonging to Her Majesty's Service, or who shall have in his or her Possession

or

or Keeping any such Arms, Ammunition, Clothes, Furniture, Provisions, Spirits, Articles, Necessaries, or Forage as aforesaid, and shall not give a satisfactory Account how he or she came by the same, or shall change the Colour of any Clothes as aforesaid, shall forfeit for every such Offence any Sum not exceeding Twenty Pounds, together with Treble Value of all or any of the several Articles of which such Offender shall so become possessed; and if any Person having been so convicted shall afterwards be guilty of any such Offence, and shall be convicted thereof by One or more Justices of the Peace, every such Offender shall for every such Offence forfeit any Sum not exceeding Twenty Pounds but not less than Five Pounds, and the Treble Value of all or any of the several Articles of which such Offender shall have so become possessed, and shall in addition to such Forfeiture be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to hard Labour, for such Term not exceeding Six Calendar Months as the convicting Justice or Justices shall think fit; and upon any Information against any Person for a Second or any subsequent Offence a Copy of the Conviction, certified by the proper Officer having the Care or Custody of such Conviction, or any Copy of the same proved to be a true Copy, shall be sufficient Evidence to prove a Conviction of the former Offence; and if any credible Person shall prove on Oath before a Justice of the Peace, or Person exercising like Authority according to the Laws of the Part of Her Majesty's Dominions in which the Offence shall be committed, a reasonable Cause to suspect that any Person has in his or her Possession, or on his or her Premises, any Property of the Description herein-before described, on or with respect to which any such Offence shall have been committed, the Justice may grant a Warrant to search for such Property, as in the Case of stolen Goods; and if upon Search any such Property shall be found, the same shall and may be seized by the Officer charged with the Execution of such Warrant, who shall bring the Offender in whose Possession the same shall be found before such Justice, to be dealt with according to Law: Provided always, that it shall be lawful for the Legislature of each or of any of Her Majesty's Colonies, on the Recommendation of the Officer for the Time being administering the Government of any such Colony, but not otherwise, to make Provision by Law for reducing such pecuniary Penalty if not exceeding Twenty Pounds to such Amount as may to any such Legislature appear to be better adapted to the Ability and pecuniary Means of Her Majesty's Subjects and others inhabiting the same, which reduced Penalty shall be sued for and recovered in such and the same Manner as the full Penalty hereby imposed: Provided always, that it shall be competent to Her Majesty, or to the Person administering the Government of any such Colony on Her Majesty's Behalf, to exercise, in respect of the Laws so to be passed as aforesaid, all such Powers and Authorities as are by Law vested in Her Majesty or in any such Officer as aforesaid in respect of any other Law made or enacted by any such Colonial Legislature.

Penalties upon Civil Subjects offending against the Laws relating to Billets and Carriages.

XC. And be it enacted, That if any Constable or other Person who by virtue of this Act shall be employed in billeting any Officers or Soldiers in any Part of the United Kingdom shall presume to billet any such Officer or Soldier in any House not within the Meaning of this Act, without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Soldier on Duty, when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Troops; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving such Officer or Soldier; or shall quarter any of the Wives, Children, Men or Maid Servants of any Officers or Soldiers in any such Houses, against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person ordered by any Constable in manner herein-before directed to provide Carriages, Horses, or Vessels shall refuse or neglect to provide the same according to the Orders of such Constable, or shall do any Act or Thing by which the Execution of any Warrants for providing Carriages, Horses, or Vessels shall be hindered; or if any Constable shall neglect to deliver in to the Justices at Quarter Sessions Lists of Officers and Soldiers of the Foot Guards quartered according to the Provisions of this Act, or shall cause to be delivered defective Lists of the same; or if any Person liable by this Act to have any Officer or Soldier quartered upon him shall refuse to receive and to afford proper Accommodation or Diet in the House in which such Officer or Soldier is quartered, and to furnish the several Things directed to be furnished to Officers and Soldiers, or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Hay and Straw, for each Horse, at the Rate established by this Act, and in such Quantities as shall be fixed by Her Majesty's Regulations, not exceeding Eighteen Pounds of Hay and Six Pounds of Straw *per Diem* for each Horse; or if any Innkeeper or Victualler not having good and sufficient Stables shall refuse to pay over to the Person or Persons who may provide Stabling such Allowance by way of Compensation as shall be directed by any Justice of the Peace, or shall pay any Sum or Sums of Money to any Soldier on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Soldier is entitled; such Constable, Victualler, or other Person respectively shall forfeit for every such Offence, Neglect, or Refusal any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalties upon the Military so offending.

XCI. And be it enacted, That if any Military Officer shall take upon himself to quarter Soldiers otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to or upon any Mayors, Constables, or other Civil Officers, tending to deter and discourage any of them from performing any Part of their Duty under this Act, or tending to induce any of them to do any thing contrary to their said Duty, such Officer shall for every such Offence (being thereof convicted before any Two or more Justices of the County by the Oath of Two credible Witnesses) be deemed and taken

to

to be thereupon cashiered, and shall be utterly disabled to hold any Military Employment in Her Majesty's Service; provided that a Certificate thereof shall be transmitted by One of the said Justices to the Judge Advocate in *London*, who is hereby required to certify the same to the Commander in Chief and Secretary at War, and that the said Conviction be affirmed at some Quarter Sessions of the Peace of the said County held next after the Expiration of Three Months after such Certificate of the Justice shall have been transmitted as aforesaid; and if any Military Officer shall take, or knowingly suffer to be taken, any Money or Reward of any Person for excusing the quartering of Officers or Soldiers, or shall billet any of the Wives, Children, Men or Maid Servants of any Officer or Soldier in any House, against the Consent of the Occupier, he shall, upon being convicted thereof before a General Court-martial, be cashiered; and if any Officer shall constrain any Carriage to travel beyond the Distance specified in the Justice's Warrant, or shall not discharge the same in due Time for their Return home on the same Day if it be practicable, except in the Case of Emergency for which the Justice shall have given Licence, or shall compel the Driver of any Carriage to take up any Soldier or Servant (except such as are sick) or any Woman to ride therein, except in Cases of Emergency as aforesaid, or shall force any Constable, by threatening Words, to provide Saddle Horses for himself or Servants, or shall force Horses from their Owners, or in *Ireland* shall force the Owner to take any Loading until the same shall be first duly weighed, if the same can be done within reasonable Time, or shall, contrary to the Will of the Owner or his Servant, permit any Person whatsoever to put any greater Load upon any Carriage than is directed by this Act, such Officer shall forfeit for every Offence any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty on killing Game.

XCII. And for the better Preservation of Game and Fish in or near such Places where any Officers shall at any Time be quartered, be it enacted, That every Officer who shall, without Leave in Writing from the Persons entitled to grant such Leave, take, kill, or destroy any Game or Fish in the United Kingdom of *Great Britain* and *Ireland*, and upon Complaint thereof shall be, upon the Oath of One or more credible Witnesses, convicted before any Justice, shall for every such Offence forfeit the Sum of Five Pounds.

Form of Actions at Law.

XCIII. And be it enacted, That any Action which shall be brought against any Person for any thing to be done in pursuance of this Act shall be brought within Six Months, and it shall be lawful for every such Person to plead thereunto the General Issue of Not Guilty, and to give all special Matter in Evidence to the Jury which shall try the Issue; and if the Verdict shall be for the Defendant in any such Action, or the Plaintiff therein become nonsuited or suffer any Discontinuance thereof, or if in *Scotland* such Court shall see fit to assoilzie the Defendant or dismiss the Complaint, the Court in which the said Matter shall be tried shall allow unto the Defendant Treble Costs, for which the said Defendant shall have the like Remedy as in other Cases where Costs by the Laws of this Realm are given to Defendants; and every Action against any Person for any thing to be done in pursuance of this Act, or against any Member or Minister of a Court-martial in respect of any Sentence of such Court, or of any thing done by virtue or in pursuance of such Sentence, shall be brought in some of the Courts of Record at *Westminster* or in *Dublin*, or the Court of Session in *Scotland*, and in no other Court whatsoever.

Recovery of Penalties.

XCIV. And be it enacted, That all Offences for which any Penalties and Forfeitures are by this Act imposed, not exceeding Twenty Pounds, over and above any Forfeiture of Value or Treble Value, shall and may be determined, and such Penalties and Forfeitures and Forfeiture of Value or Treble Value recovered, in every Part of the United Kingdom by One or more Justice or Justices of the Peace, under the Provisions of an Act passed in the Third Year of the Reign of His Majesty King *George* the Fourth, 3 G. 4. c. 23. intituled *An Act to facilitate summary Proceedings before Justices of the Peace and others*, and of another Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled 5 G. 4. c. 18. *An Act for the more effectual Recovery of Penalties before Justices and Magistrates on Conviction of Offenders, for facilitating the Execution of Warrants by Constables:* Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned for any Time not exceeding Six Months; which said recited Acts shall be used and applied in *Scotland*, for the Recovery of all such Penalties and Forfeitures, as fully to all Intents as if the said recited Acts had extended to *Scotland*, any thing in the said recited Acts to the contrary notwithstanding; and all such Offences committed in the *British* Isles, or in any of Her Majesty's Dominions beyond the Seas, may be determined, and the Penalties and Forfeitures and Forfeiture of Value or Treble Value recovered, before any Justices of the Peace, or Persons exercising like Authority, according to the Laws of the Part of Her Majesty's Dominions in which the Offence shall be committed; and all Penalties and Forfeitures by this Act imposed exceeding Twenty Pounds shall be recovered by Action in some of the Courts of Record at *Westminster* or in *Dublin*, or in the Court of Sessions in *Scotland*, and in no other Court in the United Kingdom, and may be recovered in the *British* Isles, or in any other Parts of Her Majesty's Dominions, in any of the Royal or Superior Courts of such Isles or other Parts of Her Majesty's Dominions.

Appropriation of Penalties.

XCV. And be it enacted, That One Moiety of every Penalty, not including any Treble Value of any Articles adjudged or recovered under the Provisions of this Act, shall go to the Person who shall inform or sue for the same, and the Remainder of the Penalty, together with the Treble Value of any Articles, or, where the Offence shall be proved by the Person who shall inform, the whole of the Penalty, shall be paid to the General Agent for the Recruiting Service in *London*, to be at the Disposal of the Secretary at War, any thing in an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King 5 & 6 W. 4. c. 76. *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England

England *and* Wales, or in any other Act or Acts, to the contrary notwithstanding; and every Justice who shall adjudge any Penalty under this Act shall, within Four Days at the farthest, report the same to the Secretary at War.

Mode of recording a Soldier's Settlement.

XCVI. And be it enacted, That any Justice in the United Kingdom within whose Jurisdiction any Soldier in the Regular Army, or on the permanent Staff of the Militia, having a Wife or Child, shall be billeted, may summon such Soldier before him in the Place where he is billeted, (which Summons he is hereby directed to obey,) and take his Examination in Writing, upon Oath, touching the Place of his last legal Settlement in *England*, and such Justice shall give an attested Copy of such Examination to the Person examined, to be by him delivered to his Commanding Officer, to be produced when required; which said Examination and such attested Copy shall be at any Time admitted in Evidence as to such last legal Settlement before any Justice or at any General or Quarter Sessions, although such Soldier be dead or absent from the Kingdom; provided that in case any Soldier shall be again summoned to make Oath as aforesaid, then on such Examination or such attested Copy thereof being produced by him or by any other Person on his Behalf, such Soldier shall not be obliged to take any other Oath with regard to his legal Settlement, but shall leave a Copy of such Examination, or a Copy of such attested Copy of Examination, if required.

Licences of Canteens.

XCVII. And be it enacted, That when any Person shall hold any Canteen under proper Authority of the Board of Ordnance, it shall be lawful for any Two Justices within their respective Jurisdictions to grant or transfer any Beer, Wine, or Spirit Licence to such Persons, without regard to Time of Year or to the Notices or Certificates required by any Act in respect of such Licences; and the Commissioners of Excise, or their proper Officers, within their respective Districts shall also grant such Licences as aforesaid; and such Persons so holding Canteens, and having such Licences, may sell therein Victuals and Exciseable Liquors, as empowered by such Excise Licence, without being subject to any Penalty or Forfeiture.

Attestation of Accounts.

XCVIII. And be it enacted, That all Muster Rolls and Pay Lists which are required to be verified by Declaration shall be so verified before and attested by any Justice without Fee or Reward to himself or to his Clerk.

Commissaries to attest their Accounts.

XCIX. And be it enacted, That all Commissaries upon making up their Accounts, and also upon returning from any Foreign Service, shall make the Declaration described in the Schedule to this Act annexed; which Declaration, if made in any Part of the United Kingdom, shall be made before some Justice, and if made on Foreign Service, before the Officer commanding in chief, or the Second in Command, or the Quarter Master or Deputy Quarter Master General or any Assistant Quarter Master General of the Army to which he shall be attached, who shall respectively have Power to administer and receive the same.

Administration of Oaths. Perjury.

C. And be it enacted, That all Oaths and Declarations which are authorized and required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace, or Magistrate acting as such; and that any Person taking a false Oath or Declaration in any Case wherein an Oath or Declaration is required to be taken by this Act shall be deemed guilty of wilful and corrupt Perjury, or of making a false Declaration, and being thereof duly convicted shall be liable to such Pains and Penalties as by any Laws in force any Persons convicted of wilful and corrupt Perjury are subject and liable to.

Offences against former Mutiny Acts and Articles of War.

CI. And be it enacted, That all Crimes and Offences which have been committed against any former Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, or against any of the Articles of War made and established by virtue of the same, may, during the Continuance of this Act, be tried and punished in like Manner as if they had been committed against this Act; and every Warrant for holding any Court-martial under any former Act shall remain in full Force, and all Proceedings of Courts-martial convened and held under any such Warrant shall be continued notwithstanding the Expiration of such Act; provided that no Person shall be liable to be tried or punished for any Offence against any of the said Acts or Articles of War which shall appear to have been committed more than Three Years before the Date of the Warrant for such Trial, unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period, in which Case such Person shall be liable to be tried at any Time not exceeding Two Years after the Impediment shall have ceased.

Duration of the Act.

CII. And be it enacted, That this Act shall be and continue in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and forty-seven inclusive until the Twenty-fifth Day of *April* One thousand eight hundred and forty-eight, and shall be and continue in force within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Isle of Man*, and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and forty-seven inclusive until the First Day of *May* One thousand eight hundred and forty-eight; and shall be and continue in force within the Garrison of *Gibraltar*, the *Mediterranean*, and in *Spain* and *Portugal*, from the First Day of *August* One thousand eight hundred and forty-seven inclusive until the First Day of *August* One thousand eight hundred and forty-eight; and shall be and continue in force in all other Parts of *Europe* where Her Majesty's Forces may be serving, and in the *West Indies* and *America*, from the First Day of *September* One thousand eight hundred and forty-seven inclusive to the First Day of *September* One thousand eight hundred and forty-eight; and shall be and continue in force within the *Cape of Good Hope*, the *Isle of France* or *Mauritius* and its Dependencies, *Saint Helena*, and the Western Coast of *Africa*, from the

First Day of *January* One thousand eight hundred and forty-eight inclusive until the First Day of *January* One thousand eight hundred and forty-nine; and shall be and continue in force in all other Places from the First Day of *February* One thousand eight hundred and forty-nine inclusive until the First Day of *February* One thousand eight hundred and fifty: Provided always, that this Act shall, from and after the Receipt and Promulgation thereof in General Orders in any Part of Her Majesty's Dominions beyond the Seas, become and be in full Force, any thing herein stated to the contrary notwithstanding.

Alteration of Act.

CIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

SCHEDULES referred to by the foregoing Act.

FORM of OATHS to be taken by MEMBERS of COURTS-MARTIAL.

YOU shall well and truly try and determine according to the Evidence in the Matter now before you. So help you GOD.

I do swear, That I will duly administer Justice, according to the Rules and Articles for the better Government of Her Majesty's Forces, and according to an Act now in force for the Punishment of Mutiny and Desertion, and other Crimes therein mentioned, without Partiality, Favour, or Affection, and if any Doubt shall arise which is not explained by the said Articles or Act, according to my Conscience, the best of my Understanding, and the Custom of War in the like Cases: And I further swear, That I will not divulge the Sentence of the Court until it shall be duly approved; neither will I, upon any account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in due Course of Law. So help me GOD.

FORM of OATH of a JUDGE ADVOCATE.

I do swear, That I will not, upon any account whatsoever disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law; and that I will not, unless it be necessary for the due Discharge of my official Duties, disclose the Sentence of the Court until it shall be duly approved. So help me GOD.

QUESTIONS to be put separately by the JUSTICE to a RECRUIT ENLISTING for UNLIMITED SERVICE.

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County, were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?
8. Are you willing to be attested to serve in the Regiment of until you shall be legally discharged?
9. At what Place, on what Day, at what Hour of the Day, and by whom were you enlisted?
10. For what Bounty did you enlist?
11. Have you any Objection to make to the Manner of your Enlistment?
12. Do you now belong to the Militia?
13. Do you belong to any other Regiment, or to the Marines, Ordnance, or Navy, or to the Forces of the East India Company?
14. Have you ever served in the Army, Marines, Ordnance, or Navy, or in the Forces of the East India Company?
15. Have you ever been rejected as unfit for Her Majesty's Service or for the Service of the East India Company, upon any prior Enlistment?

Note.—The Justice is directed, in putting the Twelfth Question to the Recruit, and before he receives his Answer, distinctly to apprize the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to Six Months Imprisonment.

Enlisting for unlimited Service in Her Majesty's Colonies.

Question 8. is to be put by the Justice as follows:

8. Are you willing to be attested to serve in Her Majesty's Colony of until you shall be duly and legally discharged?

Enlisting

Enlisting for limited Service.

The preceding Questions to be put by the Justice, except Question 8., which is to be as follows:

8. Are you willing to be attested to serve in the Regiment of for the Period of [*this Blank to be filled up by the Justice with Seven, Fourteen, or Twenty-one Years, as the Case may be, for Infantry, Ten, Sixteen, or Twenty-four Years for Cavalry, and Twelve, Sixteen, or Twenty-one Years for Artillery, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under the Age of Eighteen Years then the Difference between his Age and Eighteen to be added to such Seven, Ten, Twelve, Fourteen, Sixteen, Twenty-one, or Twenty-four Years, as the Case may be,*] Years, provided Her Majesty should for so long require your Service, and also for such further Term not exceeding Twelve Months as shall be directed by the Commanding Officer on any Foreign Station, and not exceeding Three Years, as shall be directed by any Proclamation of Her Majesty, such additional Period in the latter Case to determine whenever Six Months of continued Peace, to be reckoned from the Ratification of any definitive Treaty shall have elapsed subsequent to the Expiration of the said [Seven, Ten, Twelve, Fourteen, Sixteen, Twenty-one, *or* Twenty-four, *as the Case may be,*] Years?

Enlisting for either Her Majesty's or the East India Company's Service.

Question 8. is to be put by the Justice as follows:

8. Are you willing to be attested to serve in Her Majesty's Army, or in the Forces of the East India Company, according as Her Majesty shall think fit to order, until you shall be duly and legally discharged?

Enlisting for the East India Company's Service.

Question 8. to be put by the Justice as follows:

8. Are you willing to be attested to serve the East India Company* until you shall be legally discharged? [*Or if the Recruit enlist for limited Service, then insert,* for the Period of Years (*if the Person enlisting is of the Age of Eighteen Years or upwards, but if under Eighteen Years then the Difference between his Age and Eighteen to be added to such Years, as the Case may be, and such Period to be inserted instead of Years,*) provided the said Company should so long require your Service?]

* The Blank to be filled up with the Words Infantry or Artillery, as the Case may be.

OATH to be taken by a RECRUIT on ATTESTATION.

I do make Oath, That the above Questions have been separately put to me; that the Answers thereto have been read over to me; and that they are the same that I gave, and are true.

I do also make Oath, That I will be faithful and bear true Allegiance to Her Majesty, Her Heirs and Successors, and that I will, as in Duty bound, honestly and faithfully defend Her Majesty, Her Heirs and Successors, in Person, Crown, and Dignity, against all Enemies, and will observe and obey all Orders of Her Majesty, Her Heirs and Successors, and of the Generals and Officers set over me.

So help me GOD.

Witness my Hand,

_____ *Signature of Recruit.*

_____ *Witness present.*

Sworn before me at this Day of One thousand eight hundred and at o'Clock.

Signature of Justice. _____

If enlisting for either Her Majesty's or the East India Company's Service, the following Addition is to be made to the foregoing Oath:

And that if Her Majesty, Her Heirs or Successors, shall please to appoint me to serve in the Forces of the East India Company, then I swear that I will also be true to the said Company, and will duly observe and obey all their Orders, and the Orders of their Generals and Officers who shall be lawfully set over me.

If enlisting for the East India Company's Service, the following is to be added to the Oath:

And that I also will be true to the said Company, and will duly observe and obey all their Orders, and the Orders of their Generals and Officers who shall be lawfully set over me.

CERTIFICATE to be given by the JUSTICE.

to wit. } I one of Her Majesty's Justices of the Peace of do hereby certify, That in my Presence all the foregoing Questions were put to ; that the Answers written opposite to them are those which he gave to me; and that the Fortieth and Forty-sixth Articles of the Articles of War were read over to him; that he took the Oath of Allegiance and Fidelity; that he received the Sum of on being attested this Day; that he was not attested until Twenty-four Hours had elapsed after he received Enlisting Money; that the Place where he swears that he enlisted is in the Vicinity of my Residence, or within the Division or District or Place for which I act; that I am not an Officer of the Army, and that I have given him a Duplicate of this Certificate, signed with my Name.

_____ *Signature of Justice.*

FORM of OATH to be taken by a MASTER whose Apprentice has absconded.

I of do make Oath, That I am by Trade a , and that was bound to serve as an Apprentice to me in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said did on or about the Day of abscond and quit my Service without my Consent; and that to the best of my Knowledge and Belief the said is aged about Years. Witness my Hand at the Day of One thousand eight hundred and .

Sworn before me at this Day of One thousand eight hundred and . }

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an Apprentice.

to wit. } I one of Her Majesty's Justices of the Peace of certify, That of came before me at the Day of One thousand eight hundred and , and made Oath that he was by Trade a , and that was bound to serve as an Apprentice to him in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said Apprentice did on or about the Day of abscond and quit the Service of the said without his Consent, and that to the best of his Knowledge and Belief the said Apprentice is aged about Years.

FORM of DECLARATION of ATTESTATION of a COMMISSARY'S ACCOUNTS.

I do solemnly and sincerely declare, That I have not applied any Monies or Stores or Supplies under my Care or Distribution to my own Use, or to the private Use of any other Person by way of Loan to such Person or otherwise, or in any Manner applied them, or knowingly permitted them to be applied, to any other than public Purposes, according to the Duty of my Office; and I make this solemn Declaration conscientiously believing the same to be true, and by virtue of the Provisions of an Act passed in the Fifth and Sixth Years of the Reign of His Majesty King William the Fourth, Chapter 62, for the Abolition of unnecessary Oaths, and for substituting Declarations in lieu thereof.

Declared before me by the within-named this Day of }

Justice of the Peace of , or *Commander in Chief or Second in Command*, et cætera, the *Army serving in* et cætera, [*as the Case may be*].

No.

DESCRIPTION RETURN of the Day of committed to Confinement at as a Deserter from the Regiment of on

Age	
Height	Feet. Inches.
Complexion	
Hair	
Eyes	
Marks	
Probable Date of Enlistment, and where	
Probable Date of Desertion, and from what Place	
* Name and Occupation and Address of the Person by whom apprehended	
* Particulars in the Evidence on which the Prisoner is committed	
* Whether the Prisoner was apprehended or voluntarily surrendered himself as a Deserter	
* Whether the Prisoner confessed before the Magistrate that he is a Deserter	

* It is important for the Public Service, and for the Interest of the Deserter, that this Part of the Return should be accurately filled up, and the Details should be inserted by the Magistrate in his own Handwriting, or, under his Direction, by his Clerk.

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstance herein stated, and has declared in my Presence that he † a Deserter from the above-mentioned Corps.

———— *Signature and Address of Magistrate.*

———— *Signature of Prisoner.*

———— *Signature of Informant.*

† Insert "is" or "is not," as the Case may be.

I certify, that I have inspected the Prisoner, and consider him ‡ for Military Service.

———— *Signature of Military Medical Officer, or of Private Medical Practitioner.*

‡ Insert "fit" or "unfit," as the Case may be; and if unfit, state the Cause of Unfitness.

CAP. XIII.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on Shore.

[23d *April* 1847.]

'WHEREAS it is judged necessary for the Safety of the United Kingdom, and the Defence of the Possessions of this Realm, that a Body of Royal Marine Forces should be employed in Her Majesty's Fleet and Naval Service, under the Direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid: And whereas the said Forces may frequently be quartered or be on shore, or sent to do Duty or be on board Transport Ships or Merchants Ships or Vessels, or Ships or Vessels of Her Majesty, or other Ships or Vessels, or they may be under other Circumstances in which they will not be subject to the Laws relating to the Government of Her Majesty's Forces by Sea: And whereas no Man can be forejudged of Life or Limb, or subjected in Time of Peace to any Kind of Punishment within this Realm by Martial Law, or in any other Manner than by the Judgment of his Peers, and according to the known and established Laws of this Realm; yet nevertheless it being requisite for the retaining of such Forces in their Duty that an exact Discipline be observed, and that Marines who shall mutiny or stir up Sedition, or shall desert Her Majesty's Service, or be guilty of any other Crime in breach of good Order and Discipline, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with

with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, to make, ordain, and establish Rules and Articles of War under the Hand of the said Lord High Admiral, or under the Hands of any Two or more of the said Commissioners, for the better Government of Her Majesty's Royal Marine Forces, and for the Punishment of Mutiny, Desertion, Immorality, Breach of Discipline, Misbehaviour, Neglect of Duty, and any other Offence or Misconduct of which they shall be guilty, in any Place on shore or afloat in or out of Her Majesty's Dominions, or at any Time when or under any Circumstances in which they shall not be amenable to the Laws for the Government of Her Majesty's Ships, Vessels, and Forces by Sea, or to the Discipline of the Royal Navy, which Rules and Articles shall be judicially taken notice of by all Judges and in all Courts whatsoever; and Copies of the same shall, as soon as conveniently may be after the same shall have been made, be transmitted by the Secretary of the Admiralty for the Time being (certified under his Hand) to the Judges of Her Majesty's Superior Courts at *Westminster*, *Dublin*, and *Edinburgh* respectively, and also to the Governors of Her Majesty's Dominions abroad; provided that no Person within the United Kingdom of *Great Britain* and *Ireland* or the *British Isles* shall by such Articles be subject to be transported as a Felon, or to suffer any Punishment extending to Life or Limb, except for Crimes which are by this Act expressly made liable to such Transportation or to such Punishment as aforesaid, or shall be subject, with reference to any Crimes made punishable by this Act, to be punished in any Manner which shall not accord with the Provisions of this Act.

Lord High Admiral, &c. may make Articles for the Punishment of Mutiny, Desertion, &c.

II. And be it enacted, That all Crimes and Offences committed against any former Act made for the Regulation of the Royal Marine Forces while on shore, or against any of the Rules, Regulations, or Articles of War made and established by virtue of the same, may during the Continuance of this Act be tried, inquired of, and punished in like Manner as if they had been committed against this Act; and every Warrant for holding any Court-martial under any former Act shall remain in full Force notwithstanding the Expiration of such Act; and all Proceedings of any Court-martial upon any Trial begun under the Authority of such former Act shall not be discontinued by the Expiration of the same: Provided always, that no Person shall be liable to be tried and punished for any Offence against any of the said Acts or Articles of War which shall appear to have been committed more than Three Years before the Date of the Commission or Warrant for such Trial, unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period, in which Case such Person shall be liable to be tried at any Time not exceeding Two Years after the Impediment shall have ceased; and provided also, that if any Officer or Marine in any Place beyond the Seas shall commit any of the Offences punishable by Court-martial under this Act, and shall escape and come or be brought into this Realm before he be tried for the same, he shall, when apprehended, be tried for the same as if such Offence had been committed within this Realm.

Offences against former Mutiny Acts and Articles of War.

Limitation as to Time.

III. And be it enacted, That this Act shall extend to the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, as to the Provisions therein for enlisting of Recruits, whether Minors or of full Age, and swearing and attesting such Recruits, and for mustering and paying, and to the Provisions for Trial and Punishment of Officers and Marines who shall be charged with Mutiny and Desertion or any other of the Offences which are by this Act declared to be punishable by the Sentence of a Court-martial, and also to the Provisions which relate to the Punishment of Persons who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Clothes, military Furniture, or regimental Necessaries from any Marine or Deserter, or who shall cause the Colour of any such Clothes to be changed; and also to the Provisions for exempting Marines from being taken out of Her Majesty's Service for not supporting or for leaving chargeable to any Parish any Wife or Child or Children, or on account of any Breach of Contract to serve or work for any Employer, or on account of any Debts under Thirty Pounds in the said Islands.

Act to extend to Jersey, &c.

IV. And be it enacted, That nothing in this Act contained shall be construed to exempt any Officer or Marine from being proceeded against by the ordinary Course of Law for Crimes thereby cognizable; and any Commanding Officer who shall neglect or refuse, when due Application shall be made to him for that Purpose, to deliver over to the Civil Magistrate any Officer or Marine charged with any capital Offence, or with any Violence or Offence against the Person or Property of any of Her Majesty's Subjects punishable by the known Laws of the Land, or who shall wilfully obstruct, neglect, or refuse to assist any Peace Officer in apprehending any such Offender, shall, upon Conviction thereof in any of Her Majesty's Courts at *Westminster*, *Dublin*, or *Edinburgh*, be deemed to be thereupon cashiered, and shall be utterly disabled to hold any Civil or Military Office or Employment in Her Majesty's Service; and a Certificate of such Conviction shall be transmitted to the Secretary of the Admiralty.

The ordinary Course of Law not to be interfered with.

V. And be it enacted, That no Person who shall have been tried before any of the ordinary Courts of Law for any Crime cognizable in such Courts shall be liable to be punished for the same by any Court-martial otherwise than by cashiering; and whenever any Officer or Marine shall have been tried before a Court of ordinary Criminal Jurisdiction, the Clerk of the Court or other Officer having the Custody of the Records of such Court, or the Deputy of such Clerk, shall, if required by the Officer commanding the Division to which such Officer or Marine belongs, transmit to him a Certificate containing the Substance and Effect only, omitting the formal Part, of the Indictment, Conviction, and Entry of Judgment thereon

No Person tried by Civil Power to be punished by Court-martial for same Offence except by cashiering.

thereon or Acquittal of such Officer or Marine, and shall be allowed for such Certificate a Fee of Three Shillings.

Marines to be subject to the Discipline of the Navy while on board Ship.

VI. And it is hereby declared and enacted, That all of Her Majesty's Royal Marine Forces shall, during the Time they shall be respectively borne on the Books of any of Her Majesty's Ships or Vessels in Commission, either as Part of the Complement or as Supernumeraries, or otherwise, be subject and liable in every respect to the Laws for the Government of Her Majesty's Forces by Sea, and to the Rules and Discipline of the Royal Navy, and shall and may be proceeded against and punished for Offences committed by them whilst so borne, in the same Manner as the Officers and Seamen employed in the Royal Navy may be tried or punished; except when and so long as any Marine Officers or Marines shall be landed from any of Her Majesty's Ships, and be employed in Military Operations on shore, and when on such Occasions the senior Naval Officer present shall deem it expedient to issue an Order declaring that such Marine Officers and Marines shall during such Employment on shore be subject to the Regulations of this Act, in which Cases, and while such Order shall remain in force, they shall be subject to such Regulations, and be tried and punished under this Act accordingly, for any Offences to be committed by them while so on shore: Provided always, that if any Marine Officer or Marine so borne on the Books of any of Her Majesty's Ships shall commit on shore any Offence for which he shall not be amenable to a Naval Court-martial or to Naval Discipline, he shall be tried and punished for the same in the same Manner as other Marines may be tried and punished for the like Offences under the Authority of this Act.

Lord High Admiral, &c. may grant Commissions for holding General Court-martial, &c.

VII. And be it enacted, That it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, from Time to Time to grant Commissions or Warrants under the Hand of the said Lord High Admiral, or under the Hands of any Two or more of the said Commissioners, for the holding of General and other Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, and elsewhere out of the same, in like Manner as has been heretofore used, and for bringing Offenders against this Act and the Articles of War to Justice, and to erect and constitute Courts-martial, as well within the said United Kingdom and the *British* Isles as in any of Her Majesty's Garrisons or Dominions or elsewhere beyond the Seas, and to grant Commissions or Warrants to the Officer or Officers commanding in chief or commanding for the Time being any of Her Majesty's Royal Marine Forces, as well within the said United Kingdom as Her Majesty's other Dominions, and in any Foreign Parts out of the same Dominions, for convening, as well as for authorizing any Officer not below the Degree of a Field Officer to convene, Courts-martial, as Occasion may require, for the Trial of Offences committed by any of the Royal Marine Forces under their Command, whether the same shall have been committed before or after such Officer shall have taken upon himself such Command; and any Person subject to this Act, who shall in any of Her Majesty's Dominions or elsewhere commit any of the Offences for which he may be liable to be tried by Court-martial by virtue of this Act or the Articles of War, may be tried and punished for the same in any Part of Her Majesty's Dominions, or other Place where he may have come after the Commission of the Offence, as if the Offence had been committed where such Trial shall take place.

General Courts-martial.

VIII. And be it enacted, That a General Court-martial convened in *Saint Helena*, *Africa*, *Honduras*, the *Australian* Colonies, and the Settlements on the Coast of *China*, shall consist of not less than Five Commissioned Officers; that if convened in *Jamaica*, *Newfoundland*, *Bermuda*, or the *Bahamas*, or in any Part out of the Queen's Dominions, excepting the Parts afore mentioned, it shall consist of not less than Seven; and that if convened in any other Part of the Queen's Dominions, or of the Settlements of the *East India* Company, it shall consist of not less than Thirteen Commissioned Officers, and shall have Power to sentence any Officer or Soldier to suffer Death, Transportation, or any other Punishment which shall accord with the Provisions of this Act.

District or Garrison Courts-martial.

IX. And be it enacted, That a District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in *Bermuda*, the *Bahamas*, *Saint Helena*, *Africa*, *Jamaica*, *Honduras*, *Newfoundland*, the *Australian* Colonies, the Windward and Leeward Islands, *British Guiana*, and the Settlements on the Coast of *China*, where it may consist of not less than Five Commissioned Officers, and in *Africa*, when convened for the Trial of Desertion, of not less than Three Commissioned Officers; and such Court-martial shall have the same Power as a General Court-martial to sentence any Marine to such Punishments as shall accord with the Provisions of this Act; provided that the Sentence of a District or Garrison Court-martial shall be confirmed by the General Officer, Governor, or Senior Officer in Command of the District, Garrison, Island, or Colony, and that such Court-martial shall not have Power to try a Commissioned Officer, nor to pass any Sentence of Death or Transportation.

Divisional Courts-martial.

X. And be it enacted, That a Divisional or Detachment Court-martial shall consist of not less than Five Officers, unless it be found to be impracticable to assemble that Number, when Three shall be sufficient, and shall have Power to sentence any Marine to Corporal Punishment, to Imprisonment, and Forfeiture of Pay, in such Manner as shall accord with the Provisions of this Act.

Courts-martial on Line of March or in Transport Ships, &c.

XI. And be it enacted, That in Cases of Mutiny and gross Insubordination, or of other Offences committed on the Line of March, or on board any Transport Ship, Convict Ship, or Merchant Vessel, the Offence may be tried by a Divisional or Detachment Court-martial, and the Sentence confirmed and carried into execution on the Spot by the Officer in immediate Command, provided that the Sentence shall not exceed that which a Divisional Court-martial is competent to award.

Courts-martial in special Cases out of the

XII. And be it enacted, That it shall be lawful for any Officer commanding any District Detachment or Portion of Her Majesty's Royal Marine Forces which may at any Time be serving out of Her Majesty's

Queen's Dominions.

Majesty's Dominions, upon Complaint made to him of any Offence committed against the Property or Person of any Inhabitant of or Resident in any such Countries by any Person under the immediate Command of any such Officer, to summon and cause to be assembled a Court-martial, which shall consist of not less than Three Officers, for the Trial of any such Person, notwithstanding such Officer shall not have received any Warrant empowering him to assemble Courts-martial; and every such Court-martial shall have the same Powers in regard to summoning and examining Witnesses, Trial of and Sentence upon Offenders, as are granted by this Act to General Courts-martial: Provided that no Sentence of any such Detachment Court-martial shall be executed until the Officer commanding the Army to which the Division, Brigade, Detachment, or Party to which any Person so tried shall belong shall have approved and confirmed the same.

Officers of the Marine and Land Forces may sit in conjunction on Courts-martial.

XIII. And be it enacted, That, when necessary or expedient, Officers of Her Majesty's Land Forces and of the Royal Marines may sit in conjunction on Courts-martial, whether the Commanding Officer by whose Order such Court-martial is assembled belongs to the Land or Marine Forces; and when the Person to be tried shall belong to the Royal Marines, then the Proceedings of such Court-martial shall be regulated according to the Provisions of this Act; but where the Person to be tried shall belong to Her Majesty's Land Forces, then the Provisions of the Act passed in the present Session of Parliament for the Punishment of Mutiny and Desertion, and for the better Payment of the Army and their Quarters, and the Oaths therein prescribed, shall be applicable.

If no Superior Officer of Land Forces is present in command of a District, &c. an Officer of Marines may convene a Court-martial.

XIV. And be it enacted, That provided there be no Superior Officer of Her Majesty's Land Forces present in Command of a District, Garrison, Station, or Place where Marines may be serving, it shall be lawful for any Officer of the Royal Marine Corps, of the Degree of a Field Officer, and holding a Commission from the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, for that Purpose, but not otherwise, to convene or assemble a District or Garrison Court-martial, to be composed as afore stated, and for such Court to proceed to try any Marine or Marines below the Rank of Commissioned Officer for any of the Offences cognizable by a District or Garrison Court-martial, and that such Courts so convened shall possess the same Power and Authority in awarding Punishments in all respects as if the Court had been assembled under the Act for the Time being for punishing Mutiny and Desertion in the Army: Provided always, that the Sentence so awarded shall not be carried into effect until the Senior Officer of the Royal Marines in the District, Garrison, Station, or Place, not being a Member of the Court, shall have confirmed the same.

President of Courts-martial.

XV. And be it enacted, That the President of every Court-martial shall be appointed by the Authority convening such Courts, and shall in no Case be the Officer commanding in chief, or Governor of the Garrison where the Offender shall be tried, nor the Commanding Officer of the Division to which the Prisoner belongs, nor in the Case of a General Court-martial, under the Degree of a Field Officer, unless where a Field Officer cannot be had, nor in any Case whatsoever under the Degree of a Captain, save in the Case of a Detachment Court-martial holden out of Her Majesty's Dominions, or holden on the Line of March, or on board a Transport Ship, Convict Ship, Merchant Vessel, or Troop Ship not in Commission.

Proceedings at Trial.

XVI. And be it enacted, That in all Trials by Court-martial, as soon as the President and other Officers appointed to serve thereon shall be assembled, their Names shall be read over in the Hearing of the Prisoner, who shall thereupon be asked if he objects to being tried by the President or by any of such Officers, and if the Prisoner shall then object to the President such Objection shall be referred to the Decision of the Authority by whom such President shall have been appointed, but if he object to any Officer other than the President such Objection shall be decided by the President and the other Officers so aforesaid appointed to form the Court; and when the Place of the President or other Officer, in respect of whom any Challenge shall have been made and allowed, shall be supplied by some Officer in respect of whom no Challenge shall be made or allowed, or if no Challenge whatever shall have been made, or, if made, not allowed, the President and the other Officers composing the Court shall take the Oaths in the Schedule to this Act annexed before the Judge Advocate or his Deputy, or Person officiating as such, and on Trials by other Courts-martial, before the President of such Court, who are hereby respectively authorized to administer the same, and any sworn Member may administer the Oath to the President; and as soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, the Oath in the Schedule to this Act annexed; and no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight of the Clock in the Morning and Four in the Afternoon, except in Cases which require an immediate Example, and except in the *East Indies*, where such Proceedings or Trial may be had between the Hours of Six in the Morning and Four in the Afternoon.

Swearing and summoning Witnesses.

XVII. And be it enacted, That all General and other Courts-martial shall have Power and Authority and are hereby required to administer an Oath to every Witness or other Person who shall be examined before such Court in any Matter relating to any Proceeding before the same; and every Person, as well Civil and Military, who may be required to give Evidence before a Court-martial, shall, in the Case of General Courts-martial, be summoned by the Judge Advocate, or the Person officiating as such, and in the Case of all other Courts-martial, by the President of the Court; and all Persons so summoned and attending as Witnesses before any Court-martial shall, during their necessary Attendance in or on such Courts, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness

was arrested, or if such Court be not sitting, then by any Judge of the Superior Courts of *Westminster* or *Dublin*, or the Court of Session in *Scotland*, or of the Courts of Law in the *East* or *West Indies*, or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge by any Affidavit in a summary Way that such Witness was arrested in going to or returning from or attending upon such Court-martial; and all Witnesses so duly summoned as aforesaid who shall not attend on such Courts, or attending shall refuse to be sworn, or being sworn shall refuse to give Evidence, or to answer all such Questions as the Court may legally demand of them, shall be liable to be attached in the Court of Queen's Bench in *London* or *Dublin*, or the Court of Session, or Sheriff Depute, or Stewarts Depute, or their respective Substitutes, within their several Shires and Stewartries in *Scotland*, or Courts of Law in the *East* or *West Indies*, or in any of Her Majesty's Colonies, Garrisons, or Dominions in *Europe*, or elsewhere respectively, upon Complaint made in like Manner as if such Witness had neglected to attend on a Trial in any Proceeding in the Court in which such Complaint shall be made.

Previous Convictions to be put in Evidence.

XVIII. And be it enacted, That after a Prisoner has been found guilty of any Charge or Charges the Court before which any such Prisoner shall have been tried shall, before passing Sentence on such Prisoner, and for the Purpose only of affixing Punishment, receive in Evidence against him any previous Convictions by Courts-martial, the Proceedings of which have been duly confirmed, and in like Manner and for the like Purpose the Court shall receive in Evidence any previous Conviction of such Prisoner by a Court of ordinary Criminal Jurisdiction where the Offence charged in the Indictment was of a felonious, fraudulent, or unnatural Nature; and in the Case of Convictions by Courts-martial, a Certificate, which shall purport to contain a Copy of the Charges, Finding, and Sentence of the Court, and of the Minute of Confirmation of such Finding and Sentence made from the original Minutes of such Court, or from the Court-martial Book, and which shall further purport to be signed by the Judge Advocate, or by the Officer officiating as such, or by the Officer confirming the Proceedings, in case such Copy be taken from the original Minutes, or by the Commanding Officer, Adjutant, or other Officer having the Custody of the Court-martial Book, in case such Copy be taken from the said Book, shall be sufficient Evidence of such Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in any such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender; and in the Case of a Conviction by a Court of ordinary Criminal Jurisdiction, any Certificate transmitted as herein-before provided to the Officer commanding by the Clerk of any such Court or other Officer having Custody of the Records of such Courts, or the Deputy of such Clerk, containing the Substance and Effect of any Indictment, omitting the formal Part, together with the Judgment of the Court thereon, and purporting to be signed by such Clerk or other Officer, or by the Deputy of such Clerk, shall be sufficient Evidence of such last-mentioned Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such last-mentioned Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender: Provided always, that before any such Evidence shall be received it shall be proved to the Satisfaction of the Court that the said Prisoner had previously to his Trial received Notice of the Intention to produce such Evidence against him; and provided also, that the Court shall in no Case award to him any other Punishment or Punishments than may by this Act and by the Articles of War be awarded for the Offence of which he shall have been so found guilty.

Report of Proceedings of Courts-martial.

XIX. And be it enacted, That every Judge Advocate, or Person officiating as such, at a General Court-martial, and the President of every District or Garrison Court-martial, are required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the original Proceedings and Sentence thereof to the Secretary of the Admiralty for the Time being; and any Person tried by a General Court-martial, or any Person on his Behalf, shall be entitled, on Demand, to a Copy of such Sentence and Proceedings (paying reasonably for the same), whether such Sentence shall be approved or not, at any Time not sooner than Six Months if the Trial took place at *Gibraltar* or in the *Mediterranean*, Three Months if at any other Station within *Europe*, and Twelve Months if elsewhere in Her Majesty's Dominions; provided that such Demand as aforesaid shall have been made within the Space of Three Years from the Date of the Approval or other final Decision upon the Proceedings before such General Court-martial.

No second Trial, but Revision allowed.

XX. And be it enacted, That no Officer or Soldier being acquitted or convicted of any Offence shall be liable to be tried a second Time by the same or any other Court-martial for the same Offence, and that no Finding, Opinion, or Sentence given by any Court-martial, and signed by the President thereof, shall be revised more than once, nor shall any additional Evidence be received by the Court on any Revision.

Crimes punishable with Death.

XXI. And be it enacted, That if any Person who is or shall be commissioned or in Pay as an Officer of Royal Marines, or who is or shall be listed or in Pay as a Non-commissioned Officer, Drummer, or Private Man in Her Majesty's Royal Marine Forces, shall at any Time during the Continuance of this Act, while on shore in any Place within the said Kingdom, or in any other of Her Majesty's Dominions, or in any Foreign Parts out of such Dominions, or on board any Transport Ship, or Merchant Ship or Vessel, or any Ship or Vessel of Her Majesty, or on board any Convict Hulk or Ship, or any other Ship or Vessel, or in any Place whatever, where or while being in any Circumstances in which he shall not be subject to, or not be liable or punishable by, the Laws relating to the Government of Her Majesty's Forces by Sea, begin, excite, cause, or join in any Mutiny or Sedition in Her Majesty's Marine or other

Forces, or shall not use his utmost Endeavours to suppress any such Mutiny or Sedition, or coming to the Knowledge of any Mutiny or intended Mutiny shall not without Delay give Information thereof to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge or which he shall be commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer or any other to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall leave his Post before relieved, or shall be found sleeping on his Post; or shall hold Correspondence with or give Advice or Intelligence to any Rebel, Pirate, or Enemy of Her Majesty, either by Letters, Messages, Signs, Tokens, or any other Ways or Means whatever; or shall treat or enter into any Terms with any such Rebel, Pirate, or Enemy, without the Licence of the Lord High Admiral of the said United Kingdom or the Commissioners for executing the Office of Lord High Admiral aforesaid, for the Time being; or shall strike or use or offer any Violence against his Superior Officer being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or who being confined in a Military Prison shall offer any Violence against a Visitor or other Officer being in the Execution of his Office, or shall violate any Law or Regulation of or relating to any Military Prison; or shall desert Her Majesty's Service; every Person so offending in any of the Matters before mentioned shall suffer Death or such other Punishment as by a Court-martial shall be awarded.

Judgment of Death.

XXII. And be it enacted, That no Judgment of Death by Court-martial shall pass unless Two Thirds at least of the Officers present shall concur therein.

Commutation of Death for Transportation.

XXIII. And be it enacted, That whensoever any General Court-martial by which any Marine shall have been tried and convicted of any Offence punishable with Death shall not think the Offence deserving of Capital Punishment, such Court-martial may adjudge the Offender, according to the Degree of the Offence, to be transported as a Felon for Life or for a certain Term of Years, or may sentence him to general Service as a Marine or as a Soldier in any Corps and in any Country or Place which Her Majesty shall thereupon direct, or may, if such Offender shall have enlisted for a limited Term of Years, sentence him to serve for Life as a Marine or as a Soldier in any Corps which Her Majesty shall please to direct: Provided that in all Cases where a Capital Punishment shall have been awarded by a General Court-martial it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, instead of causing such Sentence to be carried into execution, to order the Offender to be transported as a Felon, either for Life or for a certain Term of Years, as shall seem meet to Her Majesty, or, if in the *East Indies*, to the Officer commanding as aforesaid.

Embezzlement punishable by Transportation.

XXIV. And be it enacted, That every Officer and other Person employed in any Manner in the Care or Distribution of any Money, Provisions, Forage, or Stores belonging to Her Majesty's Royal Marine Forces or for their Use, who shall embezzle or fraudulently misapply, damage, or be concerned in or connive at the Embezzlement, fraudulent Misapplication, or Damage of any Money, Provisions, Forage, Arms, Clothing, Ammunition, or other Military or Royal Marine Stores, may be tried for the same by a General Court-martial, which may adjudge any such Offender to be transported as a Felon for Life or for any certain Term of Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from Her Majesty's Service, and Incapacity of serving Her Majesty in any Office, Civil or Military, as such Court shall think fit, according to the Nature and Degree of the Offence; and every such Offender shall, in addition to any other Punishment, make good at his own Expence the Loss and Damage sustained, which shall have been ascertained by such Court-martial; and in every such Case the Court is required to ascertain by Evidence the Amount of the Loss or Damage incurred, and to declare by their Sentence that such Amount shall be made good by such Offender; and the Loss and Damage so ascertained as aforesaid shall be a Debt to Her Majesty, and may be recovered in any of Her Majesty's Courts at *Westminster*, or in *Dublin*, or the Court of Exchequer in *Scotland*, or in any Court in Her Majesty's Colonies where the Person sentenced by such Court-martial shall be resident after the said Judgment shall be confirmed and made known; and every Officer sentenced to be transported as a Felon, when such Sentence shall be duly confirmed, shall thereupon cease to belong to Her Majesty's Service, and for ever be incapable of serving Her Majesty in any Military Capacity.

Transportation of Offenders.

XXV. And be it enacted, That whenever Her Majesty shall intend that any Sentence of Transportation heretofore or hereafter to be passed upon any Offender by any Court-martial shall be carried into execution for the Term specified in such Sentence, or for any shorter Term, or shall be graciously pleased to commute, as herein provided, any Sentence of Death which shall have been passed by any such Court, such Sentence, together with Her Majesty's Pleasure upon the same, shall be notified in Writing by the Lord High Admiral, or by any Two or more of the Commissioners for executing the said Office of Lord High Admiral, for the Time being, to any Justice of the Queen's Bench, Common Pleas, or Baron of the Exchequer, and thereupon such Justice or Baron shall make an Order for the Transportation of such Offender upon the Terms and for the Time which shall be specified in such Notification, and shall also do all such other Acts consequent upon such Notification as any such Justice or Baron is authorized to make or do by any Statute or Statutes in force at the Time of making any such Orders in relation to the Transportation of Offenders; and such Order, and other Acts to be so made and done as aforesaid, shall be obeyed and executed by such Person in whose Custody such Offender shall at that Time be, and by all other Persons whom it may concern, and shall be as effectual, and have all the same Consequences, as any Order made under

under the Authority of any Statute with respect to any Offender in such Statute mentioned; and every Sheriff, Gaoler, Keeper, Governor, or Superintendent whom it may concern, and all Constables and other Persons shall be bound to obey the aforesaid Order and Orders, be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience or interrupting the Execution of such Order as they would be if the same had been made under the Authority of any such Act of Parliament; and every Person so ordered to be transported as aforesaid shall be subject respectively to all and every the Penalties and Provisions made by Law and in force concerning Persons convicted of any Crime and sentenced to be transported, or receiving Her Majesty's Pardon on Condition of Transportation; and from the Time when such Order of Transportation shall be made every Law and Statute in force touching the Escape of Felons, or their afterwards returning or their being at large without Leave, shall apply to such Offender, and to all Persons aiding, abetting, contriving, or assisting in any Escape or intended Escape, or the returning without Leave, of any such Offender; and the Judge who shall make any Order of Transportation as aforesaid shall direct the Notification of Her Majesty's Pleasure, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of Queen's Bench; and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender, or to any Person applying in his or Her Majesty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before which he was convicted, the Sentence, and the Conditions on which the Order of Transportation was given; which Certificate shall be sufficient Proof of the Conviction and of the Sentence of such Offender, and also of the Terms in which such Order for his Transportation was given, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

In the Colonies.

XXVI. And be it enacted, That whenever any Sentence of Transportation heretofore or hereafter passed upon any Offender by any Court-martial holden in the *East Indies*, or in any Part of Her Majesty's Foreign Dominions, is to be carried into execution for the Term specified in such Sentence, or for any shorter Term, or when Sentence of Death has been or shall as aforesaid be commuted to Transportation, the same shall be notified by the Officer commanding Her Majesty's Forces at the Presidency or Station to some Judge of One of the Supreme Courts of Judicature in the *East Indies*, or Chief Justice or some other Judge, as the Case may be, in any Part of Her Majesty's Foreign Dominions, who shall make Order for the Transportation or intermediate Custody of such Offender in like Manner as for the Transportation or intermediate Custody of any other Convict; and upon any such Order being made it shall be duly notified to the Governor of the Presidency if in the *East Indies*, or to the Governor of the Colony if in any of Her Majesty's Colonies, or to the Person who shall for the Time being be exercising the Office of Governor of such Presidency or Colony, who on Receipt of such Notification shall cause such Offender to be removed to some Colony or Place in obedience to the Directions for the Removal of Convicts which shall from Time to Time be transmitted from Her Majesty through One of Her Principal Secretaries of State to such Presidency or Colony; and such Offender on being so removed shall undergo the Sentence of Transportation which has been passed upon him in the Colony or Place to which he has been so removed or sent, and whilst such Sentence shall remain in force shall be liable to be there imprisoned and kept to hard Labour and otherwise dealt with under such Sentence in the same Manner as if he had been sentenced to be imprisoned with hard Labour during the Term of his Transportation by the Judgment of a Court of competent Jurisdiction in the Colony or Place to which he has been so removed or sent.

Disposal of Convict after Sentence of Transportation.

XXVII. And be it enacted, That when any Sentence of Death shall be commuted for Transportation, or when any Marine shall by Court-martial be adjudged to be transported as authorized by this Act, it shall be lawful for the Commanding Officer of the Division to which such Marine shall have belonged to cause him to be detained and conveyed to any Gaol or Prison, there to remain in safe Custody until he shall be removed therefrom by due Authority under an Order for his Transportation to be made by some Justice of the Queen's Bench or Common Pleas or Baron of the Exchequer as aforesaid; and that a Certificate of his Sentence, after the same shall have been approved by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, (such Certificate to be signed by the Commanding Officer of the Division from which he shall be sent,) shall be a sufficient Order, Requisition, and Authority to the Governor, Keeper, or Superintendent of the Gaol or Prison to receive and detain him: Provided always, that in case of any such Offender being so conveyed to Gaol or Prison, the usual Allowance of Sixpence *per Diem* shall be made to the Keeper of the Gaol or Prison for the Subsistence of such Offender during his Detention therein, which Allowance shall be paid by the Paymaster of the Division upon Production to him by the said Governor, Keeper, or Superintendent of a Declaration, to be made by him before One of Her Majesty's Justices of the Peace of such County, of the Number of Days during which the Offender shall have been so detained and subsisted in such Gaol or Prison.

Power to inflict Corporal Punishment.

XXVIII. And be it enacted, That any Court-martial may sentence any Marine to Corporal Punishment, not extending to Life or Limb, for Immorality, Misbehaviour, or Neglect of Duty, provided that no such Sentence of Corporal Punishment exceed Fifty Lashes.

Power to inflict Corporal Punishment and Imprisonment.

XXIX. And be it enacted, That it shall be lawful for any General, District, or Garrison Court-martial, in addition to any Sentence of Corporal Punishment, to award Imprisonment, with or without hard Labour, for any Period not exceeding One Year.

Power to commute Corporal Punishment.

XXX. And be it enacted, That in all Cases in which Corporal Punishment shall form the whole or any Part of the Sentence awarded by any Court-martial, it shall be lawful for the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or for the Officer authorized to confirm the Sentences of Garrison or District, Divisional or Detachment Courts-martial, to commute such Corporal Punishment, or any Part thereof, to Imprisonment, with or without hard Labour, for any Period not exceeding Forty Days.

Forfeiture of Pay and Pension by Sentence of Court-martial.

XXXI. And be it enacted, That any General Court-martial may, in addition to any other Punishment which it may be competent to award, sentence any Offender to Forfeiture of all Advantage as to additional Pay, and Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service, or might accrue from future Service, according to the Nature of the Case; and that any District or Garrison Court-martial may also, in addition to any Sentence which such Court may award, sentence any Offender to such Forfeiture for Desertion, or for disgraceful Conduct,

In wilfully maiming or injuring himself or any other Marine, whether at the Instance of such other Marine or not, with Intent to render himself or such other Marine unfit for Service:

In tampering with his Eyes with Intent thereby to render himself unfit for Service:

In wilfully doing any Act, or wilfully disobeying any Orders, whether in Hospital or otherwise, thereby producing or aggravating Disease or Infirmity, or delaying his Cure:

In malignering or feigning Disease:

In stealing or embezzling Government Stores, or in receiving them knowing them to have been stolen:

In stealing any Money or Goods the Property of a Comrade, of a Marine Officer, or of any Marine Mess or Band, or in receiving any such Money or Goods knowing the same to have been stolen:

In making any false or fraudulent Accounts, Returns, Matters, or Entries, or assisting or conniving at the same being made, or producing the same as true knowing the same to be false or fraudulent:

In stealing or embezzling or fraudulently misapplying public Money entrusted to him:

Or in committing any Offence of a felonious or fraudulent Nature, to the Injury of, or with Intent to injure, any Person, Civil, Marine, or Military:

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind.

Forfeiture of Pay on Conviction of Desertion or Felony.

XXXII. And be it enacted, That every Marine who shall be found guilty of Desertion by a Court-martial, such Finding having been duly approved, or of Felony in any Court of ordinary Criminal Jurisdiction in *England* or *Ireland*, or of any Crime or Offence in any Court of Criminal Judicature in any Part of the United Kingdom, or in any Dominion, Territory, Colony, Settlement, or Island belonging to or occupied by Her Majesty out of the United Kingdom, which would, if committed therein, amount to Felony, shall thereupon forfeit all Advantage as to additional Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, in addition to any Punishment which such Court may award.

Forfeiture of Pay when in Confinement, or during Absence on Commitment under a Charge, or in arrest for Debt, or when Prisoner of War,

or when convicted of Desertion.

XXXIII. And be it enacted, That no Marine shall be entitled to Pay, or to reckon Service towards Pay or Pension, when in Confinement under a Sentence of any Court, or during any Absence from Duty by Commitment or Confinement under any Charge of which he shall be afterwards convicted, either by Court-martial or by any Court of ordinary Criminal Jurisdiction, or whilst in arrest for Debt; and that when any Marine shall be absent as a Prisoner of War he shall not be entitled to Pay, or to reckon Service towards Pay or Pension, for the Period of such Absence, but upon rejoining Her Majesty's Service due Inquiry shall be made by a Court-martial, and unless it shall be proved to the Satisfaction of such Court that the said Marine was taken Prisoner through wilful Neglect of Duty on his Part, or that he had served with or under, or in some Manner aided, the Enemy, or that he had not returned as soon as possible to Her Majesty's Service, he may thereupon be recommended by such Court to receive either the whole of such Arrears of Pay, or a Proportion thereof, and to reckon Service during his Absence; and that any Marine who shall be convicted of Desertion or of Absence without Leave shall, in addition to any Punishment awarded by the Court, forfeit his Pay for the Day or Days during which he was in a State of Desertion, or during his Absence without Leave; and if any Marine shall absent himself without Leave for any Period not exceeding Five Days, and shall not account for the same to the Satisfaction of the Commanding Officer, or if any Marine shall be guilty of any other Offence which the Commanding Officer may not think necessary to bring before a Court-martial, the Commanding Officer may order that such Marine shall be imprisoned for any Period not exceeding One hundred and sixty-eight Hours, with or without hard Labour, or with or without solitary Confinement, as the said Commanding Officer may think fit, and such Marine shall forfeit his Pay for any Day or Days on which he may be so imprisoned; and the said Commanding Officer may, moreover, order that, in addition to or instead of such Imprisonment and Forfeiture, or any other Punishment which he has Authority to inflict, any Marine who shall have so absented himself as aforesaid shall forfeit his Pay for the Day or Days on which he shall have so absented himself, and, in pursuance of any such Order as aforesaid, the Pay of the Marine shall be accordingly forfeited, provided that such Marine shall not be liable to be afterwards tried by a Court-martial for any Offence for which he shall have been so punished, ordered to suffer Imprisonment, Punishment, or Forfeiture as aforesaid: Provided also, that any Marine who shall be so ordered to suffer Imprisonment or Forfeiture of Pay shall, if he so request, have a Right to be tried by a Court-martial for his Offence, instead of submitting to such Imprisonment or Forfeiture: Provided that it shall be lawful for the said Lord High Admiral or the said Commissioners to order or withhold

withhold the Payment of the whole or any Part of the Pay of any Officer or Marine during the Period of Absence by any of the Causes aforesaid.

Forfeiture of Pay and Liquor for habitual Drunkenness.

XXXIV. And be it enacted, That any General or District Court-martial, before which any Marine shall be convicted of habitual Drunkenness, shall, in addition to any other Punishment which such Court is competent to award, deprive such Marine of his Allowance in lieu of Beer at home, or of his Liquor when issued in Kind abroad, or of such Portion of his additional or regular Pay, for such Period not exceeding Two Years, and under such Restrictions and Regulations, as may accord with the Articles of War to be made in pursuance of this Act, subject to Restoration on subsequent good Conduct; and after any other Punishment which the Court may award every Divisional or Detachment Court-martial shall deprive a Marine, if convicted of a Charge of habitual Drunkenness, of his Allowance in lieu of Beer at home, or of his Liquor when issued in Kind abroad, or of such Portion of his additional or regular Pay, for such Period not exceeding Six Months, and under such Restrictions and Regulations, as may accord with the said Articles of War, subject to Restoration on subsequent good Conduct.

Forfeiture of Pay for Drunkenness on Duty.

XXXV. And be it enacted, That any Court-martial may sentence any Marine for being drunk when on or for Duty or Parade, or on the Line of March, to be deprived of a Penny a Day of his Pay for any Period not exceeding Thirty Days, in addition to any other Punishment which such Court may award.

Stoppages.

XXXVI. And be it enacted, That, in addition to any other Punishment which the Court may award, a Court-martial may further direct that any Offender may be put under Stoppages until he shall have made good—

Any Loss or Damage occasioned by him in any of the Instances of disgraceful Conduct herein specified:

Any Loss or Destruction of, or Damage or Injury to, any Property whatsoever, occasioned by his wilful or negligent Misconduct:

Any Loss or Destruction of, or Damage or Injury to, his Accoutrements or Necessaries, or any Loss or Destruction of, or Damage or Injury to, the Accoutrements or Necessaries of any other Marine, occasioned by his wilful or negligent Misconduct:

Any Expence necessarily incurred by his Drunkenness or other Misconduct:

Provided always, that, except in the Case of the Loss or Destruction of Accoutrements and Necessaries, in which Case the Court may by its Sentence direct that the said Stoppages shall continue till the Cost of replacing the same be made good, the Amount of any Loss, Destruction, Damage, or Injury or Expence, shall be ascertained by Evidence, and the Offender shall be placed under Stoppages for such an Amount only as shall be proved to the Satisfaction of the Court: Provided also, that after satisfying the Charges for his messing and washing, so much only of the Pay of the Marine may be stopped and applied as shall leave him a Residue at the least of One Penny a Day.

Discharge with Ignominy.

XXXVII. And be it enacted, That whenever any Marine shall have been convicted of any such disgraceful Conduct, and the Court in respect thereof shall have made the Forfeiture of all Claim to Pension on Discharge a Part of the Sentence passed on such Marine, such Court may further recommend that he be discharged with Ignominy from Her Majesty's Service.

Marking Deserters.

XXXVIII. And be it enacted, That on the first and on every subsequent Conviction of Desertion the Court-martial, after awarding such Punishment as it may think fit, may order the Offender to be marked on the Left Side, Two Inches below the Arm-pit, with the Letter D, such Letter not to be less than an Inch long, and to be marked upon the Skin with some Ink or Gunpowder or other Preparation so as to be visible and conspicuous, and not liable to be obliterated.

Power of Imprisonment by different Kinds of Courts-martial.

XXXIX. And be it enacted, That a General or District Court-martial may sentence any Marine to Imprisonment with or without hard Labour, and may also direct that such Offender shall be kept in solitary Confinement for any Portion or Portions of such Imprisonment not exceeding Twenty-eight Days at a Time, nor Eighty-four Days in any One Year, with Intervals between the Periods of solitary Confinement of not less Duration than such Periods; and that any Divisional or Detachment Court-martial may sentence any Marine to Imprisonment, with or without hard Labour, for any Period not exceeding Forty Days, or to solitary Confinement for any Period not exceeding Twenty Days, or may sentence a Marine to Imprisonment, Part thereof to be with or without hard Labour, and Part thereof in solitary Confinement: Provided always, that when such Court shall direct the Imprisonment to be Part in solitary Confinement and Part otherwise, the whole Period of such Imprisonment shall not exceed Twenty Days, and the Part thereof in solitary Confinement shall not exceed Ten Days.

Imprisonment of Offenders already under Sentence for previous Offence.

XL. And be it enacted, That whenever Sentence shall be passed by a Court-martial on a Person already imprisoned under Sentence of a Court-martial for any former Offence, it shall be lawful for the Court to award Imprisonment for the subsequent Offence to commence at the Expiration of the Imprisonment to which such Person shall have been previously sentenced; and where such Person shall be already under Sentence, either of Imprisonment or Transportation, the Court, if empowered to pass Sentence of Transportation, may award such Sentence for the subsequent Offence, to commence at the Expiration of the Imprisonment or Transportation to which such Person shall have been previously sentenced, although the aggregate of the Terms of Imprisonment or Transportation respectively may exceed the Term for which either of those Punishments would be otherwise awarded.

Term and Place of Imprisonment.

XLI. And be it enacted, That, save as herein specially provided, every Term of Imprisonment under the Sentence of a Court-martial, whether original or revised, shall be reckoned as commencing on the Day on which the original Sentence and Proceedings shall have been signed by the President; and the Place

Place of Imprisonment under the Sentences of Courts-martial shall be appointed by the Court or the Lord High Admiral, or the Commissioners for executing the Office of Lord Admiral, or the Commanding Officer of the Division to which the Offender belongs or is attached, or the Officer commanding the District, Garrison, Island, or Colony.

Proviso for Removal of Prisoners.

XLII. And be it enacted, That in the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial, or as Part of commuted Punishment, in any public Prison, or in any Gaol or House of Correction in any Part of Her Majesty's Dominions, it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral for the Time being, in all Cases, or for the Officer commanding the Division in the Case of a Prisoner imprisoned under the Sentence of a Divisional Court-martial, of his sole Authority, and in all other Cases with the Consent of the Officer commanding the District, Garrison, Island, or Colony, or of the Officer by whom the Sentence of the Court shall have been confirmed, as the Case may be, to give, as often as Occasion may arise, an Order in Writing directing that the Prisoner be discharged, or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial, and such Prisoner shall accordingly, on the Production of such Order, be discharged or be delivered over, as the Case may be: Provided also, that the Time during which any Prisoner under Sentence of Imprisonment by a Court-martial shall be detained in Military Custody shall be reckoned as Imprisonment under the Sentence, for whatever Purpose such Detention shall take place.

Custody of Prisoners under Military Sentence in Common Gaols.

XLIII. And be it enacted, That every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, or of any Gaol or House of Correction, in any Part of Her Majesty's Dominions, shall receive into his Custody any Military Offender under Sentence of Imprisonment by a General or other Court-martial, upon Delivery to him of an Order in Writing in that Behalf from the Officer commanding the Division or Detachment to which the Offender belongs or is attached, which Order shall specify the Period of Imprisonment or Remainder of Imprisonment which the Offender is to undergo, and the Day and Hour of the Day on which he is to be released; and such Governor, Provost Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without hard Labour, and with or without solitary Confinement, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be discharged or delivered over to Military Custody before the Expiration of that Time, under an Order duly made for that Purpose; and whenever Marines are called out in aid of the Civil Power, or are stationed in Billets, or are on the Line of March, every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, shall receive into his Custody any Marine for a Period not exceeding Seven Days, upon Delivery to him of an Order in Writing in that Behalf from the Officer commanding such Marine; and any Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, who shall refuse to receive and to confine, or to discharge or deliver over, any Marine Offender in the Manner herein prescribed, shall forfeit for every such Offence the Sum of One hundred Pounds.

Their Subsistence in Common Gaols.

XLIV. And be it enacted, That the Gaoler or Person having the immediate Inspection of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions, shall diet and supply every Marine with Fuel and other Necessaries according to the Regulations of such Place of Confinement, and shall receive on account of every Marine during the Period of his Imprisonment Sixpence *per Diem*, which the Secretary of the Admiralty shall cause to be issued out of the Subsistence of such Marine upon Application in Writing, signed by any Justice within whose Jurisdiction such Place of Confinement shall be locally situated, together with a Copy of the Order of Commitment, and which Sum of Sixpence *per Diem* shall be carried to the Credit of the Fund from which the Expence of such Place of Confinement is defrayed.

Expiration of Imprisonment in Common Gaols.

XLV. And be it enacted, That every Gaoler, or Person having the immediate Inspection of any public Prison, Gaol, House of Correction, or other Place of Confinement to whom any Notice shall have been given, or who shall have reason to believe or to know, that any Person in his Custody for any Offence, Civil or Military, is a Marine liable to serve Her Majesty on the Expiration of his Imprisonment, shall, on receiving him into Custody, and also previous to the Expiration of the Period of the Imprisonment of such Marine, give to the Secretary of the Admiralty One Month's Notice of the Period of such Expiration of Imprisonment, or if there shall not be sufficient Time for a Month's Notice, then the longest practicable Notice thereof; and for every Default of giving either or any of such Notices such Gaoler or Person shall forfeit the Sum of Twenty Pounds.

Military Prisons established under Act for punishing Mutiny and Desertion in Army to be deemed Public Prisons.

XLVI. And be it enacted, That every Military Prison which shall be established under or by virtue of any Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, shall be deemed to be public Prisons within the Meaning of any Act now in force or hereafter to be in force for the Regulation of Her Majesty's Royal Marine Forces; and that any Officer or Marine convicted by a Court-martial may be sent, by Order of the Commissioners for executing the Office of Lord High Admiral, to any such Military Prison, there to undergo such Punishment as may be awarded by the Sentence passed upon him, or until he be discharged or delivered up by an Order, as in the Case of a Discharge or Removal from any other Prison under this Act.

Musters, and Penalty on false Musters.

XLVII. And be it enacted, That Musters, as have been customary, shall be taken of every Division or Company of Royal Marines once in every Calendar Month, as shall be appointed; and no Officer or Marine shall be absent from any such Muster, unless duly certified to be employed on some other Duty of

of the Corps, or sick, or in Prison, or on Furlough; and every Person belonging to Her Majesty's Service who shall give or procure to be given any untrue Certificate, thereby to excuse any Person from any Muster or other Service which he ought to attend or perform, or shall make any false or untrue Muster of Man or Horse, or who shall willingly allow or sign any false Muster or Duplicate thereof, or shall directly or indirectly take or receive any Money or Gratuity for mustering any Person, or for signing any Muster Roll or Duplicate, or shall knowingly muster any Person by a wrong Name, shall, upon Proof by Two Witnesses before a General Court-martial for any such Offence, be forthwith cashiered, and disabled to have or hold any Civil or Military Office or Employment in the Service of Her Majesty; and any Person who shall fraudulently offer or procure himself to be falsely mustered, or lend or furnish any Horse to be falsely mustered, shall, upon Proof thereof by the Oaths of Two Witnesses before some Justice of the Peace residing near to the Place where such Muster shall be made, forfeit the Sum of Twenty Pounds, and the Informer if he belongs to Her Majesty's Service, shall, if he demand it, be forthwith discharged; and if any Person not belonging to Her Majesty's Service shall give or sign any untrue Certificate of Illness or otherwise in order to excuse any Officer or Marine from Appearance at any Muster, or whereby Her Majesty's Service may be defrauded, every Person so offending shall for every such Offence forfeit the Sum of Twenty Pounds.

Verifying of Muster Rolls.

XLVIII. And be it enacted, That all Muster Rolls and Pay Lists of Royal Marines required to be verified upon Oath shall be sworn before and attested by any Justice of the Peace, without Fee or Reward to himself or his Clerk.

Trials for Desertion after subsequent Re-enlistment.

XLIX. And be it enacted, That every Marine shall be liable to be tried and punished for Desertion from any Corps into which he may have enlisted, or from Her Majesty's Service, although he may of right belong to the Corps from which he shall have originally deserted, and whether such Marine shall be tried for deserting from the Corps into which he originally enlisted, or for deserting from the same Corps into which he may have subsequently enlisted, or for any other Desertion, every Desertion previous or subsequent to that for which he may be so tried may, if duly stated in the Charges, be given in Evidence against him on such Trial.

Apprehension of Deserters.

L. And be it enacted, That upon reasonable Suspicion that a Person is a Deserter, it shall be lawful for any Constable, or if no Constable can be immediately met with, then it shall be lawful for any Officer or Marine in Her Majesty's Service, to apprehend or cause such suspected Person to be apprehended, and to bring or cause him to be brought before any Justice living in or near such Place, and acting for the County or Borough wherein such Place is situate, or for the County adjoining such first-mentioned County or such Borough, and such Justice is hereby authorized and required to inquire whether such suspected Person is a Deserter, and if it shall appear by the Testimony of One or more Witnesses taken upon Oath, or by the Confession of such suspected Person, or by the Knowledge of such Justice, that such suspected Person is a Deserter, such Justice shall forthwith cause him to be conveyed in Civil Custody to the Head Quarters or Depôt of the Division to which he belongs, if stationed within Five Miles of the Place of Apprehension, or if such Head Quarters or Depôt shall not be stationed within Five Miles then to the nearest or most convenient public Prison (other than a Military Prison), whether such Prison be in the County or Borough in which such suspected Person was apprehended or in which he was committed or not; or if the Deserter shall have been apprehended by a Party of Marines in charge of a Commissioned Officer, such Justice may deliver him up to such Party, unless the Officer shall deem it necessary to have the Deserter committed to Prison for safe Custody, and such Justice shall transmit an Account thereof, in the Form prescribed in the Schedule annexed to this Act, to the Secretary of the Admiralty, specifying thereon whether such Deserter was delivered to a Party of Marines in order for his being taken to the Head Quarters or Depôt of his Division, or whether such Deserter was committed to Prison, to the end that the Person so committed may be removed by an Order from the said Lord High Admiral or the said Commissioners for executing the Office of Lord High Admiral, and proceeded against according to Law; and such Justice shall also send to the Secretary of the Admiralty a Report stating the Names of the Persons by whom the Deserter was apprehended and secured, and the Secretary of the Admiralty shall transmit to such Justice an Order upon the proper Department for the Payment of the Sum of Twenty Shillings as a Reward to the Person so certified to be entitled thereto; and for such Information, Commitment, and Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings and no more; and every Gaoler and other Person into whose Custody any Person charged with Desertion is committed shall, immediately upon the Receipt of the Person so charged into his Custody, pay such Fee of Two Shillings, and also, upon the Production of a Receipt from the Medical Practitioner who may have been required to examine such suspected Person, a Fee of Two Shillings and Sixpence, and shall notify the Fact to the Secretary of the Admiralty, and transmit also to the Secretary of the Admiralty a Copy of the Commitment, to the end that the Secretary of the Admiralty may order Repayment of the same; and that when any Person shall be apprehended and committed as a Deserter in any of Her Majesty's Colonies, the Justice shall forthwith cause him to be conveyed to some public Prison, if the Detachment to which he is suspected to belong shall not be in the Colony, or if the Detachment be in the Colony, the Justice may, if within reasonable Distance, deliver him into Custody at the nearest Military Post, although the Detachment to which such Person is suspected to belong may not be stationed at such Military Post; and such Justice shall in every Case transmit to the Officer commanding in the Colony a descriptive Return in the Form prescribed, to the end that such Person may be removed by the Order of such Officer, and proceeded against according to Law.

LI. And

Temporary Custody of Deserters in Gaols.

LI. And be it enacted, That every Gaoler or Person having the immediate Inspection of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions is hereby required to receive and confine every Deserter who shall be delivered into his Custody by any Marine conveying such Deserter under lawful Authority, on Production of the Warrant of the Justice of the Peace on which such Deserter shall have been taken, or some Order from the Admiralty, which Order shall continue in force until the Deserter shall have arrived at his Destination, and such Gaoler or Person shall be entitled to One Shilling for the safe Custody of the said Deserter while halted on the March, and to such Subsistence for his Maintenance as shall be directed by the said Lord High Admiral or the said Commissioners.

Fraudulent Confession of Desertion.

LII. And be it enacted, That any Person who shall voluntarily deliver himself up as and confess himself to be a Deserter from Her Majesty's Royal Marine Forces, or who, while serving in any of Her Majesty's Forces, or the embodied Militia, or the Forces of the *East India* Company, shall, to any Officer or Non-commissioned Officer thereof, confess himself to be a Deserter as aforesaid, or who, upon being apprehended for any Offence, shall in the Presence of the Justice confess himself to be a Deserter as aforesaid, shall be deemed to have been duly enlisted and to be a Marine, and shall be liable to serve in Her Majesty's Royal Marine Forces, whether such Person shall have been ever actually enlisted as a Marine or not; or in case such Person shall not be a Deserter from the Royal Marine Forces, or shall have been discharged therefrom or from any other Corps for any Cause whatever, or shall be incapable of Service, he shall, on Conviction thereof before Two Justices of the Peace at or near the Place where he shall deliver himself up or confess, or where he may at any Time happen to be, be adjudged to be punished, if in *England*, as a Rogue and Vagabond, and if in *Scotland* or *Ireland* by Commitment to some Prison or House of Correction, there to be kept to hard Labour, for any Time not exceeding Three Months, or shall be deemed guilty of obtaining Money under false Pretences within the true Intent and Meaning, if in *England*, of an Act passed in the Session holden in the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*, and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, or, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition, and every Person so deemed to be guilty of obtaining Money under false Pretences, or of Falsehood, Fraud, and wilful Imposition, (as the Case may be,) shall be liable to be proceeded against and punished accordingly; and the Confession and receiving Subsistence as a Marine by such Person shall be Evidence of the false Pretence, or of the Falsehood, Fraud, and Imposition, (as the Case may be,) and of the obtaining Money to the Amount of the Value of such Subsistence, and the Value of such Subsistence so obtained may be charged in the Indictment as so much Money received by such Person; and in case such Person shall have been previously convicted of the like Offence, or shall have been summarily convicted and punished in *England* as a Rogue and Vagabond, or in *Scotland* or *Ireland* by Commitment, for making a fraudulent Confession of Desertion, such former Conviction may be alleged in the Indictment, and may be proved upon the Trial of such Person; and in such Indictment for a Second Offence it shall be sufficient to state that the Offender was at a certain Time and Place convicted of obtaining Money under false Pretences as a Deserter, for making a fraudulent Confession of Desertion, without otherwise describing the said Offence; and a Certificate containing the Substance and Effect only (omitting the formal Part) of the Indictment and Conviction of the former Offence, purporting to be signed by the Clerk of the Court or other Officer having the Custody of the Record of the Court where the Offender was first convicted, or by the Deputy of such Clerk, or by the Clerk of the convicting Magistrates, shall, upon Proof of the Identity of the Person of the Offender, be sufficient Evidence of the first Conviction, without Proof of the Signature or official Character of the Person appearing to have signed the same; and if the Person so confessing himself to be a Deserter shall be serving at the Time in Her Majesty's Royal Marine Forces he shall be deemed to be and shall be dealt with by all Justices and Gaolers as a Deserter.

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

Punishment for inducing Marines to desert.

LIII. And be it enacted, That any Person who shall, in any Part of Her Majesty's Dominions, by Words or by any other Means whatsoever, directly or indirectly procure any Marine to desert, or shall by Words or by any other Means whatsoever attempt to procure or persuade any Marine to desert, and any Person who, knowing that any Marine is about to desert, shall aid or assist him in deserting, or, knowing any Marine to be a Deserter, shall conceal such Deserter, or aid or assist such Deserter in concealing himself, shall be deemed guilty of a Misdemeanor, and shall on Conviction thereof be liable to be punished by Fine or Imprisonment, or both, as the Court before which such Conviction shall take place may adjudge.

Extension of Furlough in case of Sickness.

LIV. And be it enacted, That when there shall not be any Officer of Her Majesty's Land or Marine Forces of the Rank of Captain or of a superior Rank, or any Adjutant of Militia, within convenient Distance of the Place where any Non-commissioned Officer or Marine on Furlough shall be detained by Sickness or other Casualty rendering necessary an Extension of such Furlough, it shall be lawful for any Justice, who shall be satisfied of such Necessity, to grant an Extension of Furlough for a Period not exceeding One Month; and the said Justice shall immediately certify such Extension, and the Cause thereof, to the Commanding Officer of the Division or Detachment to which the Man belongs, if known, and if not, then to the Secretary of the Admiralty, in order that the necessary Allowance of Pay and Subsistence may be remitted to the Marine, who shall not during the Period of such Extension of Furlough be liable to be treated as a Deserter: Provided that nothing herein contained shall be construed to exempt any Marine from Trial and Punishment according to the Provisions of this Act for any false Repre-

Representation made by him in that Behalf to the said Officer or Justice so extending the Furlough, or for any Breach of Discipline committed by him in applying for and obtaining the said Extension of Furlough.

Marines not to be taken for Debts under 30*l.*, or for not supporting Family.

LV. And be it enacted, That no Person whatever enlisted into Her Majesty's Service as a Marine shall be liable to be arrested or taken therefrom by reason of the Warrant of any Justice or other Process for not supporting or leaving chargeable on any Parish, Township, or Union any Wife or any Child or Children, or (except in the Case of an Apprentice) on account of any Breach of Contract or Engagement to serve or work for any Employer; and no Person enlisted as a Marine shall be liable to be taken out of Her Majesty's Service by any Process or Execution whatsoever, other than for some criminal Matter, unless an Affidavit shall be made by the Plaintiff, or some one on his Behalf, for which no Fee shall be taken, before some Judge of the Court out of which such Process or Execution shall issue, or before some Person authorized to take Affidavits in such Courts, of which Affidavit a Memorandum shall, without Fee, be endorsed upon the Back of such Process, that the original Debt for which the Action has been brought or Execution sued out amounts to the Value of Thirty Pounds at least over and above all Costs of Suit in the Action or Actions on which the same shall be grounded; and any Judge of such Court may examine into any Complaints made by a Marine or by his Superior Officer, and by Warrant under his Hand discharge such Marine without Fee, he being shown to be duly enlisted, and to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs to such Complainant, who shall have for the Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid; provided that any Plaintiff, upon Notice of the Cause of Action first given in Writing to any Marine, or left at his last Quarters or Place of Residence before such listing, may file a common Appearance in any Action to be brought for or upon account of any Debt whatsoever, and proceed therein to Judgment and Outlawry, and have Execution other than against the Body.

Officers not liable to take Parish Apprentices.

LVI. And be it enacted, That no Officer of Her Majesty's Royal Marine Forces residing in Barracks or elsewhere under Military Law shall be deemed liable to have any Parish poor Child bound Apprentice to him.

Officers not to be Sheriffs or Mayors.

LVII. And be it enacted, That no Person who shall be commissioned and in Full Pay as an Officer in the Royal Marine Forces shall be capable of being nominated or elected to be Sheriff of any County or other Place, or to be Mayor, Portreeve, Alderman, or shall be capable of holding any Office in any Municipal Corporation in any City, Borough, or Place in *Great Britain* or *Ireland*.

Enlisting and swearing of Recruits.

LVIII. And be it enacted, That every Person who shall receive Enlisting Money (knowing it to be such) to serve in the Royal Marines from any Person employed in the Recruiting Service, and being an Officer, Non-commissioned Officer, or attested Marine, shall be deemed to be enlisted as a Marine in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist whether he does or does not belong to the Militia, and shall, within Twelve Hours after the Receipt of the Enlisting Money, cause to be taken down in Writing the Name and Place of Abode of such Recruit, and if such Recruit shall not reside in or in the Vicinity of the Town or Place where he offered to enlist, the Place also at which he shall declare that he intends to sleep, in order that, within Forty-eight Hours but not sooner than Twenty-four Hours (any intervening *Sunday* not included) after his having received the Enlisting Money, Notice of his having so enlisted be given to the Recruit, or left at his usual Place of Abode, or at the Place where he stated that it was his Intention to sleep; and when any Person shall be enlisted as a Marine he shall within Four Days (any intervening *Sunday* not included) but not sooner than Twenty-four Hours after such Enlisting, unless he shall voluntarily have absented himself or absconded, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before a Justice, not being an Officer in the Marines, residing in the Vicinity of the Place or acting for the Division or District or Place where such Recruit shall have enlisted, or where the Head Quarters of the Recruiting Party shall be stationed, and if such Recruit shall declare his having voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall then and there, in the Presence of the said Recruit, record or cause to be recorded in Writing his Answers thereunto; and the said Justice is hereby required forthwith to read over, or cause his Clerk in his Presence to read over, to such Recruit, the several Articles of War against Mutiny and Desertion, and to administer to such Recruit the Oath in the Schedule to this Act annexed applicable to the Case of a Recruit, and no other Oaths, any thing in any Act to the contrary notwithstanding; and the Fee for administering such Oath shall be One Shilling and no more; and the said Justice is hereby required to give, under his Hand, the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified shall refuse to take the Oath in the Schedule to this Act annexed before the said Justice, it shall be lawful for the Officer or Non-commissioned Officer with whom he enlisted to detain and confine such Person until he shall take the said Oath of Fidelity.

Dissent and Relief from Enlistment.

LIX. And be it enacted, That any Recruit appearing as aforesaid before such Justice shall be at liberty to declare his Dissent to such Enlisting, and upon such Declaration, and returning the Enlisting Money, and also paying the Sum of Twenty Shillings for the Charges expended upon him, together with the full Amount of Subsistence and Beer Money which shall have been paid to such Recruit subsequent to his Enlistment, shall be forthwith discharged in the Presence of such Justice; but if such Person shall refuse or neglect, within the Space of Twenty-four Hours after so declaring his Dissent, to return and pay such Money as aforesaid, he shall be deemed and taken to be enlisted as if he had given his

Assent thereto before the said Justice; provided that it shall be lawful for any Justice to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Four Days as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Person belonging to the Recruiting Party shall be with the Recruit, if it shall appear to such Justice upon Proof to his Satisfaction that the Recruiting Party has left the Place where such Recruit was enlisted, or that the Recruit could not procure any Person belonging to such Party to go with him before the Justice; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and after deducting One Shilling, as the Fee to his Clerk for reporting the Payment to the Secretary of the Admiralty, shall be paid to any Person belonging to the Recruiting Party entitled thereto, and demanding the same; provided that no Recruit who has actually though erroneously been discharged by the Justice before the Expiration of Twenty-four Hours after the Time of his Enlistment shall be liable on that Account to be proceeded against as having deserted from Her Majesty's Service; and the Justice who shall discharge any Recruit shall in every Case give to him a Certificate under his Hand specifying the Cause thereof.

Offences connected with Enlistment.

LX. And be it enacted, That if any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before a Justice, or shall absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Four Days as aforesaid, such Recruit shall be deemed to be enlisted and a Private in Her Majesty's Royal Marine Forces as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for the Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Four Days as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit were disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted; provided that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for Attestation a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot be found and apprehended, transmit a Duplicate thereof to the Secretary of the Admiralty, in order that, in the event of such Recruit being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he shall be finally adjudged to be a Deserter; and it shall be lawful for any Two Justices acting for the County, Division, District, or Place where any such Recruit shall at any Time happen to be, when any such Recruit shall be brought and shall be proved upon Oath before them to have concealed his belonging or having belonged to the Militia, or any Regiment, or to the Marines, Ordnance, or Navy, or the Forces of the *East India* Company, and discharged, or to have concealed his having been discharged on any prior Enlistment, or to have wilfully concealed any Infirmity, or designedly made any false Representation at or previously to the Time of receiving Enlisting Money or upon being attested, to adjudge such Recruit, if in *England*, to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law may be inflicted on Rogues and Vagabonds, and to adjudge such Person, if in *Scotland* or *Ireland*, to be imprisoned with hard Labour in any Prison or House of Correction for any Period not exceeding Three Months; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oaths and Certificates in the Schedule to this Act annexed before the Justice at the Time of his Attestation, and shall obtain any Enlisting Money, or any Bounty for entering into Her Majesty's Service, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act passed in the Session holden in the Seventh and Eighth Years of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*, and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, and such Recruit, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition, and any such Recruit shall be tried for any such Offence in any County or Place where he may at any Time happen to be; and the Production of such Certificate, and Proof of the Handwriting of the Justice giving such Certificate, shall be sufficient Evidence of such Party having represented the several Particulars contained in the Oath sworn by him, and specified in the Certificate of the Justice at the Time of his having been attested; and that Proof by the Oath of One or more credible Witnesses that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment in Her Majesty's Service, or to Her Majesty's Navy or Marine, or Ordnance, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and such Proof of such Acknowledgment shall be certified to the Secretary of the Admiralty by the Justice before whom such Proof shall have been given; and any Man having been enrolled to serve in the Militia at the Time of offering to enlist into the Marines who shall deny that he is a Militia Man then actually enrolled and engaged to serve, or shall deny to the Justice before whom he shall be attested that he belongs to the Militia, shall on Conviction thereof

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

thereof before any One Justice in the United Kingdom, either upon the Oath of One Witness or upon his own Confession, or upon the Production of the Attestation and the before-mentioned Acknowledgment of such Person, certified by the Secretary of the Admiralty, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable, and shall from the Day on which his Engagement to serve in the Militia shall end, and not sooner, belong as a Marine to the Division of Her Majesty's Royal Marine Forces into which he has so enlisted: Provided also, that every such Person shall be liable to serve in Her Majesty's Royal Marine Forces in which he has so enlisted during all the Time the Militia to which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, and be liable to be apprehended and dealt with and punished as a Deserter from the Marines if he shall neglect or refuse to join and serve therein.

Penalty on Officers offending as to Enlistment.

LXI. And be it enacted, That every Marine Officer who shall wilfully act contrary to the Provisions of this Act in any respect regarding the enlisting and attesting of Recruits for Her Majesty's Service shall, upon Proof thereof upon Oath by Two Witnesses before a General Court-martial, be cashiered, and disabled to hold any Civil or Military Office or Employment in Her Majesty's Service.

Apprentices enlisting to be liable to serve after the Expiration of their Apprenticeship.

LXII. And be it enacted, That any Person duly bound as an Apprentice who shall enlist into Her Majesty's Royal Marine Forces, and shall state to the Magistrate before whom he shall be carried and attested that he is not an Apprentice, shall be deemed guilty of obtaining Money by false Pretences within the true Intent and Meaning of the before-recited Acts, if in *England* or in *Ireland*, and of Falsehood, Fraud, and wilful Imposition if in *Scotland*, and shall after the Expiration of his Apprenticeship, whether he shall have been so convicted and punished or not, be liable to serve as a Marine according to the Terms of the Enlistment, and if on the Expiration of his Apprenticeship he shall not deliver himself up to some Officer authorized to receive Recruits may be taken as a Deserter from Her Majesty's Royal Marine Forces.

Claims of Masters to Apprentices.

LXIII. And be it enacted, That no Master shall be entitled to claim an Apprentice who shall enlist as a Marine in Her Majesty's Service unless such Master shall, within One Calendar Month next after such Apprentice shall have left his Service, go before some Justice, and take the Oath mentioned in the Schedule to this Act annexed, and at the Time of making his Claim produce to the Officer under whose Command the Recruit shall be the Certificate of such Justice of his having taken such Oath, which Certificate such Justice is required to give in the Form in the Schedule to this Act annexed; nor unless such Apprentice shall have been bound, if in *England*, for the full Term of Seven Years, (not having been above the Age of Fourteen Years when so bound,) and, if in *Ireland* or in the *British* Isles, for the full Term of Five Years at the least, (not having been above the Age of Sixteen when so bound,) and if in *Scotland*, for the full Term at least of Four Years, by a regular Contract of Indenture of Apprenticeship, duly extended, signed, and tested, and binding on both Parties by the Law of *Scotland*, prior to the Period of Enlistment, and unless such Contract or Indenture in *Scotland* shall, within Three Months after the Commencement of the Apprenticeship and before the Period of Enlistment, have been produced to a Justice of the Peace of the County in *Scotland* wherein the Parties reside, and there shall have been endorsed thereon by such Justice a Certificate or Declaration signed by him, specifying the Date when and the Person by whom such Contract or Indenture shall have been so produced, which Certificate or Declaration such Justice of the Peace is hereby required to endorse and sign; nor unless any such Apprentice shall, when claimed by such Master, be under Twenty-one Years of Age; provided that any Master of an Apprentice indentured for the Sea Service shall be entitled to claim and recover him in the Form and Manner above directed, notwithstanding such Apprentice may have been bound for a less Term than Seven, Five, or Four Years as aforesaid: Provided also, that any such Master who shall give up the Indentures of Apprenticeship within One Month after the enlisting of such Apprentice shall be entitled to receive, to his own Use, so much of the Bounty payable to such Recruit, after deducting therefrom Two Guineas to provide him with Necessaries, as shall not have been paid to such Recruit before Notice given of his being an Apprentice.

No Apprentice claimed by the Master shall be taken away without a Warrant.

Punishment of Apprentices enlisting.

LXIV. And be it enacted, That no Apprentice claimed by his Master shall be taken from any Division, Detachment, Recruiting Party, or Ship of Her Majesty, except under a Warrant of a Justice residing near, and within whose Jurisdiction such Apprentice shall then happen to be, and before whom he shall be carried; and such Justice shall inquire into the Matter upon Oath (which Oath he is hereby empowered to administer), and shall require the Production and Proof of the Indenture, and that Notice of the said Warrant has been given to the Commanding Officer, and a Copy thereof left with some Officer or Non-commissioned Officer of the Party, and that such Person so enlisted declared that he was no Apprentice; and such Justice, if required by such Officer or Non-commissioned Officer, shall commit the Offender to the Common Gaol of the said Place, and shall keep the Indenture to be produced when required, and shall bind over such Person as he may think proper to give Evidence against the Offender, who shall be tried at the next or at the Sessions immediately succeeding the next General or Quarter Sessions of the County, Division, or Place, unless the Court shall on just Cause put off the Trial; and the Production of the Indenture, with the Certificate of the Justices that the same was proved, shall be sufficient Evidence of the said Indenture; and every such Offender in *Scotland* may be tried by the Judge Ordinary in the County or Stewartry in such and the like Manner as any Person may be tried in *Scotland* for any Offence not inferring a Capital Punishment; provided that any Justice not required as aforesaid to commit such Apprentice may deliver him to his Master.

Servants enlisting to be entitled to a Portion of their Wages.

LXV. And be it enacted, That it shall be lawful for the Justice before whom any Recruit shall be attested before the Expiration of the Term of Service for which he had been hired by his Master to adjudge to such Recruit a reasonable Proportion of his Wages for the Time he has actually served, and the said Justice shall make an Order for the Payment of the Amount so awarded, and if the same be not paid within Four Days shall issue his Warrant for levying the same by Distress and Sale of the Goods and Chattels of the Master.

Removal of Doubts as to Attestation of Marines.

LXVI. 'And whereas certain Marines who have heretofore been duly enlisted, and who have voluntarily taken the Oath of Allegiance and Fidelity, and are now receiving Her Majesty's Pay, have been sworn and attested, but Doubts have arisen whether the Justices before whom the said Marines have been so sworn and attested were the proper Justices to administer to such Marines the Oaths prescribed by the several Acts passed for the Regulation of Her Majesty's Royal Marine Forces while on shore;' be it enacted, That in every Case where any such Marine having been duly enlisted shall have been so attested and sworn, and shall not have claimed to be discharged on or before the Seventeenth Day of *March* One thousand eight hundred and forty-six, he shall not be entitled to his Discharge by reason of such Informality, but shall be liable to all the Provisions of this Act, and of the Act passed in the last Session of Parliament for the Regulation of Her Majesty's Royal Marine Forces while on shore, where in force, and shall be entitled to the full Benefit of his past Service, and to all Pay and Pension in respect thereof, to all Intents and Purposes, and in like Manner as if he had been duly attested and sworn.

Admiralty may order Pay to be withheld.

LXVII. And be it enacted, That it shall also be lawful for the Lord High Admiral, and also for the said Commissioners for executing the Office of Lord High Admiral, to give Orders for withholding the Pay of any Officer or Marine for any Period during which such Officer or Marine shall be absent without Leave, or improperly absent from his Duty, or in case of any Doubt as to the proper Issue of Pay, to withhold it from the Parties aforesaid until the said Lord High Admiral or the said Commissioners shall come to a Determination upon the Case.

Billeting of Marines.

LXVIII. And whereas there is and may be Occasion for the marching and also for the quartering of the Royal Marine Forces when on shore; be it enacted, That during the Continuance of this Act, upon the Order or Orders in Writing in that Behalf under the Hand of the Lord High Admiral, or the Hands of Two or more of the Commissioners for executing the Office of Lord High Admiral, for the Time being, it shall be lawful for all Constables and other Persons specified in this Act in *England* and *Ireland*, and they are hereby required, to billet the Officers and Marines, whether marching or otherwise, and all Staff and Field Officers Horses, and all Bât and Baggage Horses belonging to the Royal Marine Forces when on actual Service, not exceeding for each Officer the Number for which Forage is allowed by Her Majesty's Regulations, in Victualling Houses and other Houses specified in this Act, taking care in *Ireland* not to billet less than Two Men in any One House; and they shall be received by the Occupiers of such Houses, and be furnished with proper Accommodation in such Houses, and in *England* with Diet and Small Beer, and with Stables, Hay, and Straw for such Horses as aforesaid, paying and allowing for the same the several Rates herein-after provided; and at no Time when Marines are on March shall any of them be billeted above One Mile from the Place mentioned in the Route; and in all Places where Marines shall be billeted in pursuance of this Act the Officers and their Horses shall be billeted in one and the same House, except in case of Necessity; and the Constables are hereby required to billet all Marines on their March in a just and equal Proportion upon the Keepers of all Houses within One Mile of the Place mentioned in the Route, although some of such Houses may be in the adjoining County, in like Manner in every respect as if such Houses were therein locally situated: Provided always, that nothing herein contained shall be construed to extend to authorize any Constable to billet Marines out of the County to which such Constable belongs when the Constable of the adjoining County shall be present and undertake to billet the due Proportion of Men in such adjoining County; and no more Billets shall at any Time be ordered than there are effective Marines and Horses present to be billeted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present; and if any Person shall find himself aggrieved by having an undue Proportion of Marines billeted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice, then to Two or more Justices within whose Jurisdiction such Marines are billeted, such Justices respectively shall have Power to order such of the Marines to be removed and to be billeted upon other Persons as they shall see Cause; and when any Horses belonging to the Officers of Her Majesty's Royal Marine Forces shall be billeted upon the Occupiers of Houses who shall have no Stables, then, upon a written Requisition of the Officer commanding such Marines, the Constable is hereby required to billet the Horses upon some other Person having Stables by this Act liable to have Officers and Marines billeted upon them, and any Two or more Justices of the Peace may order a proper Allowance to be paid by the Persons relieved to the Persons receiving such Horses, or to be applied in the furnishing the requisite Accommodation; and the Commanding Officer may exchange any Man or Horse billeted in any Place with another Man or Horse billeted in the same Place, for the Convenience or Benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billeted on such Houses; and the Constables are hereby required to billet such Men and Horses so exchanged accordingly; and it shall be lawful for any Justice, at the Request of any Officer or Non-commissioned Officer commanding any Marines requiring Billets, to extend any Route, or enlarge the District within which Billets shall be required, in such Manner as shall appear to be most convenient to Her Majesty's Service: Provided always, that to prevent

or punish all Abuses in billeting Marines it shall be lawful for any Justice, within his Jurisdiction, by Warrant or Order under his Hand to require any Constable to give him an Account in Writing of the Number of Officers and Marines who shall be quartered by such Constable, together with the Names of the Persons upon whom such Officers and Marines are billeted, stating the Street or Place where such Persons dwell, and the Signs, if any, belonging to their Houses; and it shall be lawful for Constables to billet Officers and Marines in *Scotland* according to the Provisions of the Laws in force in *Scotland* at the Time of its Union with *England;* and no Officer shall be obliged to pay for his Lodging where he shall be regularly billeted, except in the Suburbs of *Edinburgh:* Provided always, that no Justice being an Officer of Royal Marines shall directly or indirectly be concerned in billeting or appointing Quarters under this Act.

Allowance to Innkeepers.

LXIX. And be it enacted, That the Innholder or other Person on whom any Marine is billeted in *England* shall, if required by such Marine, furnish him for every Day on the March, and for a Period not exceeding Two Days when halted at any intermediate Place upon the March, and for the Day of the Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by Her Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previously to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder or other Person furnishing the same shall be paid the Sum of Ten-pence; and all Innholders and other Persons on whom Marines may be billeted in *England,* except when on the March, and entitled to be furnished with the hot Meal as aforesaid, shall furnish such Marines with Candles, Vinegar, and Salt, and shall allow them the Use of Fire and the necessary Utensils for dressing and eating their Meat, and shall be paid in consideration thereof the Sum of a Halfpenny *per Diem* for each Marine; and the Sum to be paid to the Innholder or other Person on whom any of the Horses belonging to Her Majesty's Royal Marine Forces shall be billeted, in *England,* for Hay and Straw, shall be Nine-pence *per Diem* for each Horse, and in *Ireland* the Sum to be paid for Forage to the Innholder or other Person for Horses billeted by virtue of this Act shall be the Rate established by the Lord Lieutenant or other sufficient Authority from Time to Time, the same to be regulated by the average Rate of Contracts for Forage in *Ireland;* and for the Use of Stables in *Ireland,* when such Horses are provided with Hay and Straw by Contract, and not by the Occupiers of the Houses in which they are billeted, the Sum of Four-pence *per* Week for each Horse shall be paid; and every Officer to whom it belongs to receive or who does actually receive the Pay and Subsistence of the Officers and Men shall every Four Days, or before they shall quit their Quarters if they shall not remain so long as Four Days, settle the just Demands of all Victuallers or other Persons on whom such Men are billeted, out of their Pay and Subsistence, before any Part of the said Pay or Subsistence be distributed to them respectively; and if any such Officer shall not pay the same, then, upon Complaint and Oath made thereof by any Two Witnesses at the next Quarter Sessions for the County or City where such Quarters are situate, the Secretary of the Admiralty is hereby required, upon Certificate of the Justices before whom such Oath shall be made of the Sum due to Complainant, to order Payment of the Amount which shall be charged against such Officer, and in case of any Marines being suddenly ordered to march, and of the Commanding Officer not being enabled to make immediate Payment of the Sums due on account of Billets, every such Officer shall before his Departure make up the Account with every Person upon whom any such Marines may have been billeted, and sign a Certificate thereof; which Account and Certificate, on being transmitted to the Secretary of the Admiralty, shall be immediately paid and charged to the Officer's Account.

Supply of Carriages.

LXX. And be it enacted, That for the regular Provision of Carriages for the Royal Marine Forces and their Baggage on their Marches in *Great Britain* and *Ireland,* all Justices of the Peace within their several Jurisdictions, being duly required thereunto by Order of the said Lord High Admiral, or Two or more of the Commissioners for executing the said Office of Lord High Admiral, for the Time being, shall, on the Production of such Order to them, or any One or more of them, by the Officer or Non-commissioned Officer of the Party of Marines so ordered to march, issue a Warrant to any Constable having Authority to act in any Place, from, through, near, or to which such Marines shall be ordered to march, (for each of which Warrants a Fee of One Shilling only shall be paid,) requiring him to provide the Carriages, Horses, Oxen, and Drivers therein mentioned, (allowing sufficient Time to do the same,) specifying the Places from and to which the said Carriages shall travel, and the Distance between the Places, for which Distance only so specified Payment shall be demanded, and which Distance shall not, except in Cases of pressing Emergency, exceed the Day's March prescribed in the Order of Route, and shall in no Case exceed Twenty-five Miles; and the Constables receiving such Warrant shall order such Persons as they shall think proper, having Carriages, to furnish the requisite Supply, who are hereby required to furnish the same accordingly; and in case sufficient Carriages cannot be procured within the proper Jurisdiction, any Justice of the next adjoining Jurisdiction shall, by a like Course of Proceeding, supply the Deficiency; and in order that the Burden of providing Carriages may fall equally, and to prevent Inconvenience arising from there being no Justice residing near the Place where Marines may be quartered on the March, the Justice or Justices residing nearest to such Place shall cause a List to be made out, at least once in every Year, of all Persons liable to furnish such Carriages, and of the Number and Description of their said Carriages, which Lists shall at all seasonable Hours be open to the Inspection of the said Persons, and shall by Warrant under his Hand authorize the Constables within his Jurisdiction to give Orders to provide Carriages without any special Warrant from him for that Purpose,

Purpose, which Orders shall be valid in all respects; and all Orders for such Carriages shall be made from such Lists in regular Rotation, so far as the same can be done.

Rates for Carriages.

LXXI. And be it enacted, That in every Case in which the whole Distance for which any Carriage shall be impressed shall be under One Mile the Rate of a full Mile shall be paid; and the Rates to be paid for Carriages impressed shall be, in *England*, for every Mile which a Waggon with Four or more Horses, or a Wain with Six Oxen, or Four Oxen and Two Horses, shall travel, One Shilling; and for every Mile any Waggon with narrow Wheels, or any Cart with Four Horses carrying not less than Fifteen Hundred Weight, shall travel, Nine-pence; and for every Mile every other Cart or Carriage with less than Four Horses, and not carrying Fifteen Hundred Weight, shall travel, Sixpence; and in *Ireland*, for every Hundred Weight loaded on any Wheel Carriage, One Halfpenny per Mile; and in *England* such further Rates may be added, not exceeding a total additional Sum *per* Mile of Four-pence, Three-pence, or Two-pence, to the respective Rates of One Shilling, Nine-pence, and Sixpence, as may seem reasonable to the Justices assembled at General Sessions in *England* for their respective Districts, or to the Recorder of any Municipal City, Borough, or Town Corporate or not Corporate; and the Order of such Justices at Sessions or Recorder shall specify the average Price of Hay and Oats at the nearest Market Town at the Time of fixing such additional Rates, and the Period for which the Order shall be enforced, not exceeding Ten Days beyond the next General Sessions; and no such Order shall be valid unless a Copy thereof, signed by the presiding Magistrate and One other Justice, or by the Recorder, shall be transmitted to the Secretary of the Admiralty within Three Days after the making thereof; and also in *England*, when the Day's March shall exceed Fifteen Miles, the Justice granting his Warrant may fix a further reasonable Compensation not exceeding the usual Rate of Hire fixed by this Act; and when additional Rates or Compensation shall be granted, the Justice shall insert in his own Hand in the Warrant the Amount thereof, and the Date of the Order of Sessions, if fixed by Sessions, and the Warrant shall be given to the Officer commanding, as his Voucher: Provided always, that the Officer or Non-commissioned Officer demanding Carriages by virtue of the Warrant of a Justice shall, in *England*, pay down the proper Sums into the Hands of the Constable providing Carriages, who shall give Receipts for the same on unstamped Paper; and, in *Ireland*, the Officers or Non-commissioned Officers as aforesaid shall pay the Owners or Drivers of the Carriages, and One Third Part of such Payment shall be made before the Carriage be loaded, and all the said Payments in *Ireland* shall be made, if required, in Presence of a Justice or Constable: Provided also, that no Carriage shall be liable to carry more than Thirty Hundred Weight in *England*, and in *Ireland* no Car shall be liable to carry more than Six Hundred Weight, and no Dray more than Twelve Hundred Weight; but the Owner of such Carriages in *Ireland*, consenting to carry a greater Weight, shall be paid at the same Rate for every Hundred Weight of the said Excess; and the Owners of such Carriages in *Ireland* shall not be compelled to proceed, though with any less Weight, under the Sum of Three-pence a Mile for each Car and Sixpence a Mile for each Dray; and the Loading of such Carriages in *Ireland* shall be first weighed, if required, at the Expence of the Owner of the Carriage, if the same can be done in a reasonable Time, without Hindrance of Her Majesty's Service; and the providing and paying for Carriages in *Scotland* shall be regulated by the Law in force at the Time of the Union with *England*: Provided also, that a Cart with One or more Horses, for which the Furnisher shall receive Nine-pence a Mile, shall be required to carry Fifteen Hundred Weight at the least; and that no Penalties or Forfeitures in any Act relating to Highways or Turnpike Roads in the United Kingdom shall apply to the Number of Horses or Oxen, or Weight of Loading of the aforesaid Carriages, nor shall any such Carriages on that Account be stopped or detained; and whenever it shall be necessary to impress Carriages for the March of Marines from *Dublin*, at least Twenty-four Hours Notice of such March, and in case of Emergency as long Notice as the Case will admit, shall be given to the Lord Mayor of *Dublin*, who shall summon a proportional Number of Cars and Drays at his Discretion out of the licensed Cars and Drays and other Cars and Drays within the County of the said City, and they shall by Turns be employed on this Duty at the Prices and under the Regulations herein-before mentioned; and no Country Cars, Drays, or other Carriages coming to Markets in *Ireland* shall be detained or employed against the Will of the Owners in carrying the Baggage of Marines on any Pretence whatever.

Providing for Supply of Carriages, &c. in Cases of Emergency.

LXXII. And be it enacted, That it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or the Lord Lieutenant or Chief Governors of *Ireland*, by their or his Orders distinctly stating that a Cause of Emergency doth exist, signified by the Secretary of the Admiralty, or, if in *Ireland*, by the Chief Secretary or Under Secretary, or the First Clerk in the Military Department, to authorize any Commanding Officer of Her Majesty's Royal Marine Forces in any District or Place, or to the chief acting Agents for the Supply of Stores and Provisions, by Writing under his Hand, reciting such Order of the Lord High Admiral, or the said Commissioners, or Lord Lieutenant or Chief Governors aforesaid, to require all Justices within their several Jurisdictions in *England* and *Ireland* to issue their Warrants for the Provision, not only of Waggons, Wains, Carts, and Cars kept by or belonging to any Person and for any Use whatsoever, but also of Saddle Horses, Coaches, Post Chaises, Chaises, and other Four-wheeled Carriages kept for Hire, and also of Boats, Barges, and other Vessels used for the Transport of any Commodities whatsoever upon any Canal or navigable River as shall be mentioned in the said Warrants, therein specifying the Place and Distance to which such Carriages or Vessels shall go; and on the Production of such Requisition to such Justice by any Officer of the Corps ordered to be conveyed such Justice shall take all the same Proceedings in regard

regard to such additional Supply so required on the said Emergency as he is by this Act required to take for the ordinary Provision of Carriages; and all Provisions whatsoever of this Act as regards the procuring of the ordinary Supply of Carriages, and the Duties of Officers and Non-commissioned Officers, Justices, Constables, and Owners of Carriages in that Behalf, shall be to all Intents and Purposes applicable for the providing and Payment according to the Rates of Posting or of Hire usually paid for such other Description of Carriages or Vessels so required on Emergency, according to the Length of the Journey or Voyage in each Case, but making no Allowance for Post Horse Duty, or Turnpike, Canal, River, or Lock Tolls, which Duty or Tolls are hereby declared not to be demandable for such Carriages and Vessels while employed in such Service or returning therefrom; and it shall be lawful to convey thereon not only the Baggage, Provisions, and Military Stores of such Detachment, but also the Officers, Marines, Servants, Women, Children, and other Persons of and belonging to the same.

Justice of Peace to direct Payment of Sums expended for Carriages, &c.

LXXIII. And be it enacted, That it shall be lawful for the Justices of the Peace assembled at their Quarter Sessions to direct the Treasurer to pay, without Fee, out of the public Stock of the County or Riding, or if such public Stock be insufficient then out of the Monies which the said Justices shall have Power to raise for that Purpose, in like Manner as for County Gaols and Bridges, such reasonable Sums as shall have been expended by the Constables within their respective Jurisdictions for Carriages and Vessels, over and above what was or ought to have been paid by the Officer requiring the same, regard being had to the Season of the Year and Condition of the Ways by which such Carriages and Vessels are to pass.

Lord Lieutenant of Ireland may depute Persons to sign Routes.

LXXIV. And be it enacted, That it shall be lawful for the said Lord Lieutenant or other Chief Governor for the Time being of *Ireland* to depute, by Warrant under his Hand and Seal, some proper Person to sign Routes in Cases of Emergency for the marching of any of Her Majesty's Royal Marine Forces in *Ireland* in the Name of such Lord Lieutenant or Chief Governor.

Exemption from Tolls.

LXXV. And be it enacted, That all Officers and Marines, being in proper Uniform, Dress or Undress, and their Horses, (but not when passing in any private or hired Vehicle,) and all Recruits marching by Route, and all Prisoners under Military Escort, and all Carriages and Horses belonging to Her Majesty, or employed in Her Service, under the Provisions of this Act, when employed in conveying Persons or Baggage, or returning therefrom, shall be exempted from the Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike Roads or Bridges, otherwise demandable by virtue of any Act already made or hereafter to be made; and if any Toll Collector shall demand or receive Toll from any Marine Officer or Marine who shall be in proper Uniform, Dress or Undress, or for their Horses, and who by this Act is exempted from Payment thereof, or from any Recruits marching by Route, or from any Prisoners under Military Escort, or for any Carriages or Horses belonging to Her Majesty, or employed in Her Service, under the Provisions of this Act, when conveying Persons or Baggage, or returning therefrom, every such Collector shall for every such Offence be liable to a Penalty not exceeding Five Pounds; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal from Payment of Tolls in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as herein mentioned; and that when any Officers or Marines on Service shall have Occasion in the March by Route to pass regular Ferries in *Scotland*, the Officer commanding shall be at liberty to pass over with his Marines as Passengers, paying for himself and each Marine One Half only of the ordinary Rate payable by Passengers, or he shall be at liberty to hire the Ferry Boat for himself and his Party, debarring all others for that Time, and shall in such Case pay only Half the ordinary Rate for such Boat.

Marching Money on Discharge.

LXXVI. And be it enacted, That every Marine upon being discharged from the Service shall be entitled to an Allowance (not exceeding in any Case the Amount of Twenty-one Days Marching Money) to enable him to reach his Home, or the Place at which he shall at the Time of his Discharge decide to take up his Residence, such Place not being at a greater Distance from the Place of his Discharge than the Place of his original Enlistment, which Allowance shall be calculated according to the Distance he has to travel: Provided always, that no Person who shall purchase his own Discharge, or be discharged on account of Misbehaviour, or at his own Desire, before the Expiration of his Period of Service, shall be entitled to any such Allowance.

Notification to Parishes of good or bad Conduct of Marines.

LXXVII. And be it enacted, That the Churchwardens of every Parish in *England* and *Ireland*, and the Constable or other Officer of every Parish or Place in *Scotland*, on receiving a Notification from the Secretary of the Admiralty of the Name of any Marine belonging to the said Parish or Place who has for meritorious Conduct received Her Majesty's special Approbation, or who in consequence of Misconduct has been dismissed Her Majesty's Service with Disgrace, shall affix to and leave such Notification on the Outside of the Door of the Church or Chapel belonging to such Parish or Place on the *Sunday* next succeeding the Receipt of such Notification.

Penalties upon Civil Subjects offending against the Laws relating to Billets and Carriages.

LXXVIII. And be it enacted, That if any Constable or other Person who by virtue of this Act shall be employed in billeting any Officers or Marines in any Part of the United Kingdom shall presume to billet any such Officer or Marine in any House not within the Meaning of this Act, without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Marine on Duty when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Marines; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving any such Officer or Marine; or shall quarter any

of

of the Wives, Children, Men or Maid Servants of any Officer or Marine in any such Houses against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person ordered by any Constable in manner herein-before directed to provide Carriages, Horses, or Vessels shall refuse or neglect to provide the same according to the Orders of such Constable, or shall demand more than the legal Rates for the same, or shall do any Act or Thing by which the Execution of any Warrants for providing Carriages, Horses, or Vessels shall be hindered; or if any Person liable by this Act to have any Officer or Marine quartered on him shall refuse to receive any such Officer or Marine, or to afford him proper Accommodation or Diet in the House of such Person in which he is quartered, or to furnish the several Things directed to be furnished to Officers and Marines, or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Hay and Straw, for each Horse, at the Rate established by this Act, and in such Quantities as shall be fixed by Her Majesty's Regulations, not exceeding Eighteen Pounds of Hay and Six Pounds of Straw *per Diem* for each Horse, or shall pay any Sum of Money to any Marine on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Marine is entitled; such Constable, Victualler, and other Person respectively shall forfeit for every Offence, Neglect, or Refusal any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty upon Officers of Marines so offending.

LXXIX. And be it enacted, That if any Officer of Royal Marines shall take upon him to quarter Men otherwise than is allowed by this Act, or shall use or offer any Menace or Compulsion to or upon any Justice, Constable, or other Civil Officer tending to deter and discourage any of them from performing any Part of their Duty under this Act, or to do any thing contrary thereto, such Officer shall for every such Offence, being thereof convicted before any Two or more Justices of the County by the Oath of Two credible Witnesses, be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to hold any Military Employment in Her Majesty's Service; provided a Certificate thereof be forthwith transmitted by the said Justices to the Secretary of the Admiralty, and that the Conviction be affirmed at some Quarter Sessions of the Peace for the said County to be held next after the Expiration of Three Months after such Certificate shall have been transmitted as aforesaid; and if any Marine Officer shall take or knowingly suffer to be taken any Money or Reward of any Person for excusing the quartering of Officers or Marines, or shall billet any of the Wives, Children, Men or Maid Servants of any Officer or Marine in any House, against the Consent of the Occupier, he shall for any of the said Offences, upon being convicted thereof before a General Court-martial, be cashiered; and if any Officer shall constrain any Carriage to travel beyond the Distance specified in the Justice's Warrant, or shall not discharge the same in due Time for their Return home on the same Day if it be practicable, except in the Case of Emergency, for which the Justice shall have given Licence, or shall compel the Driver of any Carriage to take up any Marine or Servant (except such as are sick) or any Woman to ride therein, except in Cases of Emergency as aforesaid, or shall force any Constable, by threatening Words, to provide Saddle Horses for himself or Servants, or shall force Horses from their Owners, or in *Ireland* shall force the Owner to take any Loading until the same shall be first duly weighed, if the same shall be required and can be done within a reasonable Time, or shall, contrary to the Will of the Owner or his Servant, permit any Person whatsoever to put any greater Load upon any Carriage than is directed by this Act, he shall forfeit for every Offence any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty for forcible Entry.

LXXX. And be it enacted, That every Marine Officer who shall, without Warrant from One or more of Her Majesty's Justices, forcibly enter into or break open the Dwelling House or Outhouses of any Person whomsoever under Pretence of searching for Deserters, shall, upon due Proof thereof, forfeit the Sum of Twenty Pounds.

Penalty for purchasing Clothes, &c. from any Marine.

LXXXI. And be it enacted, That any Person who shall detain, buy, or exchange, or otherwise receive from any Marine or Marine Deserter, or any other Person, upon any Account or Pretence whatsoever, or shall solicit or entice any Marine, or shall be employed by any Marine, knowing him to be such, to sell any Arms, Ammunition, Marine Clothes, or Military Furniture, or any other Articles which, according to the Custom of the Marine Corps, are generally deemed Regimental Necessaries, or any Provisions, Sheets, or other Articles used in Barracks or provided under Barrack Regulations, or who shall have in his or her Possession or Keeping any Arms, Ammunition, Marine Clothes, or Military Furniture, or any other Articles which, according to the Custom of the Marine Corps, are generally deemed Regimental Necessaries, or any Provisions, Sheets, or other Articles used in Barracks or provided under Barrack Regulations, and shall not give a satisfactory Account how he or she came by the same, or shall change or cause the Colour or Mark of any such Clothes, Appointments, or Necessaries to be changed or defaced, shall forfeit for every such Offence any Sum not exceeding Twenty Pounds, together with Treble the Value of all or any of the several Articles of which such Offender shall so become possessed; and if any Person having been so convicted shall afterwards be guilty of any such Offence, and shall be convicted thereof by One or more Justices of the Peace, every such Offender shall for every such Offence forfeit any Sum not exceeding Twenty Pounds but not less than Five Pounds, and the Treble Value of all or any of the several Articles of which such Offender shall have so become possessed, and shall, in addition to such Forfeiture, be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to hard Labour, for such Term not exceeding Six Calendar Months as the convicting Justice or Justices shall think fit; and upon any Information against any Person for a Second or any subsequent Offence, a Copy of the Conviction certified

certified by the proper Officer having the Care or Custody of such Conviction, or any Copy of the same proved to be a true Copy, shall be sufficient Evidence to prove a Conviction for the former Offence; and if any credible Person shall prove, on Oath before a Justice of the Peace or Person exercising like Authority according to the Laws of that Part of Her Majesty's Dominions in which the Offence shall be committed, a reasonable Cause to suspect that any Person has in his or her Possession or on his or her Premises any Property of the Description herein-before described, on or with respect to which any such Offence shall have been committed, the Justice may and he is hereby required to grant a Warrant to search for such Property as in the Case of stolen Goods; and if upon Search any such Property shall be found the same shall and may be seized by the Officer charged with the Execution of such Warrant, who shall bring the Offender in whose Possession the same shall be found before such Justice, to be dealt with according to Law.

Penalty on unlawful recruiting.

LXXXII. And be it enacted, That all the Persons (except such Recruiting Parties as may be stationed under Military Command) who shall cause to be advertised, posted, or dispersed Bills for the Purpose of procuring Recruits or Substitutes for the Royal Marines, or shall open or keep any House or Place of Rendezvous or Office, or receive any Person therein under such Bill or Advertisement as connected with the Marine Recruiting Service, or shall directly or indirectly interfere therewith, without Permission in Writing from the Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, shall forfeit for every such Offence the Sum of Twenty Pounds.

Penalty on Officers killing Game.

LXXXIII. And for the better Preservation of the Game and Fish in or near such Place where any Officer shall at any Time be quartered, be it enacted, That every Officer who shall, without Leave in Writing from the Person or Persons entitled to grant such Leave, take, kill, or destroy any Game or Fish within the United Kingdom, and who, upon Complaint thereof shall be, upon Oath of One or more credible Witness or Witnesses, convicted before any Justice, shall for every such Offence forfeit the Sum of Five Pounds.

Limitation of Actions.

LXXXIV. And be it enacted, That if any Action shall be brought against any Member or Minister of a Court-martial to be assembled under the Authority of this Act, in respect of the Proceedings or the Sentence thereof, or against any other Person, for any thing done in pursuance or under the Authority of this Act, the same shall be brought in some one of the Courts of Record at *Westminster* or *Dublin*, or in the Court of Session in *Scotland*, and shall be commenced within Six Months next after the Cause of Action shall arise, and that it shall be lawful for the Defendant or Defendants therein to plead thereto the General Issue, and to give all special Matter in Evidence on the Trial, and if the Verdict shall be for the Defendant in any such Action, or if the Plaintiff shall become nonsuit or suffer any Discontinuance thereof, or if, in *Scotland*, the Court shall see fit to assoilzie the Defendant or dismiss the Complaint, the Court in which the Matter shall be tried shall allow the Defendant Treble Costs, for the Recovery of which he shall have the like Remedy as in other Cases where Costs by the Laws of this Realm are given to Defendants.

Recovery of Penalties.

LXXXV. And be it enacted, That all Offences for which any pecuniary Penalty or Forfeiture not exceeding Twenty Pounds, over and above any Forfeiture of Value or Treble Value, is by this Act imposed, shall and may be heard and determined by any Justice of the Peace in or near to the Place where the Offence shall be committed, or where the Offender may at any Time happen to be; and all such Penalties and Forfeitures, and Forfeiture of Value and Treble Value, and also the reasonable Costs attending the Prosecution, to be duly ascertained and awarded by such Justice, shall and may be enforced and recovered in the same Manner as any pecuniary Penalties may be recovered under the Provisions of an Act passed in the Third Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to facilitate summary Proceedings before Justices of the Peace and others*, and by another Act passed in the Fifth Year of the Reign of His said Majesty, intituled *An Act for the more effectual Recovery of Penalties before Justices and Magistrates on Conviction of Offenders, and for facilitating the Execution of Warrants by Constables:* Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned for any Time not exceeding Six Months; which said recited Acts shall be used and applied in *Scotland* for the Recovery of all such Penalties and Forfeitures as fully to all Intents as if the said recited Acts had extended to *Scotland*, any thing in the said recited Acts to the contrary notwithstanding; and all such Offences committed in the *British* Isles, or in any of Her Majesty's Dominions beyond the Seas, may be determined, and the Penalties and Forfeitures of Value or Treble Value recovered, before any Justices of the Peace or Persons exercising like Authority, according to the Laws of Her Majesty's Dominions in which the Offence shall be committed; and all Penalties and Forfeitures by this Act imposed exceeding Twenty Pounds shall be recovered by Action in some of the Courts of Record at *Westminster* or in *Dublin*, or in the Court of Session in *Scotland*, and in no other Court in the United Kingdom, and may be recovered in the *British* Isles, or in any other Part of Her Majesty's Dominions, in any of the Royal or Superior Courts of such Isles or other Parts of Her Majesty's Dominions.

3 G. 4. c. 23.

5 G. 4. c. 18.

Appropriation of Penalties.

LXXXVI. And be it enacted, That one Moiety of every such Penalty or Forfeiture, not including any Treble Value of any Articles, shall go to the Person who shall inform or sue for the same, and the other Moiety, together with the Treble Value of such Articles, or where the Offence shall be proved by the Person who shall inform, then the whole of the Penalty and such Treble Value, shall be paid over and applied in such Manner as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral shall direct; any thing in an Act passed in the Sixth Year of the Reign of His late

5 & 6 W. 4. c. 76. late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, or in any other Act or Acts of Parliament, to the contrary notwithstanding; and every Justice who shall adjudge any Penalty under this Act shall, within Four Days thereafter at the furthest, report the same, and his Adjudication thereof, to the Secretary of the Admiralty.

Licences of Canteens.

LXXXVII. And be it enacted, That it shall be lawful for any Two Justices of the Peace, within their respective Jurisdictions, to grant or transfer any Licence for selling by Retail any Spirit, Beer, Wine, Cider, or Perry to any Person or Persons applying for the same who shall hold any Canteen under any Lease thereof, or by Agreement with any Department or other Authority under the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral for the Time being, without regard to the Time of Year, or any Notices or Certificates required by any Act in respect of such Licences; and the Commissioners of Excise or their proper Officers within their respective Districts shall also grant or transfer any such Licence as aforesaid; and such Persons holding such Canteens, and having such Licences as aforesaid, may sell therein Victuals, and all such exciseable Liquors as they shall be licensed and empowered to sell, without being subject for so doing to any Penalty or Forfeiture whatever.

Mode of recording a Marine's Settlement.

LXXXVIII. And be it enacted, That any Justice in the United Kingdom, within whose Jurisdiction any Marine shall be quartered on shore, may summon such Marine before him, which Summons such Marine is hereby required to obey, and take his Examination in Writing upon Oath touching the Place of his last legal Settlement in *England;* and such Justice shall give an attested Copy of such Examination to the Person so examined, to be by him delivered to his Commanding Officer to be produced when required; which said Examination and such attested Copy shall be at any Time admitted in Evidence as to such legal Settlement before any Justice or at any General or Quarter Sessions of the Peace, although such Marine be dead or absent from the Kingdom: Provided always, that in case any Marine shall be again summoned to make Oath as aforesaid, then on such Examination or such attested Copy being produced, such Marine shall not be obliged to make any other or further Oath with regard to his legal Settlement, but shall leave with such Justice a Copy of such Examination or a Copy of such attested Copy of Examination, if required.

Administration of Oaths.

Perjury.

LXXXIX. And be it enacted, That all Oaths and Declarations which are authorized or required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace or Magistrate acting as such; and that any Person giving false Evidence or taking a false Oath or Declaration in any Case wherein an Oath or Declaration is authorized or required to be taken by this Act, and being thereof duly convicted, shall be deemed guilty of wilful and corrupt Perjury, and shall be liable to such Pains and Penalties as Persons convicted of wilful and corrupt Perjury are or may be subject and liable to.

Definition of Terms.

XC. And be it enacted, That all Clauses and Provisions in this Act contained relating to *England* shall be construed to extend to *Wales,* and the Town of *Berwick-upon-Tweed;* and all Clauses and Provisions relating to Marines shall be construed to include Non-commissioned Officers and Drummers, unless when otherwise provided; and all Clauses and Provisions relating to Justices shall be construed to extend to all Magistrates authorized to act as such in their respective Jurisdictions; and all the Powers given to and Regulations made for the Conduct of Constables, and all Penalties and Forfeitures for any Neglect thereof, shall extend to all Tithingmen, Headboroughs, and such like Officers and Inspectors or other Officers of Police, and High Constables, and other chief Officers and Magistrates of Cities, Towns, Villages, and Places in *England* and *Ireland,* and to all Justices of the Peace, Magistrates of Burghs, Commissioners of Police, and other chief Officers and Magistrates of Cities, Towns, Villages, Parishes, and Places in *Scotland,* who shall act in the Execution of this Act; and all Provisions for billeting Marines in Victualling Houses shall extend and apply to all Inns, Livery Stables, Alehouses, and to the Houses of Sellers of Wine by Retail, whether *British* or Foreign, to be drank in their own Houses or Places thereunto belonging, and to all Houses of Persons selling Brandy, Strong Waters, Cider, or Metheglin, by Retail, in *England* and *Ireland;* and in *Ireland,* when there shall not be found sufficient Room in such Houses, then Marines may be billeted in such Manner as has been heretofore customary: Provided always, that no Officer or Marine shall be billeted in *England* in any private Houses or in any Canteen held or occupied under the Authority of the Ordnance or Marine Department, or upon Persons who keep Taverns only, being Vintners of the City of *London* admitted to their Freedom of that Company in right of Patrimony or Apprenticeship, notwithstanding such Persons who keep such Taverns only have taken out Victualling Licences; nor in the House of any Distiller kept for distilling Brandy and Strong Waters; nor in the House of any Shopkeeper whose principal Dealings shall be more in other Goods and Merchandize than in Brandy and Strong Waters, so as such Distillers and Shopkeepers do not permit Tippling in such Houses; nor in the House or Residence in any Part of the United Kingdom of any Foreign Consul duly credited as such.

Marines not to be billeted in private Houses, &c.

Duration of Act.

XCI. And be it enacted, That this Act shall continue in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and forty-seven, until the Twenty-fifth Day of *April* One thousand eight hundred and forty-eight inclusive; and within *Ireland,* and in *Jersey, Guernsey, Alderney, Sark,* and the *Isle of Man,* and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and forty-seven until the First Day of *May* One thousand eight hundred and forty-eight inclusive; and within the Garrison of *Gibraltar,* and in *Spain* and *Portugal,* from the Twenty-fifth Day of *July* One thousand eight hundred and forty-seven until the Twenty-fifth Day of *July* One thousand

thousand eight hundred and forty-eight inclusive; and in all other Parts of *Europe* where Royal Marine Forces may be serving, and the *West Indies* and *North America* and *Cape of Good Hope*, from the Twenty-fifth Day of *September* One thousand eight hundred and forty-seven until the Twenty-fifth Day of *September* One thousand eight hundred and forty-eight inclusive; and in all other Places from the Twenty-fifth Day of *November* One thousand eight hundred and forty-seven until the Twenty-fifth Day of *November* One thousand eight hundred and forty-eight inclusive.

XCII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament. Act may be amended, &c.

SCHEDULE referred to by this Act.

Form of Oaths to be taken by Members of Courts-martial.

YOU shall well and truly try and determine according to the Evidence in the Matter now before you. So help you GOD.

I do swear, That I will truly administer Justice according to the Rules and Articles for the better Government of Her Majesty's Royal Marine Forces, and according to an Act now in force for the Regulation of the said Forces while on shore, without Partiality, Favour, or Affection, and if any Doubt shall arise which is not explained by the said Articles or Act, according to my Conscience, the best of my Understanding, and the Custom of War in the like Cases; and I further swear, That I will not divulge the Sentence of the Court until it shall be duly approved; neither will I, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law. So help me GOD.

Form of Oath of Judge Advocate.

I do swear, That I will not, upon any Account whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law; and that I will not, unless it be necessary for the due Discharge of my official Duties, disclose the Sentence of the Court until it shall be duly approved. So help me GOD.

Questions to be separately put by the Justice to a Recruit.

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?
8. Are you willing to be attested to serve in the Royal Marine Forces until you shall be legally discharged?
9. On what Day, at what Hour of the Day, and where and by whom were you enlisted?
10. For what Bounty did you enlist?
11. Have you any Objection to make to the Manner of your Enlistment?
12. Do you now belong to the Militia?
13. Do you belong to any Regiment, or to the Marines, Ordnance, or Navy, or to the Forces of the East India Company?
14. Have you served in the Army, Marines, Ordnance, or Navy, or in the Forces of the East India Company? *
15. Have you ever been rejected as unfit for Her Majesty's Service, or for the Service of the East India Company, upon any prior Enlistment?

Note.—The Justice is directed first to ascertain that Twenty-four Hours have elapsed since the Enlistment took place, and in putting the Twelfth Question to the Recruit, and before he receives his Answer, distinctly to apprize the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to Six Months Imprisonment.

* If so, the Recruit is to state the Particulars of his former Service, and the Cause of his Discharge, and is to produce the Certificate of his Discharge, if he has it with him.

Oath to be taken by a Recruit on Attestation.

I do make Oath, That the above Questions have been separately put to me; that the Answers thereto have been read over to me; and that they are the same that I gave, and are true.

I do also make Oath, That I will be faithful and bear true Allegiance to Her Majesty, Her Heirs and Successors; and that I will, as in Duty bound, honestly and faithfully defend Her Majesty, Her Heirs

and Successors, in Person, Crown, and Dignity, against all Enemies; and will observe and obey all Orders of Her Majesty, Her Heirs and Successors, and of the Generals and Officers set over me.

So help me GOD.

Witness my Hand,

_____ *Signature of the Recruit.*

_____ *Witness present.*

Sworn before me at this Day of One thousand eight hundred and at o'Clock.

_____ *Signature of the Justice*

CERTIFICATE to be given by the JUSTICE.

Description of

Age, apparently
Height, Feet Inches.
Complexion,
Eyes,
Hair,
Any distinctive Mark.

to wit. I one of Her Majesty's Justices of the Peace at do hereby certify, That the above is the Description of the Recruit ; and in my Presence all the foregoing Questions were put to the said that the Answers written opposite to them are those which he gave to me; and that the Thirtieth and Thirty-sixth Articles of the Rules and Articles for the better Government of Her Majesty's Royal Marine Forces while on shore, against Mutiny and Desertion, were read over to him; that he took the Oath of Allegiance and Fidelity; that he received the Sum of on being attested this Day; that he was not attested until Twenty-four Hours had elapsed after he received the Enlisting Money; that [*this Blank is to be supplied by the Words* "the Place where he swears that he is enlisted is in the Vicinity of my Residence," *or by the Words* "the Place where he swears that he enlisted is within the Division, District, or Place for which I act," *or by the Words* "I am acting within the Division, District, or Place where the Head Quarters of the Recruiting Party is stationed," *as the Case may be*]; and that I am not an Officer in the Marines, and that I have given him a Duplicate of this Certificate signed with my Name.

_____ *Signature of the Justice.*

FORM of OATH to be taken by a MASTER whose Apprentice has absconded.

I of do make Oath, That I am by Trade a , and that was bound to serve as an Apprentice to me in the said Trade, by Indenture dated the Day of , for the Term of Years; and that the said did on or about the Day of last abscond and quit my Service without my Consent; and that to the best of my Knowledge and Belief the said is aged about Years. Witness my Hand at the Day of One thousand eight hundred and .

Sworn before me at this Day of One thousand eight hundred and .

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an Apprentice.

to wit. I one of Her Majesty's Justices of the Peace of certify, That of came before me at the Day of One thousand eight hundred and , and made Oath that he was by Trade a , and that was bound to serve as an Apprentice to him in the said Trade, by Indenture dated the Day of , for the Term of Years; and that the said Apprentice did on or about the Day of abscond and quit the Service of the said without his Consent; and that to the best of his Knowledge and Belief the said Apprentice is aged about Years.

DESCRIPTION RETURN of the Day of committed to Confinement at as a Deserter from the Royal Marines. on

Age	
Height	Feet. Inches.
Complexion	
Hair	
Eyes	
Marks	
Probable Date of Enlistment, and where	
Probable Date of Desertion, and from what Place	
* Name and Occupation and Address of the Person by whom apprehended	
* Particulars of the Evidence on which the Prisoner is committed	
* Whether the Prisoner was apprehended or voluntarily surrendered himself as a Deserter	
* Whether the Prisoner confessed before the Magistrate that he is a Deserter	

* It is important for the Public Service, and for the Interest of the Deserter, that this Part of the Return should be accurately filled up, and the Details should be inserted by the Magistrate in his own Handwriting, or, under his Direction, by his Clerk.

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstance herein stated, and has declared in my Presence that he † a Deserter from the above-mentioned Corps.

———— *Signature and Address of Magistrate.*

———— *Signature of Prisoner.*

———— *Signature of Informant.*

† Insert "is" or "is not," as the Case may be.

I certify, that I have inspected the Prisoner, and consider him ‡ for Military Service.

———— *Signature of Military Medical Officer, or of Private Medical Practitioner.*

‡ Insert "fit" or "unfit," as the Case may be, and if unfit, state the Cause of Unfitness.

CAP. XIV.

An Act for consolidating in One Act certain Provisions usually contained in Acts for constructing or regulating Markets and Fairs. [23d *April* 1847.]

'WHEREAS it is expedient to comprise in One Act sundry Provisions usually contained in Acts of 'Parliament authorizing the Construction or Regulation of Markets and Fairs, and that as well 'for avoiding the Necessity of repeating such Provisions in each of the several Acts relating to such 'Undertakings as for ensuring greater Uniformity in the Provisions themselves:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall extend only to such Markets or Fairs as shall be authorized by any Act of Parliament hereafter to be passed which shall declare that this Act shall be incorporated therewith; and all the Clauses of this Act, save so far as they shall be expressly varied or excepted by any such Act, shall apply to the Undertaking authorized thereby, so far as the same shall be applicable to such Undertaking, and shall, with the Clauses of every other Act which shall be incorporated therewith, form Part of such Act, and be construed therewith as forming One Act. Extent of Act.

And

Interpretations in this Act:

And with respect to the Construction of this Act, and any Act incorporated therewith, be it enacted as follows:

"special Act:"

II. The Expression "the special Act" used in this Act shall be construed to mean any Act which shall be hereafter passed authorizing the Construction or Regulation of a Market or Fair, and with which this Act shall be incorporated; and the Word "prescribed" used in this Act in reference to any Matter herein stated shall be construed to refer to such Matter as the same shall be prescribed or provided for in the special Act, and the Sentence in which such Word occurs shall be construed as if instead of the Word "prescribed" the Expression "prescribed for that Purpose in the special Act" had been used; and the Expression "the Lands" shall mean the Lands which shall by the special Act be authorized to be taken or used for the Purposes thereof; and the Expression "the Undertaking" shall mean the Market or Fair, and the Works connected therewith, by the special Act authorized to be constructed or regulated; and the Expression "the Undertakers" shall mean the Persons authorized by the special Act to construct or regulate the Market or Fair.

"prescribed:"

"the Lands:"

"the Undertaking:"

"Undertakers."

Interpretations in this and the special Act:

III. The following Words and Expressions in both this and the special Act, and any Act incorporated therewith, shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Number:

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include also the Singular Number:

Gender:

Words importing the Masculine Gender shall include Females:

"Person:"

The Word "Person" shall include a Corporation, whether aggregate or sole:

"Lands:"

The Word "Lands" shall include Messuages, Lands, Tenements, and Hereditaments or Heritages of any Tenure:

"Lease:"

The Word "Lease" shall include a Missive of and an Agreement for a Lease:

"the Market or Fair:"

The Expression "the Market or Fair" shall mean the Market or Fair, and the Works connected therewith, by the special Act authorized to be constructed or regulated:

"Cart:"

The Word "Cart" shall include Waggon, and also any Carriage used wholly or chiefly for the Conveyance of Goods:

"Driver:"

The Word "Driver" shall include the Carter or other Person having the Care of any Cart:

"Cattle:"

The Word "Cattle" shall include Horse, Ass, Mule, Ram, Ewe, Wether, Lamb, Goat, Kid, or Swine:

"Collector:"

The Expression "the Collector" shall mean the Person appointed by the Undertakers to collect the Stallages, Rents, or Tolls authorized by the special Act, shall include the Assistants of the Collector:

"Month:"

The Word "Month" shall mean Calendar Month:

"Superior Courts:"

The Expression "Superior Courts," when the Matter submitted to the Cognizance of the Court arises in *England* or *Ireland*, shall mean Her Majesty's Superior Courts of Record at *Westminster* or *Dublin*, as the Case may require, and shall include the Court of Common Pleas of the County Palatine of *Lancaster*, and the Court of Pleas of the County of *Durham*; and when such Matter arises in *Scotland* it shall mean the Court of Session:

"Oath:"

The Word "Oath" shall include Affirmation in the Case of Quakers, and any Declaration lawfully substituted for an Oath in the Case of any other Persons allowed by Law to make a Declaration instead of taking an Oath:

"County:"

The Word "County" shall include Riding or other Division of a County having a separate Commission of the Peace; and in *Scotland*, Stewartry, and any Ward or other Division of a County or Stewartry, having a separate Sheriff, and it shall also include County of a City or County of a Town:

"Justice:"

The Word "Justice" shall mean Justice of the Peace acting for the Place where the Matter requiring the Cognizance of any such Justice arises; and if such Matter arise in respect of Lands situated not wholly in any one Jurisdiction shall mean a Justice acting for the Place where any Part of such Lands shall be situated; and where any Matter is authorized or required to be done by Two Justices, the Expression "Two Justices" shall be understood to mean Two or more Justices assembled and acting together:

"Two Justices:"

"Sheriff:"

The Word "Sheriff" shall mean the Sheriff Depute of the County or Ward of a County in *Scotland* and the Steward Depute of the Stewartry in *Scotland* in which the Matter submitted to the Cognizance of the Sheriff arises, and shall include the Substitutes of such Sheriff Depute and Steward Depute respectively:

"Quarter Sessions."

The Expression "Quarter Sessions" shall mean Quarter Sessions as defined in the special Act; and if such Expression be not there defined it shall mean the General or Quarter Sessions of the Peace which shall be held at the Place nearest to the Market or Fair, or the principal Office thereof, for the County or Place in which the Market or Fair is situate, or for some Division of such County having a separate Commission of the Peace.

Citing the Act.

And with respect to citing this Act, or any Part thereof, be it enacted as follows:

Short Title of this Act.

IV. In citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The Markets and Fairs Clauses Act, 1847."

Form in which Portions of this Act may be

V. For the Purpose of incorporating Part only of this Act with any Act hereafter to be passed it shall be enough to describe the Clauses of this Act with respect to any Matter in the Words introductory to the Enactment with respect to such Matter, and to enact that the Clauses so described, or that this Act, with

with the Exception of the Clauses so described, shall be incorporated with such Act, and thereupon all the Clauses of this Act so incorporated shall, save so far as they shall be expressly varied or excepted by such Act, form Part of such Act, and such Act shall be construed as if such Clauses were set forth therein with reference to the Matter to which such Act relates. incorporated in other Acts.

And with respect to the Construction of the Market or Fair, and the Works connected therewith, be it enacted as follows: *Construction of Market or Fair.*

VI. Where by the special Act the Undertakers shall be empowered, for the Purpose of constructing the Market or Fair, to take or use any Lands otherwise than with the Consent of the Owners and Occupiers thereof, they shall, in exercising the Power so given to them, be subject to the Provisions and Restrictions contained in this Act and in the Lands Clauses Consolidation Act, 1845, when the special Act relates to *England* or *Ireland*, and to the Provisions and Restrictions contained in this Act and the Lands Clauses Consolidation (*Scotland*) Act, 1845, when the special Act relates to *Scotland*; and the Undertakers shall make to the Owners and Occupiers of and all other Parties interested in any Lands taken or used for the Purposes of the special Act, or injuriously affected by the Construction of the Works thereby authorized, full Compensation for the Value of the Lands so taken or used, and for all Damage sustained by such Owners, Occupiers, and other Persons by reason of the Exercise, as to such Lands, of the Powers vested in the Undertakers by this or the special Act, or any Act incorporated therewith; and, except where otherwise provided by this or the special Act, the Amount of such Compensation shall be determined in the Manner provided by the said Lands Clauses Consolidation Acts respectively for determining Questions of Compensation with regard to Lands purchased or taken under the Provisions thereof; and all the Provisions of the said last-mentioned Acts respectively shall be applicable to determine the Amount of any such Compensation, and to enforce Payment or other Satisfaction thereof. Construction of Markets or Fairs to be subject to the Provisions of this Act and One of the Lands Clauses Consolidation Acts, 1845.

VII. If any Omission, Mis-statement, or wrong Description shall have been made of any Lands, or of the Owners, Lessees, or Occupiers of any Lands described or purporting to be described in the special Act, or in the Schedule thereto, the Undertakers, after giving Ten Days Notice to the Owners, Lessees, and Occupiers of the Lands affected by such proposed Correction, may apply in *England* or *Ireland* to Two Justices, and in *Scotland* to the Sheriff, for the Correction thereof; and if it appear to such Justices or Sheriff that such Omission, Mis-statement, or wrong Description arose from Mistake, they or he shall certify the same accordingly, and shall in such Certificate state the Particulars of any such Omission, Mis-statement, or wrong Description; and such Certificate shall be deposited in *England* or *Ireland* with the Clerk of the Peace, and in *Scotland* with the Sheriff Clerk of the County in which the Lands affected thereby shall be situated, or, where any such Lands are situated in a Royal Burgh in *Scotland* with the Town Clerk of such Burgh; and such Certificate shall be kept by such Clerk of the Peace, Sheriff Clerk, or Town Clerk with the other Documents to which they relate, and thereupon the special Act or Schedule shall be deemed to be corrected according to such Certificate, and the Undertakers may make the Works in accordance with such Certificate as if such Omission, Mis-statement, or wrong Description had not been made. Errors and Omissions in special Act, or Schedules thereto, may be corrected by Justices, &c., who shall certify the same. Certificate to be deposited.

VIII. Copies of any such Alteration or Correction thereof or Extracts therefrom, certified by any such Clerk of the Peace, Sheriff Clerk, or Town Clerk in whose Custody the same may be, which Certificate such Clerk shall give to all Parties interested when required, shall be received in all Courts of Justice and elsewhere as Evidence of the Contents thereof. Copies of Alterations, &c. to be Evidence.

IX. The Undertakers, in addition to the Lands authorized to be taken compulsorily, or to be appropriated by them for the Purposes of the Market or Fair under the Powers of this and the special Act, may appropriate any Lands vested in them, or may contract with any Person willing to sell the same for the Purchase of any Land within the Limits of the special Act, not exceeding in the whole the prescribed Number of Acres for extraordinary Purposes; (that is to say,) Additional Land may be taken for extraordinary Purposes.

For providing Slaughter-houses, (if the Undertakers shall be authorized by the special Act to provide Slaughter-houses,) and Houses and Places for weighing Carts:

For making convenient Roads and Approaches to the Market or Fair:

For any other Purpose which may be necessary for the Formation or convenient Use of the Market or Fair.

X. Subject to the Provisions in this and the special Act and any Act incorporated therewith, the Undertakers for the Purpose of constructing a Place for holding the Market or Fair may execute any of the following Works; (that is to say,) Undertakers, subject to Provisions of this and the special Act, may execute the Works herein named.

They may enter upon any Lands described in the special Act, or the Schedule thereto, and other Lands purchased by them or belonging to them, and set out such Parts as they think necessary for the Purposes of the Market or Fair, and thereupon from Time to Time build and maintain such Market Places or Places for Fairs, and such Stalls, Sheds, Pens, and other Buildings or Conveniences for the Use of the Persons frequenting the Market or Fair, and for weighing and measuring Goods sold in the Market or Fair, and for weighing Carts, as they may think necessary:

They may from Time to Time on such Lands as aforesaid make and maintain all such Roads and Approaches as they may think necessary for the convenient Use of the Persons resorting to the Market or Fair.

XI. Provided always, That in the Exercise of the Powers by this or the special Act granted the Undertakers shall do as little Damage as can be, and shall make full Satisfaction in manner herein and by the Undertakers to make Satisfaction for Damage done.

the special Act and any Act incorporated therewith provided to all Parties interested for all Damages sustained by them by reason of the Exercise of such Powers.

Holding of Market, &c.

And with respect to the holding of the Market or Fair, and the Protection thereof, be it enacted as follows:

Before Market or Fair shall be opened Notice to be given by Undertakers.

XII. Before the Market or Fair shall be opened for public Use the Undertakers shall give not less than Ten Days Notice of the Time when the same will be opened, and such Notice shall be given by the Publication thereof in some Newspaper circulating within the Limits of the special Act, and by printed Handbills posted on some conspicuous Place within those Limits.

Sales elsewhere prohibited under a Penalty not exceeding 40*s*.

XIII. After the Market Place is open for public Use every Person other than a licensed Hawker who shall sell or expose for Sale in any Place within the prescribed Limits, except in his own Dwelling Place or Shop, any Articles in respect of which Tolls are by the special Act authorized to be taken in the Market, shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

Market Days.

XIV. After the Market Place or Place for Fairs is opened for public Use the Undertakers shall hold Markets and Fairs therein on the prescribed Days (if any), and on such other Days as the Undertakers shall appoint from Time to Time by any Bye Law to be made in pursuance of this or the special Act.

Penalty for selling or exposing for Sale unwholesome Meat, &c.

XV. Every Person who shall sell or expose for Sale any unwholesome Meat or Provisions in the Market or Fair shall be liable to a Penalty not exceeding Five Pounds for every such Offence; and any Inspector of Provisions appointed by the Undertakers may seize such unwholesome Meat or Provisions, and carry the same before a Justice, and thereupon such Proceedings shall be had as are herein-after directed to be had in the Case of any Cattle or Carcase seized in any Slaughter-house and carried before a Justice; and every Person who shall obstruct or hinder the Inspector of Provisions from seizing or carrying away such unwholesome Meat or Provisions shall be liable to a Penalty not exceeding Five Pounds for every such Offence.

Penalty on obstructing Inspector.

Penalty for obstructing Market or Fair Keeper.

XVI. Every Person who shall assault or obstruct any Person appointed by the Undertakers to superintend the Market or Fair, or to keep Order therein, whilst in the Execution of his Duty, shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

Slaughter-houses.

And with respect to Slaughter-houses, be it enacted as follows:

Power to erect Slaughter-houses if authorized by the special Act.

XVII. Where by the special Act the Undertakers shall be empowered to provide Slaughter-houses they may from Time to Time erect on any Land purchased by them under the Provisions of this or the special Act, or any Act incorporated therewith, any Buildings, or set apart and improve any Buildings belonging to them for the slaughtering of Cattle, and so soon as the same shall be ready for public Use the Undertakers shall give Notice to that Effect by the Publication thereof in some Newspaper circulating within the Limits of the special Act, and by printed Handbills posted on some conspicuous Place within the said Limits.

No Exemption from Indictments.

XVIII. Provided that nothing in this or the special Act, or any Act incorporated therewith, shall protect the Undertakers from an Indictment for Nuisance, or from any other legal Proceeding in respect of any such Slaughter-house as aforesaid.

Penalty on slaughtering Cattle, &c. elsewhere than in an authorized Slaughter-house.

XIX. After the Expiration of Ten Days from the Publication and posting of such Notice no Person shall slaughter any Cattle or dress any Carcase for Sale as Human Food or Food of Man in any Place within the Limits of the special Act other than a Slaughter-house which was in use as such before and at the Time of the passing of the special Act, and has so continued ever since, or the Slaughter-houses made in pursuance of this and the special Act; and every Person who shall, after such Notice as aforesaid, slaughter any such Cattle or dress for Sale any such Carcase within the Limits of the special Act in any Place other than one of such Slaughter-houses, shall be liable to a Penalty not exceeding Five Pounds for every such Offence.

Inspector may enter and inspect Slaughter-houses.

XX. The Inspector of Provisions, or any Officer appointed by the Undertakers for that Purpose, may at all Times of the Day, with or without Assistants, enter into and inspect all Buildings erected or set apart by the Undertakers for slaughtering Cattle, and examine whether any Cattle or the Carcase of any Cattle is deposited there; and in case such Officer shall find any Cattle or the Carcase or Part of the Carcase of any such Cattle, which shall appear unfit for the Food of Man, he may seize and carry the same before a Justice, and such Justice shall forthwith order the same to be further inspected and examined by competent Persons; and in case upon such Inspection and Examination such Cattle, Carcase, or Part of a Carcase shall be found unfit for the Food of Man, such Justice shall order the same to be immediately destroyed or otherwise disposed of in such Way as to prevent the same being exposed for Sale or used for the Food of Man; and every Person who shall obstruct or hinder such Inspector or other Officer in the Discharge of any of the Duties aforesaid shall be liable to a Penalty not exceeding Five Pounds for every such Offence.

Weighing of Goods and Carts.

And with respect to weighing Goods and Carts, be it enacted as follows:

Undertakers to provide proper Weights and Measures.

XXI. The Undertakers shall provide sufficient and proper Weighing Houses or Places for weighing or measuring the Commodities sold in the Market or Fair, and shall keep therein proper Weights, Scales, and Measures according to the Standard Weights and Measures for the Time being for weighing such Commodities as aforesaid, and shall appoint proper Persons to attend to the weighing or measuring such Commodities at all Times during which the Market or Fair is holden.

XXII. Every

XXII. Every Person selling or offering for Sale any Articles in the Market or Fair shall, if required so to do by the Buyer, cause the same to be weighed or measured by the Weights and Scales or Measures provided by the Undertakers; and any such Person who shall refuse, on Demand, to cause such Articles to be weighed or measured in manner aforesaid, shall be liable to a Penalty not exceeding Forty Shillings. Articles to be weighed if requested, &c. Penalty for Refusal.

XXIII. Every Person appointed by the Undertakers to weigh or measure any Articles sold in the Market or Fair who shall refuse or neglect to weigh or measure the same when required shall be liable to a Penalty not exceeding Forty Shillings. Penalty on Persons appointed refusing, &c.

XXIV. The Undertakers shall provide sufficient and proper Buildings or Places for weighing Carts in which Goods are brought for Sale within the Market or Fair or the prescribed Limits, and shall keep therein Machines and Weights proper for that Purpose, and shall from Time to Time appoint a Person in every such Building or Place to afford the Use of such Machines to the Public by weighing such Carts with or without their Loading, as may be required. Undertakers to keep proper Machines for weighing Carts laden with Goods.

XXV. The Driver of every such Cart shall, at the Request of the Buyer or Seller of such Goods, or his Agent, take such Cart, with or without the Loading thereof, to the nearest of the said Weighing Machines, and shall permit the same to be weighed; and if such Cart be weighed with its Load thereupon the Driver shall, if required, take such Cart after its Load has been discharged to the Weighing Machine nearest to such Place of Discharge, and permit it to be re-weighed without such Load; and if any such Driver shall for the Purposes aforesaid be required to take such Cart a greater Distance than Half a Mile, including the going to and returning from such Machines respectively, the Owner of the Cart shall be paid for every Horse which shall be used in drawing such Cart Two-pence for the First Half Mile, and a like Sum for every additional Half Mile; and such Payment shall be made by the Person requiring such Cart to be weighed as aforesaid before the Driver thereof shall be obliged to take it as aforesaid for the Purpose of having it weighed. Carts to be weighed at one of the Machines erected by the Undertakers.

XXVI. The Driver of any such Cart who shall not, upon being so requested as aforesaid, and having such Payment made or tendered as aforesaid, take the same to such Weighing Machine as herein-before directed, or who shall refuse to assist in the weighing of the same, shall forfeit to the Person requiring such Cart to be weighed a Sum not exceeding Twenty Shillings. Penalty on Drivers for refusing to take Carts to be weighed, &c.

XXVII. Every Driver of any such Cart weighed at any Weighing Machine to be provided in pursuance of this or the special Act who shall commit any of the following Offences shall be liable to a Penalty not exceeding Five Pounds for each Offence; (that is to say,) Penalties on Drivers of Carts, &c. committing Frauds in weighing.

If he at the Time of weighing any such Cart knowingly have any thing in or about the same other than the proper Loading thereof:

If he alter any Ticket denoting the Weight of any such Cart, or the Loading of the same:

If he make or use, or be privy to making or using, any Ticket falsely stating the Weight of any such Cart or the Loading thereof:

If he, after the weighing of any such Cart, with the Loading thereof, remove any Part of such Loading, and afterwards dispose of or attempt to dispose of or represent the Residue of such Loading as being the full Loading denoted by such Ticket:

If he, between the Time when the Cart and the Loading thereof have been so weighed and the Time when such Cart is weighed without such Loading, change the Wheels of such Cart, or make any other Change upon it after being required to allow such Cart to be weighed without the Loading thereof:

If he be guilty of any other fraudulent Contrivance to misrepresent the Weight of any such Cart or of the Loading thereof.

XXVIII. If the Buyer or Seller of any Goods brought in any Cart for Sale within the Market or Fair, and which shall be required to be weighed as aforesaid, shall do any thing to such Cart or its Loading whereby the true Weight thereof respectively shall be altered before such weighing, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds. Penalty on Buyers or Sellers for committing Frauds in weighing.

XXIX. The Person for the Time being appointed to keep any Weighing Machine provided in pursuance of this or the special Act shall be liable to a Penalty not exceeding Five Pounds in any of the following Cases; (that is to say,) Penalties for Frauds committed by the Machine Keeper.

If he wilfully neglect, on Application, duly to weigh any Cart, with or without its Loading, as the Case may be, that is brought to the Machine kept by him to be weighed:

If he do not fairly weigh every such Cart, with or without Loading, as the Case may be:

If he do not deliver to the Buyer or Seller of any such Loading, or to any Person interested therein, on Application, a Ticket or Account specifying the true Weight of such Cart, with or without such Loading, as may be required:

If he give to the Driver of any such Cart a false Ticket or Account of the Weight of such Cart, with or without the Loading thereof:

If he weigh any Cart, with or without its Loading, knowing that any thing had been done to such Cart or to the Loading thereof to alter the true Weight thereof respectively:

If he knowingly assist in or connive at any Fraud concerning the weighing of any Cart or the Loading thereof, or make or connive at making any false Representation of the Weight of the same respectively.

Penalty on other Parties committing Frauds as to weighing.

XXX. Every Person who shall knowingly act or assist in committing any Fraud respecting the weighing or Weight of any Cart, or the Loading thereof, in pursuance of this or the special Act, shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Tolls.

And with respect to the Stallages, Rents, and Tolls to be taken by the Undertakers, be it enacted as follows:

Tolls, &c. not to be demanded until Market or Fair completed.

XXXI. Unless it be otherwise provided by the special Act, the Undertakers shall not demand or receive any Stallage, Rent, or Toll until the Market Place or Place for a Fair or Slaughter-house in respect of the Use of which the same shall be demanded shall be completed and fit for the Use of the Persons resorting thereunto.

Certificate of Two Justices to be Evidence that Market or Fair is completed.

XXXII. A Certificate under the Hand of any Two Justices shall be conclusive Evidence that the same is completed and fit for public Use as aforesaid; and any such Justices shall sign such Certificate on Proof being adduced to them that the Market Place or Place for a Fair or Slaughter-house is so completed and fit for public Use.

Stallages, &c. when to be paid.

XXXIII. The several Stallages, Rents, or Tolls payable in respect of the Market or Fair or Slaughter-house shall be paid from Time to Time, on Demand, to the Undertakers or the Collector, or other Person authorized by the Undertakers to receive the same.

Tolls to be paid to Persons authorized before the same are weighed, &c.

XXXIV. The Tolls payable in respect of weighing or measuring marketable Commodities, or Carts with or without Goods, shall be paid to the Person authorized by the Undertakers to weigh or measure the same by the Persons bringing such marketable Commodities or Carts to be weighed or measured, before the same are weighed or measured.

Tolls in respect of Cattle Market when due.

XXXV. The Tolls in respect of Cattle brought to the Market for Sale shall become due as soon as the Cattle in respect whereof they are demandable are brought into the Market Place, and before the Cattle are put into any Pen, or tied up in such Market Place; and if the Cattle be not removed within One Hour after the Close of the Market, another Toll shall become due in respect of the Cattle so omitted to be removed.

Stallages, Tolls, &c. may be varied from Time to Time.

XXXVI. The Undertakers may from Time to Time change the Stallages, Rents, and Tolls to be taken in respect of the Market or Fair or for the Slaughter-houses, or for weighing and measuring, provided that the Stallages, Rents, and Tolls in no Case exceed the Amounts authorized by the special Act.

Penalty on taking a greater Toll than authorized.

XXXVII. Every Person who shall demand or receive a greater Toll than that authorized to be taken under the Provisions of this or the special Act shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

Recovery of Tolls by Distress, &c.

XXXVIII. If any Person liable to the Payment of any Stallage, Rent, or Toll authorized by this or the special Act to be taken do not pay the same when demanded, the Undertakers or their Lessee, or any Person authorized by the Undertakers or their Lessee to collect the same, may levy the same in *England* or *Ireland* by Distress, and in *Scotland* by Poinding and Sale, of all or any of the Cattle or other Articles in respect of which such Stallage, Rent, or Toll is payable, or of any other Cattle or other Articles in the Market belonging to the Person liable to pay such Stallage, Rent, or Toll, or under his Charge, or such Tolls may be recovered in any Court having competent Jurisdiction.

Disputes respecting Tolls, how to be settled.

XXXIX. If any Dispute arise concerning any such Stallage, Rent, or Toll, such Dispute shall be determined in *England* or *Ireland* by a Justice, and in *Scotland* by the Sheriff, and such Justice or Sheriff shall, on Application made to him, determine the same, and make such Order therein, and award such Costs to either Party, as to him shall seem proper; and in default of Payment, on Demand, of the Money which shall be so awarded, and of the Costs, the same shall be forthwith levied in *England* or *Ireland* by Distress, and in *Scotland* by Poinding and Sale, and the Justice or Sheriff shall issue his Warrant accordingly.

Penalty for obstructing Collectors.

XL. Every Person who shall assault or obstruct any Person authorized to collect any Stallage, Rent, or Toll authorized by this or the special Act shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

List of Tolls, &c. to be set up and placed in conspicuous Places.

XLI. The Undertakers or their Lessee shall from Time to Time cause to be painted on Boards, or to be printed and attached to Boards, in large and legible Characters, a List of the several Stallages, Rents, and Tolls from Time to Time payable under this and the special Act, and shall cause a Board containing such List to be conspicuously set up and continued in the Market or Fair, and in each Weighing House and Slaughter-house provided by the Undertakers, to which each such List shall relate, and no Stallage, Rent, or Toll shall be payable during the Time such List is not so set up, or for any thing not specified therein: Provided always, that if such List shall be destroyed, injured, or obliterated, the Stallages, Rents, and Tolls shall continue to be payable during such Time as shall be reasonably required for the Restoration of such List, in the same Manner as if such List had continued in the State required by this Act.

Bye Laws.

And with respect to the Bye Laws to be made by the Undertakers, be it enacted as follows:

Bye Laws may be made for all or any of the Purposes herein named.

XLII. The Undertakers may from Time to Time make such Bye Laws as they think fit for all or any of the following Purposes; (that is to say,)

For regulating the Use of the Market Place and Fair, and the Buildings, Stalls, Pens, and Standings therein, and for preventing Nuisances or Obstructions therein, or in the immediate Approaches thereto:

For

Bye Laws.

For fixing the Days, and the Hours during each Day, on which the Market or Fair shall be held:

For Inspection of the Slaughter-houses, and for keeping the same in a cleanly and proper State, and for removing Filth and Refuse at least once in every Twenty-four Hours, and for requiring that they be provided with a sufficient Supply of Water, and preventing the Exercise of Cruelty therein:

For regulating the Carriers resorting to the Market or Fair, and fixing the Rates for carrying Articles carried therefrom within the Limits of the special Act:

For regulating the Use of the Weighing Machines provided by the Undertakers, and for preventing the Use of false or defective Weights, Scales, or Measures:

For preventing the Sale or Exposure for Sale of unwholesome Provisions in the Market or Fair:

Bye Laws may be repealed or altered from Time to Time.

And the Undertakers may from Time to Time, as they shall think fit, repeal or alter any such Bye Laws; provided always, that such Bye Laws shall not be repugnant to the Laws of that Part of the United Kingdom where the same are to have effect, or to the Provisions of this or the special Act, or of any Act incorporated therewith; and such Bye Laws shall be reduced to Writing under the Common Seal of the Undertakers if they be a Body Corporate, or the Hands and Seals of Two of the Undertakers if they be not a Body Corporate, and, if affecting other Persons than the Officers and Servants of the Undertakers, shall be printed and published as herein provided.

Bye Laws may be enforced by Imposition of Penalties.

XLIII. The Undertakers, by the Bye Laws so to be made by them, may impose such reasonable Penalties as they shall think fit, not exceeding Five Pounds for each Breach of such Bye Laws; provided that every such Bye Law shall be so framed as to allow the Justices or Sheriff before whom any Penalty imposed thereby shall be sought to be recovered to order the whole or Part only of such Penalty to be paid.

No Bye Laws to come into operation until allowed in the Manner prescribed and approved by Secretary of State.

XLIV. No Bye Laws made under the Authority of this or the special Act (except such as may relate solely to the Officers or Servants of the Undertakers) shall come into operation until the same shall be allowed in the Manner prescribed by the special Act, or, if no Manner be prescribed, until the same shall be allowed by the Justices at Quarter Sessions if the Market or Fair be in *England* or *Ireland*, or the Sheriff if the Market or Fair be situate in *Scotland*, and in either Case approved under the Hand of One of Her Majesty's Principal Secretaries of State; and it shall be incumbent on the Justices at Quarter Sessions, or the Sheriff, as the Case may be, on the Request of the Undertakers, to examine into the Bye Laws which may be tendered to them for that Purpose, and to allow of or disallow the same, as to them may seem meet.

Notice of Allowance of Bye Laws to be given in One or more Newspapers, &c.

XLV. Provided always, That no such Bye Law shall be allowed in manner herein mentioned unless Notice of the Intention to apply for an Allowance of the same shall have been given in One or more Newspapers of the County in which the Market or Fair shall be situated, or, if there be no Newspaper in such County, in One or more Newspapers of the adjoining County, One Month at least before the hearing of such Application; and any Party aggrieved by any such Bye Law, on giving Notice of the Nature of his Objection to the Undertakers Ten Days before the hearing of the Application for the Allowance thereof, may, by himself or his Counsel, Attorney, or Agent, be heard thereon, but not so as to allow more than One Party to be heard upon the same Matter of Objection.

A Copy of proposed Bye Laws to be open for Inspection.

XLVI. For One Month at least before any such Application for Allowance of any Bye Law a Copy of such proposed Bye Laws shall be kept at the principal Office of the Undertakers, and shall be put up in some conspicuous Place in the Market Place or Fair, and all Persons at all reasonable Times may inspect such Copy without Fee or Reward, and the Undertakers shall furnish every Person who shall apply for the same with a Copy thereof, or of any Part thereof, on Payment of Sixpence for every One hundred Words so to be copied.

Publication of Bye Laws.

XLVII. The said Bye Laws shall be published in the prescribed Manner, and when no Manner of Publication is prescribed they shall be printed, and the Clerk of the Undertakers shall give a printed Copy therof to every Person applying for the same without Charge, and a Copy thereof shall be painted or placed on Boards, and put up in some conspicuous Part of the principal Office of the Undertakers, and also in some conspicuous Place in the Market Place or Fair, and such Boards, with the Bye Laws thereon, shall be renewed from Time to Time as Occasion shall require, and shall be open to Inspection without Fee or Reward; and in case the said Clerk shall not permit the same to be inspected at all reasonable Times he shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Bye Laws to be binding on all Parties.

XLVIII. All Bye Laws made and confirmed according to the Provisions of this and the special Act, when so published and put up, shall be binding upon and be observed by all Parties, and shall be a sufficient Warrant for all Persons acting under the same.

Proof of Publication of Bye Laws.

XLIX. The Production of a written or printed Copy of the Bye Laws requiring Confirmation by the Court of Quarter Session or the Sheriff, authenticated by the Signature of the Judge or of the Chairman of the Court or the Sheriff who shall have approved of the same, and requiring Approval under the Hand of One of Her Majesty's Principal Secretaries of State, and a written or printed Copy of the Bye Laws not requiring such Confirmation or Approval, authenticated by the Common Seal of the Undertakers if they be a Body Corporate, or under the Hands of the Undertakers if not incorporated, or any Two of them, shall be Evidence of the Existence and making of such Bye Laws in all Cases of Prosecution under the same, without Proof of the Signature of such Judge, Chairman, or Sheriff, or such Secretary of State, or the Common Seal or Signature of the Undertakers; and with respect to the Proof of the Publication of any such Bye Laws, it shall be sufficient to prove that a painted Board containing a Copy thereof was put up and continued in manner by this Act directed, and in case of its

Bye Laws.

afterwards being displaced or damaged, that such Board was replaced or restored as soon as conveniently might be, unless Proof be adduced by the Party complained against that such painted Board did not contain a Copy of such Bye Laws, or was not duly put up or continued as directed by this Act.

Accounts.

Annual Account to be made up by the Undertakers, and transmitted to the Clerk of the Peace, &c. and to be open to Inspection.

L. And with respect to the Receipts and Expenditure of the Undertakers, be it enacted, That the Undertakers shall in every Year cause an annual Account in abstract to be prepared, showing the whole Receipt and Expenditure of all Rents and other Monies levied by virtue of this or the special Act for the Year ending the Thirty-first Day of *December*, or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited or certified by the Chairman of the Undertakers, and by the Auditors, if any, and shall send a Copy of the said Account, free of Charge, to the Clerk of the Peace in *England* and *Ireland*, and the Sheriff Clerk in *Scotland*, of the County in which the Market or Fair is situate, on or before the Expiration of One Month from the Day on which such Accounts shall end, which Account shall be open to the Inspection of the Public at all seasonable Hours, on Payment of the Sum of One Shilling for every such Inspection; and if the Undertakers omit to prepare or send such Account as aforesaid they shall forfeit for every such Omission the Sum of Twenty Pounds.

Penalty on Omission.

Tender of Amends.

LI. And with respect to the Tender of Amends, be it enacted, That if any Person shall have committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this or the special Act or any Act incorporated therewith, or by virtue of any Power or Authority thereby given, and if before Action brought in respect thereof such Person make Tender of sufficient Amends to the Person injured, such last-mentioned Person shall not recover in any such Action; and if no such Tender have been made the Defendant may, by Leave of the Court where such Action is pending, at any Time before Issue joined, pay into Court such Sum of Money as he thinks fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Recovery of Damages and Penalties.

And with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matters referred to Justices in *England* or *Ireland*, and to the Sheriff or Justices in *Scotland*, be it enacted as follows:

Railways Clauses Consolidation Acts, 1845, as to Damages, &c. to be incorporated with this and the special Act.

LII. If the Market or Fair be in *England* or *Ireland* the Clauses of the Railways Clauses Consolidation Act, 1845, with respect to the Recovery of Damages not specially provided for, and Penalties, and to the Determination of any other Matter referred to Justices, shall be incorporated with this and the special Act; and if the Market or Fair be in *Scotland* the Clauses of the Railways Clauses Consolidation (*Scotland*) Act, 1845, with respect to the Recovery of Damages not specially provided for, and Penalties, and to the Determination of any other Matter referred to the Sheriff or to Justices, shall be incorporated with this and the special Act; and such Clauses shall apply to the Market or Fair and the Undertakers respectively, and shall be construed as if the Word "Undertakers" had been inserted therein instead of the Word "Company."

In Ireland Part of Penalties to be paid to Guardians of Unions.

LIII. Provided always, That in *Ireland*, in the Case of any Penalty imposed by Justices, where the Application is not otherwise provided for, such Justices may award not more than One Half of such Penalty to the Informer, and shall award the Remainder to the Guardians of the Poor of the Union within which the Offence shall have been committed, to be applied in aid of the Poor Rates of such Union.

Nothing in this or the special Act to affect the Rights of the Crown.

LIV. And be it enacted, That nothing in this or the special Act shall be deemed to extend to or affect any Act of Parliament relating to Her Majesty's Duties of Customs or Excise, or any other Revenue of the Crown, or to extend to or affect any Claim of Her Majesty in right of Her Crown, or otherwise howsoever, or any Proceedings at Law or in Equity by or on behalf of Her Majesty, in any Part of the United Kingdom of *Great Britain* and *Ireland*.

One Magistrate in England or Ireland, and the Sheriff in Scotland, may act for Two Justices.

LV. All Things herein or in the special Act, or any Act incorporated therewith, authorized or required to be done by Two Justices, may and shall be done in *England* and *Ireland* by any One Magistrate having by Law Authority to act alone for any Purpose with the Powers of Two or more Justices, and in *Scotland* by the Sheriff or Steward of any County, Stewartry, or Ward, or his Substitute.

Penalties, &c. imposed in respect of any Offence committed within the Metropolitan Police District to be paid to the Receiver, and applied under 2 & 3 Vict. c. 71.

LVI. Every Penalty or Forfeiture imposed by this or the special Act, or any Act incorporated therewith, or by any Bye Law in pursuance thereof, in respect of any Offence which shall take place within the Metropolitan Police District, shall be recovered, enforced, accounted for, and, except where the Application thereof is otherwise specially provided for, shall be paid to the Receiver of the Metropolitan Police District, and shall be applied in the same Manner as Penalties or Forfeitures other than Fines upon drunken Persons, or upon Constables for Misconduct, or for Assaults upon Police Constables, are directed to be recovered, enforced, accounted for, paid, and applied by an Act passed in the Third Year of the Reign of Her present Majesty, intituled *An Act for regulating the Police Courts in the Metropolis;* and every Order or Conviction of any of the Police Magistrates in respect of any such Forfeiture or Penalty shall be subject to the like Appeal, and upon the same Terms as is provided in respect of any Order or Conviction of any of the said Police Magistrates by the said last-mentioned Act; and every Magistrate by whom any Order or Conviction shall have been made shall have the same Power of binding over the Witnesses who shall have been examined, and such Witnesses shall be entitled to the same Allowance of Expences, as they would have had or been entitled to in case the Order, Conviction, and Appeal had been made in pursuance of the Provisions of the said last-mentioned Act.

LVII. Every

LVII. Every Person who upon any Examination upon Oath under the Provisions of this or the special Act, or any Act incorporated therewith, shall wilfully and corruptly give false Evidence, shall be liable to the Penalties of wilful and corrupt Perjury. Penalty for giving false Evidence.

And with respect to Access to the special Act, be it enacted as follows: *Access to special Act.*

LVIII. The Undertakers shall at all Times after the Expiration of Six Months after the passing of the special Act keep in their principal Office of Business a Copy of the special Act, printed by the Printers to Her Majesty, or some of them, and shall also within the Space of such Six Months deposit in the Office of the Clerk of the Peace of the County in *England* or *Ireland*, and in the Office of the Sheriffs Clerk of the County in *Scotland*, in which the Undertaking is situate, a Copy of such special Act so printed as aforesaid; and the said Clerk of the Peace and Sheriff Clerk shall receive, and they and the Undertakers respectively shall keep, the said Copies of the special Act, and shall allow all Persons interested therein to inspect the same, and make Extracts or Copies therefrom, in the like Manner, and upon the like Terms, and under the like Penalty for Default, as is provided in the Case of certain Plans and Sections by an Act passed in the First Year of the Reign of Her Majesty, intituled *An Act to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.* Copies of special Act to be kept by Undertakers at their Office, and deposited with the Clerks of the Peace, &c., and be open to Inspection. 7 W. 4. & 1 Vict. c. 83.

LIX. If the Undertakers fail to keep or deposit, as herein-before mentioned, any of the said Copies of the special Act, they shall forfeit Twenty Pounds for every such Offence, and also Five Pounds for every Day afterwards during which such Copy shall be not so kept or deposited. Penalty on Undertakers failing to keep or deposit such Copies.

LX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

CAP. XV.

An Act for consolidating in One Act certain Provisions usually contained in Acts authorizing the making of Gasworks for supplying Towns with Gas. [23d *April* 1847.]

'WHEREAS it is expedient to comprise in One general Act sundry Provisions usually contained in 'Acts of Parliament authorizing the Construction of Gasworks for supplying Towns with Gas, 'and that as well for avoiding the Necessity of repeating such Provisions in each of the several Acts 'relating to such Undertakings as for ensuring greater Uniformity in the Provisions themselves:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall extend only to such Gasworks as shall be authorized by any Act of Parliament hereafter to be passed which shall declare that this Act shall be incorporated therewith, and all the Clauses of this Act, save so far as they shall be expressly varied or excepted by any such Act, shall apply to the Undertaking authorized thereby, so far as the same shall be applicable to such Undertaking, and shall, with the Clauses of every other Act which shall be incorporated therewith, form Part of such Act, and be construed therewith as forming One Act. Extent of Act.

And with respect to the Construction of this Act and any Act incorporated therewith, be it enacted as follows: Interpretations in this Act:

II. The Expression "the special Act," used in this Act, shall be construed to mean any Act which shall be hereafter passed authorizing the Construction of Gasworks, and with which this Act shall be so incorporated as aforesaid; and the Word "prescribed," used in this Act in reference to any Matter herein stated, shall be construed to refer to such Matter as the same shall be prescribed or provided for in the special Act, and the Sentence in which such Word occurs shall be construed as if, instead of the Word "prescribed," the Expression "prescribed for that Purpose in the special Act" had been used; and the Expression "the Lands" shall mean the Lands which shall by the special Act be authorized to be taken or used for the Purposes thereof; and the Expression "the Undertaking" shall mean the Gasworks and the Works connected therewith by the special Act authorized to be constructed; and the Expression "the Undertakers" shall mean the Persons by the special Act authorized to construct the Gasworks. "special Act:" "prescribed:" "the Lands:" "the Undertaking:" "the Undertakers."

III. The following Words and Expressions, in both this and the special Act, and any Act incorporated therewith, shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) Interpretations in this and the special Act:

Words importing the Singular Number only shall include the Plural Number, and Words importing the Plural Number only shall include also the Singular Number: Number:

Words importing the Masculine Gender shall include Females: Gender:

The Word "Person" shall include Corporation, whether aggregate or sole: "Person:"

The Word "Lands" shall include Messuages, Lands, Tenements, and Hereditaments or Heritages of any Tenure: "Lands:"

The Word "Street" shall include any Square, Court, or Alley, Highway, Lane, Road, Thoroughfare, or public Passage or Place within the Limits of the special Act: "Street:"

The Expression "the Gasworks" shall mean the Gasworks and the Works connected therewith by the special Act authorized to be constructed: "the Gasworks:"

The Expression "Gas Rate" shall include any Rent, Reward, or Payment to be made to the Undertakers for a Supply of Gas: "Gas Rate:"

The

"Month:" The Word "Month" shall mean Calendar Month:

"Superior Courts:" The Expression "Superior Courts," where the Matter submitted to the Cognizance of the Superior Courts arises in *England* or *Ireland*, shall mean Her Majesty's Superior Courts of Record at *Westminster* or *Dublin*, as the Case may require, and shall include the Court of Common Pleas of the County Palatine of *Lancaster* and the Court of Pleas of the County of *Durham*; and where such Matter arises in *Scotland* it shall mean the Court of Session:

"Oath:" The Word "Oath" shall include Affirmation in the Case of Quakers, and any Declaration lawfully substituted for an Oath, in the Case of any other Persons allowed by Law to make a Declaration instead of taking an Oath:

"County:" The Word "County" shall include Riding or other Division of a County having a separate Commission of the Peace, and in *Scotland* Stewartry, and any Ward or other Division of a County or Stewartry having a separate Sheriff; and it shall also include County of a City or County of a Town:

"Justice;" "Two Justices:" The Word "Justice" shall mean Justice of the Peace acting for the Place where the Matter requiring the Cognizance of any such Justice arises; and where any Matter shall be authorized or required to be done by Two Justices, the Expression "Two Justices" shall be understood to mean Two or more Justices met and acting together:

"Sheriff:" The Word "Sheriff" shall mean the Sheriff Depute of the County or Ward of a County in *Scotland*, and the Steward Depute of the Stewartry in *Scotland* in which the Matter submitted to the Cognizance of the Sheriff arises, and shall include the Substitutes of such Sheriff Depute and Steward Depute respectively:

"Quarter Sessions." The Expression "Quarter Sessions" shall mean Quarter Sessions as defined in the special Act; and if such Expression be not there defined it shall mean the Court of General or Quarter Sessions of the Peace which shall be held at the Place nearest to the Gasworks, or the principal Office thereof, for the County or Place in which the Gasworks are situate, or for some Division of such County having a separate Commission of the Peace:

Citing the Act.

And with respect to citing this Act or any Part thereof, be it enacted as follows:

Short Title of the Act.

IV. In citing this Act in other Acts of Parliament and in legal Instruments it shall be enough to use the Expression "The Gasworks Clauses Act, 1847."

Form in which Portions of this Act may be incorporated in other Acts.

V. For the Purpose of incorporating Part only of this Act with any Act hereafter to be passed, it shall be enough to describe the Clauses of this Act with respect to any Matter in the Words introductory to the Enactment with respect to such Matter, and to enact that the Clauses so described, or that this Act, with the Exception of the Clauses so described, shall be incorporated with such Act, and thereupon all the Clauses of this Act so incorporated shall, save so far as they are expressly varied or excepted by such Act, form Part of such Act; and such Act shall be construed as if such Clauses were set forth therein with reference to the Matter to which such Act relates.

Laying of Pipes.

And with respect to the breaking up of Streets for the Purpose of laying Pipes, be it enacted as follows:

Power to break up Streets, &c. under Superintendence, and to open Drains.

VI. The Undertakers, under such Superintendence as is herein-after specified, may open and break up the Soil and Pavement of the several Streets and Bridges within the Limits of the special Act, and may open and break up any Sewers, Drains, or Tunnels within or under such Streets and Bridges, and lay down and place within the same Limits Pipes, Conduits, Service Pipes, and other Works, and from Time to Time repair, alter, or remove the same, and also make any Sewers that may be necessary for carrying off the Washings and waste Liquids which may arise in the making of the Gas, and for the Purposes aforesaid may remove and use all Earth and Materials in and under such Streets and Bridges, and they may in such Streets erect any Pillars, Lamps, and other Works, and do all other Acts which the Undertakers shall from Time to Time deem necessary for supplying Gas to the Inhabitants of the District included within the said Limits, doing as little Damage as may be in the Execution of the Powers hereby or by the special Act granted, and making Compensation for any Damage which may be done in the Execution of such Powers.

Not to enter on private Land without Consent.

VII. Provided always, That nothing herein shall authorize or empower the Undertakers to lay down or place any Pipe or other Works into, through, or against any Building, or in any Land not dedicated to public Use, without the Consent of the Owners and Occupiers thereof; except that the Undertakers may at any Time enter upon and lay or place any new Pipe in the Place of an existing Pipe in any Land wherein any Pipe hath been already lawfully laid down or placed in pursuance of this or the special Act or any other Act of Parliament, and may repair or alter any Pipe so laid down.

Notice to be served on Persons having Control, &c. before breaking up Streets or opening Drains.

VIII. Before the Undertakers proceed to open or break up any Street, Bridge, Sewer, Drain, or Tunnel, they shall give to the Persons under whose Control or Management the same may be, or to their Clerk, Surveyor, or other Officer, Notice in Writing of their Intention to open or break up the same, not less than Three clear Days before beginning such Work, except in Cases of Emergency arising from Defects in any of the Pipes or other Works, and then so soon as is possible after the beginning of the Work, or the Necessity for the same shall have arisen.

Streets or Drains not to be broken up, except under Superinten-

IX. No such Street, Bridge, Sewer, Drain, or Tunnel shall, except in the Cases of Emergency aforesaid, be opened or broken up except under the Superintendence of the Persons having the Control or Management thereof, or of their Officer, and according to such Plan as shall be approved of by such Persons or their Officer, or in case of any Difference respecting such Plan, then according to such Plan

as

as shall be determined by Two Justices; and such Justices may, on the Application of the Persons having the Control or Management of any such Sewer or Drain, or their Officer, require the Undertakers to make such temporary or other Works as they may think necessary for guarding against any Interruption of the Drainage during the Execution of any Works which interfere with any such Sewer or Drain: Provided always, that if the Persons having such Control or Management as aforesaid, and their Officer, fail to attend at the Time fixed for the Opening of any such Street, Bridge, Sewer, Drain, or Tunnel, after having had such Notice of the Undertakers Intention as aforesaid, or shall not propose any Plan for breaking up or opening the same, or shall refuse or neglect to superintend the Operation, the Undertakers may perform the Work specified in such Notice without the Superintendence of such Persons or their Officer.

dence of Persons having Control of the same.

If Persons having the Control, &c. fail to superintend, Undertakers may proceed without them.

X. When the Undertakers open or break up the Road or Pavement of any Street or Bridge, or any Sewer, Drain, or Tunnel, they shall with all convenient Speed complete the Work for which the same shall be broken up, and fill in the Ground, and reinstate and make good the Road or Pavement, or the Sewer, Drain, or Tunnel, so opened or broken up, and carry away the Rubbish occasioned thereby, and shall at all Times, whilst any such Road or Pavement shall be so opened or broken up, cause the same to be fenced and guarded, and shall cause a Light sufficient for the warning of Passengers to be set up and maintained against or near such Road or Pavement where the same shall be open or broken up, every Night during which the same shall be continued open or broken up, and shall keep the Road or Pavement which has been so broken up in good Repair for Three Months after replacing and making good the same, and for such further Time, if any, not being more than Twelve Months in the whole, as the Soil so broken up shall continue to subside.

Streets, &c. broken up to be reinstated without Delay.

XI. If the Undertakers open or break up any Street or Bridge, or any Sewer, Drain, or Tunnel, without giving such Notice as aforesaid, or in a Manner different from that which shall have been approved of or determined as aforesaid, or without making such temporary or other Works as aforesaid when so required, except in the Cases in which the Undertakers are hereby authorized to perform such Works without any Superintendence or Notice, or if the Undertakers make any Delay in completing any such Work, or in filling in the Ground, or reinstating and making good the Road or Pavement, or the Sewer, Drain, or Tunnel so opened or broken up, or in carrying away the Rubbish occasioned thereby, or if they neglect to cause the Place where such Road or Pavement has been broken up to be fenced, guarded, and lighted, or neglect to keep the Road or Pavement in repair for the Space of Three Months next after the same is made good, or such further Time as aforesaid, they shall forfeit to the Persons having the Control or Management of the Street, Bridge, Sewer, Drain, or Tunnel, in respect of which such Default is made, a Sum not exceeding Five Pounds for every such Offence, and they shall forfeit an additional Sum of Five Pounds for each Day during which any such Delay as aforesaid shall continue after they shall have received Notice thereof.

Penalty for Delay in reinstating Streets, &c.

XII. If any such Delay or Omission as aforesaid take place, the Persons having the Control or Management of the Street, Bridge, Sewer, Drain, or Tunnel in respect of which such Delay or Omission shall take place, may cause the Work so delayed or omitted to be executed, and the Expence of executing the same shall be repaid to such Persons by the Undertakers; and such Expences may be recovered in the same Manner as Damages are recoverable under this or the special Act.

In case of Delay, other Parties may reinstate, and recover the Expences.

Supply of Gas.

And with respect to the Supply of Gas, and the Recovery of the Rent to be paid for the same, be it enacted as follows:

XIII. The Undertakers may from Time to Time enter into any Contract with any Person for lighting or supplying with Gas any public or private Building, or for providing any Person with Pipes, Burners, Meters, and Lamps, and for the Repair thereof; and may also from Time to Time enter into any Contract with the Commissioners, Trustees, or other Persons having the Control of the Streets within the Limits of the special Act for lighting the same or any of them with Gas, and for providing such Commissioners, Trustees, or Persons with Lamps, Lamp Posts, Burners, and Pipes for such Purpose, and for the Repairs thereof, in such Manner and upon such Terms as shall be agreed upon between the Undertakers and the said Commissioners, Trustees, or other Persons.

Power of the Company to contract for lighting Streets, &c.

XIV. The Undertakers may let for Hire any Meter for ascertaining the Quantity of Gas consumed or supplied, and any Fittings for the Gas, for such Remuneration in Money as shall be agreed upon between the Undertakers and any Person to whom the same may be so let, and such Remuneration shall be recoverable in the same Manner as the Rents or Sums due to the Undertakers for Gas; and such Meters and Fittings shall not be subject to Distress or to the Landlord's Hypothec for Rent of the Premises where the same may be used, nor to be taken in execution under any Process of a Court of Law or Equity, or any Fiat or Sequestration in Bankruptcy against the Person in whose Possession the same may be.

Power to Undertakers to let Meters.

Meters not liable to Distraint for Rent, &c.

XV. The Clerk, Engineer, or other Officer duly appointed for the Purpose by the Undertakers may at all reasonable Times enter any Building or Place lighted with Gas supplied by the Undertakers, in order to inspect the Meters, Fittings, and Works for regulating the Supply of Gas, and for the Purpose of ascertaining the Quantity of Gas consumed or supplied; and if any Person hinder such Officer as aforesaid from entering and making such Inspection as aforesaid at any reasonable Time, he shall for every such Offence forfeit to the Undertakers a Sum not exceeding Five Pounds.

Undertakers may enter Buildings for ascertaining Quantities of Gas consumed.

XVI. If any Person supplied with Gas by virtue of this or the special Act neglect to pay the Rent due for the same to the Undertakers, the Undertakers may stop the Gas from entering the Premises of such

Recovery of Rents due for Gas.

Supply of Gas.

such Person, by cutting off the Service Pipe, or by such Means as the Undertakers shall think fit, and recover the Rent due from such Person, if less than Twenty Pounds, together with the Expence of cutting off the Gas, and the Costs of recovering the Rent, in the same Manner as any Damages for the Recovery of which no special Provision is made are recoverable under this or the special Act, or if the Rent so due amount to Twenty Pounds or upwards, the Undertakers may recover the same, together with the Expences of cutting off the Gas, by Action in any Court of competent Jurisdiction.

Power to take away Pipes, &c. when Supply of Gas discontinued.

XVII. In all Cases in which the Undertakers are authorized to cut off and take away the Supply of Gas from any House or Building or Premises, under the Provisions of this or the special Act, the Undertakers, their Agents or Workmen, after giving Twenty-four Hours previous Notice to the Occupier, may enter into any such House, Building, or Premises, between the Hours of Nine in the Forenoon and Four in the Afternoon, and remove and carry away any Pipe, Meter, Fittings, or other Works the Property of the Undertakers.

Undue Use of Gas.

And with respect to Waste or Misuse of the Gas, or Injury to the Pipes and other Works, be it enacted as follows:

Penalty for fraudulently using the Gas of the Undertakers.

XVIII. Every Person who shall lay or cause to be laid any Pipe to communicate with any Pipe belonging to the Undertakers without their Consent, or shall fraudulently injure any such Meter as aforesaid, or who, in case the Gas supplied by the Undertakers is not ascertained by Meter, shall use any Burner other than such as has been provided or approved of by the Undertakers, or of larger Dimensions than he has contracted to pay for, or shall keep the Lights burning for a longer Time than he has contracted to pay for, or who shall otherwise improperly use or burn such Gas, or shall supply any other Person with any Part of the Gas supplied to him by the Undertakers, shall forfeit to the Undertakers the Sum of Five Pounds for every such Offence, and also the Sum of Forty Shillings for every Day such Pipe shall so remain, or such Works or Burner shall be so used, or such Excess be so committed or continued, or such Supply furnished; and the Undertakers may take off the Gas from the House and Premises of the Person so offending, notwithstanding any Contract which may have been previously entered into.

Penalty for wilfully damaging Pipes.

XIX. Every Person who shall wilfully remove, destroy, or damage any Pipe, Pillar, Post, Plug, Lamp, or other Work of the Undertakers for supplying Gas, or who shall wilfully extinguish any of the public Lamps or Lights, or waste or improperly use any of the Gas supplied by the Undertakers, shall for each such Offence forfeit to the Undertakers any Sum not exceeding Five Pounds, in addition to the Amount of the Damage done.

Satisfaction for accidentally damaging Pipes.

XX. Every Person who shall carelessly or accidentally break, throw down, or damage any Pipe, Pillar, or Lamp belonging to the Undertakers, or under their Control, shall pay such Sum of Money by way of Satisfaction to the Undertakers for the Damage done, not exceeding Five Pounds, as any Two Justices or the Sheriff shall think reasonable.

Nuisance from Gas.

And with respect to the Provision for guarding against fouling Water, or other Nuisance from the Gas, be it enacted as follows:

Penalty on Undertakers for causing Water to be corrupted.

XXI. If the Undertakers shall at any Time cause or suffer to be brought or to flow into any Stream, Reservoir, or Aqueduct, Pond or Place for Water, or into any Drain communicating therewith, any Washing or other Substance produced in making or supplying Gas, or shall wilfully do any Act connected with the making or supplying of Gas whereby the Water in any such Stream, Reservoir, Aqueduct, Pond or Place for Water shall be fouled, the Undertakers shall forfeit for every such Offence the Sum of Two hundred Pounds.

Penalty to be sued for in Superior Court within Six Months.

XXII. The said Penalty of Two hundred Pounds shall be recovered, with full Costs of Suit, in any of the Superior Courts, by the Person into whose Water such Washing or other Substance shall be conveyed or shall flow, or whose Water shall be fouled by any such Act as aforesaid; but such Penalty shall not be recoverable unless it be sued for during the Continuance of the Offence, or within Six Months after it shall have ceased.

Daily Penalty during the Continuance of the Offence.

XXIII. In addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall have been recovered or not) the Undertakers shall forfeit the Sum of Twenty Pounds (to be recovered in the like Manner) for each Day during which such Washing or other Substance shall be brought or shall flow as aforesaid, or the Act by which such Water shall be fouled shall continue after the Expiration of Twenty-four Hours from the Time when Notice of the Offence shall have been served on the Undertakers by the Person into whose Water such Washing or other Substance shall be brought or shall flow, or whose Water shall be fouled thereby, and such Penalty shall be paid to such last-mentioned Person.

Daily Penalty during Escape of Gas after Notice.

XXIV. Whenever any Gas shall escape from any Pipe laid down or set up by or belonging to the Undertakers, they shall, immediately after receiving Notice thereof in Writing, prevent such Gas from escaping; and in case the Undertakers shall not within Twenty-four Hours next after Service of such Notice effectually prevent the Gas from escaping, and wholly remove the Cause of Complaint, they shall for every such Offence forfeit the Sum of Five Pounds for each Day during which the Gas shall be suffered to escape after the Expiration of Twenty-four Hours from the Service of such Notice.

Penalty if Water contaminated by Gas.

XXV. Whenever any Water within the Limits of the special Act shall be fouled by the Gas of the Undertakers, they shall forfeit to the Person whose Water shall be so fouled for every such Offence a Sum not exceeding Twenty Pounds, and a further Sum not exceeding Ten Pounds for each Day during which

which the Offence shall continue after the Expiration of Twenty-four Hours from the Service of Notice of such Offence.

Power to examine Gas Pipes, to ascertain Cause of Contamination, if Notice be given of the same.

XXVI. For the Purpose of ascertaining whether such Water be fouled by the Gas of the Undertakers the Person to whom the Water supposed to be fouled shall belong may dig up the Ground and examine the Pipes, Conduits, and Works of the Undertakers; provided that such Person, before proceeding so to dig and examine, shall give Twenty-four Hours Notice in Writing to the Undertakers of the Time at which such Digging and Examination is intended to take place, and shall give the like Notice to the Persons having the Control or Management of the Road, Pavement, or Place where such Digging is to take place; and they shall be subject to the like Obligation of reinstating the said Road and Pavement, and the same Penalties for Delay or any Nonfeasance or Misfeasance therein, as are hereinbefore provided with respect to Roads and Pavements broken up by the Undertakers for the Purpose of laying their Pipes.

Expences to abide Result of Examination.

XXVII. If, upon any such Examination, it appear that such Water has been fouled by any Gas belonging to the Undertakers, the Expences of the Digging, Examination, and Repair of the Street or Place disturbed in any such Examination shall be paid by the Undertakers; but if upon such Examination it appear that the Water has not been fouled by the Gas of the Undertakers, the Person causing such Examination to be made shall pay all such Expences, and shall also make good to the Undertakers any Injury which may be occasioned to their Works by such Examination.

How Expences to be ascertained.

XXVIII. The Amount of the Expences of every such Examination and Repair and of any Injury done to the Undertakers, shall, in case of any Dispute about the same, together with the Costs of ascertaining and recovering the same, be ascertained and recovered in the same Manner as Damages for the ascertaining and Recovery whereof no special Provision is made are to be ascertained and recovered.

No Exemption from Indictments.

XXIX. Nothing in this or the special Act contained shall prevent the Undertakers from being liable to an Indictment for Nuisance, or to any other legal Proceeding to which they may be liable, in consequence of making or supplying Gas.

Profits of the Company.

And with respect to the Amount of Profit to be received by the Undertakers when the Gasworks are carried on for their Benefit, be it enacted as follows:

Profits of the Company limited.

XXX. The Profits of the Undertaking to be divided amongst the Undertakers in any Year shall not exceed the prescribed Rate, or where no Rate is prescribed they shall not exceed the Rate of Ten Pounds in the Hundred by the Year on the paid-up Capital in the Undertaking, which in such Case shall be deemed the prescribed Rate, unless a larger Dividend be at any Time necessary to make up the Deficiency of any previous Dividend which shall have fallen short of the said yearly Rate.

If Profits exceed the Amount limited Excess to be invested, and form a reserved Fund.

XXXI. If the clear Profits of the Undertaking in any Year amount to a larger Sum than is sufficient, after making up the Deficiency in the Dividends of any previous Year as aforesaid, to make a Dividend at the prescribed Rate, the Excess beyond the Sum necessary for such Purpose shall from Time to Time be invested in Government or other Securities; and the Dividends and Interest arising from such Securities shall also be invested in the same or like Securities, in order that the same may accumulate at Compound Interest until the Fund so formed amounts to the prescribed Sum, or if no Sum be prescribed a Sum equal to One Tenth of the nominal Capital of the Undertakers, which Sum shall form a reserved Fund to answer any Deficiency which may at any Time happen in the Amount of divisible Profits, or to meet any extraordinary Claim or Demand which may at any Time arise against the Undertakers; and if such Fund be at any Time reduced, it may thereafter be again restored to the said Sum, and so from Time to Time as often as such Reduction shall happen.

Reserved Fund not to be resorted to unless for an extraordinary Claim.

XXXII. Provided always, That no Sum of Money shall be taken from the said Fund for the Purpose of meeting any extraordinary Claim, unless it be first certified in *England* or *Ireland* by Two Justices, and in *Scotland* by the Sheriff, that the Sum so proposed to be taken is required for the Purpose of meeting an extraordinary Claim within the Meaning of this or the special Act.

Application of Interest of reserved Fund.

XXXIII. When such Fund shall, by Accumulation or otherwise, amount to the prescribed Sum, or One Tenth of the nominal Capital of the Company, as the Case may be, the Interest and Dividends thereon shall no longer be invested, but shall be applied to any of the general Purposes of the Undertaking to which the Profits thereof are applicable.

Deficiency of Profits to be supplied from reserved Fund.

XXXIV. If in any Year the Profits of the Undertaking divisible amongst the Undertakers shall not amount to the prescribed Rate, such a Sum may be taken from the reserved Fund as, with the actual divisible Profits of such Year, will enable the Undertakers to make a Dividend of the Amount aforesaid, and so from Time to Time as often as the Occasion shall require.

If Profits are more than the Amount prescribed, a rateable Reduction to be made in the Price of Gas.

XXXV. In *England* or *Ireland* the Court of Quarter Sessions, and in *Scotland* the Sheriff, may, on the Petition of any Two Gas Rate-payers within the Limits of the special Act, nominate and appoint some Accountant or other competent Person, not being a Proprietor of any Gasworks, to examine and ascertain, at the Expence of the Undertakers (the Amount of such Expence to be determined by the said Court or Sheriff), the actual State and Condition of the Concerns of the Undertakers, and to make Report thereof to the said Court at the then present or some following Sessions or to the Sheriff; and the said Court or Sheriff may examine any Witnesses upon Oath touching the Truth of the said Accounts and the Matters therein referred to; and if it thereupon appear to the said Court or Sheriff that the Profits of the Undertakers for the preceding Year have exceeded the prescribed Rate, the Undertakers shall, in case the whole of the said reserved Fund has been and then remains invested as aforesaid, and in case Dividends to the Amount herein-before limited have been paid, make such a rateable Reduction in the

Profits of the Company.

Rate for Gas to be furnished by them as in the Judgment of the said Court or Sheriff shall be proper, but so as such Rates, when reduced, shall ensure to the Undertakers (regard being had to the Amount of Profit before received) a Profit as near as may be to the prescribed Rate.

Court may order Petitioner to pay Costs of groundless Petition.

XXXVI. Provided always, That if, in the Case of any Petition so presented, it appear to the said Court or Sheriff that there was no sufficient Ground for presenting the same, the said Court or Sheriff may, if they or he think fit, order the Petitioner to pay the whole or any Part of the Costs of or incident to such Petition (the Amount thereof to be determined by the said Court or Sheriff), and the Costs so ordered to be paid shall be recoverable in the same Way as Damages are recoverable under this or the special Act.

Penalty on Undertakers for refusing to produce Books, Vouchers, &c.

XXXVII. If the Undertakers shall, for Seven Days after being required to produce to the said Court or Sheriff, or to the said Accountant or other Person as aforesaid, any Books of Account or other Books, Bills, Receipts, Vouchers, or Papers relating to the pecuniary Affairs of the Undertakers refuse or neglect to produce such Books, Bills, Receipts, Vouchers, or Papers, they shall forfeit the Sum of One hundred Pounds for every such Refusal or wilful Neglect, and the further Sum of Ten Pounds for every Day such Refusal or wilful Neglect shall continue after the Expiration of the said Seven Days, such respective Penalties to be recovered by any Person who will sue for the same, with full Costs of Suit, in any of the Superior Courts.

Annual Account to be made up by Undertakers, and sent to the Clerk of the Peace in England or Ireland, or to the Sheriff Clerk in Scotland, and to be open to Inspection.

XXXVIII. And with respect to the yearly Receipt and Expenditure of the Undertakers, be it enacted, That the Undertakers shall, in each Year after they have begun to supply Gas under the Provisions of this or the special Act, cause an Account in abstract to be prepared of the total Receipts and Expenditure of all Rents or Funds levied under the Powers of this or the special Act for the Year preceding, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by the Chairman of the Undertakers, and also by the Auditors thereof, if any; and a Copy of such annual Account, if the Gasworks be situated in *England* or *Ireland*, shall be transmitted, free of Charge, to the Clerk of the Peace for the County in which the Gasworks are situate, and if the Gasworks be situated in *Scotland*, such Copy shall be transmitted, free of Charge as aforesaid, to the Sheriff Clerk of such County, and such Transmission shall be made on or before the Thirty-first Day of *January* in each Year, under a Penalty of Twenty Pounds for each Default; and the Copy of such Account so sent to the said Clerk of the Peace or Sheriff Clerk shall be kept by him, and shall be open to Inspection by all Persons at all seasonable Hours, on Payment of One Shilling for each Inspection.

Tender of Amends.

XXXIX. And with respect to Tender of Amends, be it enacted, That if any Person shall have committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this or the special Act, or any Act incorporated therewith, or by virtue of any Power or Authority thereby given, and if before Action brought in respect thereof such Person make Tender of sufficient Amends to the Party injured, such last-mentioned Party shall not recover in any such Action; and if no such Tender have been made the Defendant may, by Leave of the Court where such Action is pending, at any Time before Issue joined, pay into Court such Sum of Money as he thinks fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Recovery of Damages and Penalties.

And with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices or to the Sheriff, be it enacted as follows:

The Railways Clauses Consolidation Act, 1845, as to Damages, &c. to be incorporated with this and the special Act.

XL. If the Gasworks be in *England* or *Ireland*, the Clauses of the Railways Clauses Consolidation Act, 1845, with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices, shall be incorporated with this and the special Act; and if the Gasworks be in *Scotland*, the Clauses of the Railways Clauses Consolidation Act (*Scotland*), 1845, with respect to the Recovery of Damages not specially provided for, and to the Determination of any other Matter referred to the Sheriff or to Justices, shall be incorporated with this and the special Act, and such Clauses shall apply to the Gasworks and to the Undertakers respectively, and shall be construed as if the Word "Undertakers" had been inserted instead therein of the Word "Company."

In Ireland Part of Penalties to be paid to Guardians of Unions.

XLI. Provided always, That in *Ireland*, in the Case of any Penalty imposed by Justices, where the Application is not otherwise provided for, such Justices may award not more than One Half of such Penalty to the Informer, and shall award the Remainder to the Guardians of the Poor of the Union within which the Offence shall have been committed, to be applied in aid of the Poor Rates of such Union.

One Magistrate in England or Ireland, and the Sheriff in Scotland, may act for Two Justices.

XLII. All Things herein, or in the special Act or any Act incorporated therewith, authorized or required to be done by Two Justices, may and shall be done in *England* and *Ireland* by any One Magistrate having by Law Authority to act alone for any Purpose with the Powers of Two or more Justices, and in *Scotland* by the Sheriff or Steward of any County, Stewartry, or Ward, or his Substitute.

Penalties, &c. imposed in respect of Offences committed within the Metropolitan Police District to be paid to

XLIII. Every Penalty or Forfeiture imposed by this or the special Act or any Act incorporated therewith, or by any Bye Law in pursuance thereof, in respect of any Offence which shall take place within the Metropolitan Police District, shall be recovered, enforced, accounted for, and, except where the Application thereof is otherwise specially provided for, shall be paid to the Receiver of the Metropolitan Police District, and shall be applied in the same Manner as Penalties or Forfeitures other than Fines upon drunken Persons or upon Constables for Misconduct, or for Assaults upon Police Constables are directed to be recovered, enforced, accounted for, paid, and applied by an Act passed in the Third Year of

of the Reign of Her present Majesty, intituled *An Act for regulating the Police Courts in the Metropolis;* and every Order or Conviction of any of the Police Magistrates in respect of any such Forfeiture or Penalty shall be subject to the like Appeal, and upon the same Terms as is provided in respect of any Order or Conviction of any of the said Police Magistrates by the said last-mentioned Act; and every Magistrate by whom any Order or Conviction shall have been made shall have the same Power of binding over the Witnesses who shall have been examined; and such Witnesses shall be entitled to the same Allowance of Expences as they would have had or been entitled to in case the Order, Conviction, and Appeal had been made in pursuance of the Provisions of the said last-mentioned Act.

Receiver, and applied under 2 & 3 Vict. c. 71.

XLIV. Every Person who, upon any Examination upon Oath under the Provisions of this or the special Act, or any Act incorporated therewith, shall wilfully and corruptly give false Evidence, shall be liable to the Penalties of wilful and corrupt Perjury.

Persons giving false Evidence liable to Penalties of Perjury.

And with respect to Access to the special Act, be it enacted as follows:

Access to special Act.

XLV. The Undertakers shall at all Times, after the Expiration of Six Months after the passing of the special Act, keep in their principal Office of Business a Copy of the special Act, printed by the Printers to Her Majesty, or some of them, and shall also within the Space of such Six Months deposit in the Office of the Clerk of the Peace in *England* or *Ireland*, and of the Sheriff Clerk in *Scotland*, of the County in which the Undertaking is situated, a Copy of such special Act, so printed as aforesaid; and the said Clerk of the Peace and Sheriff Clerk shall receive, and they and the Undertakers respectively shall keep, the said Copies of the special Act, and shall permit all Persons interested to inspect the same, and make Extracts or Copies therefrom, in the like Manner, and upon the like Terms, and under the like Penalty for Default, as is provided in the Case of certain Plans and Sections by an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to compel Clerks of the Peace for Counties, and other Persons, to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.*

Copies of special Act to be kept by Undertakers in their Office, and deposited with the Clerks of the Peace, &c. and be open to Inspection.

7 W. 4. & 1 Vict. c. 83.

XLVI. If the Undertakers fail to keep or deposit, as herein-before mentioned, any of the said Copies of the special Act, they shall forfeit Twenty Pounds for every such Offence, and also Five Pounds for every Day afterwards during which such Copy shall be not so kept or deposited.

Penalty for failing to keep or deposit such Copies.

XLVII. And be it enacted, That nothing in this Act contained shall be deemed to exempt the Undertakers from the Provisions of an Act passed in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for better paving, improving, and regulating the Streets of the Metropolis, and removing and preventing Nuisances and Obstructions therein*, or from the Laws of Sewers for the Time being in force within Ten Miles from the *Royal Exchange* in the City of *London*.

Undertakers not exempt from 57 G. 3. c. xxix., or from the Laws regulating Sewers.

XLVIII. And be it enacted, That nothing in this or the special Act shall be deemed to extend to or affect any Act of Parliament relating to Her Majesty's Duties of Customs or Excise, or any other Revenue of the Crown, or to extend to or affect any Claim of Her Majesty in right of Her Crown or otherwise howsoever, or any Proceedings at Law or in Equity, by or on behalf of Her Majesty, in any Part of the United Kingdom of *Great Britain* and *Ireland*.

Nothing in this or the special Act to affect the Rights of the Crown.

XLIX. And be it enacted, That nothing herein or in the special Act contained shall be deemed to exempt the Undertakers from any general Act relating to Gasworks, or any Act for improving the sanatory Condition of Towns and populous Districts which may be passed in the same Session in which the special Act is passed, or any future Session of Parliament.

Undertakers not exempted from Provisions of any future general Act.

L. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

CAP. XVI.

An Act for consolidating in One Act certain Provisions usually contained in Acts with respect to the Constitution and Regulation of Bodies of Commissioners appointed for carrying on Undertakings of a public Nature. [23d *April* 1847.]

'WHEREAS it is expedient to comprise in One Act sundry Provisions usually contained in Acts of 'Parliament authorizing the Execution of Undertakings of a public Nature by Bodies of Commis-'sioners, Trustees, or other Persons, not being Joint Stock Companies, and that as well for avoiding the 'Necessity of repeating such Provisions in each of the several Acts relating to such Undertakings as 'for ensuring greater Uniformity in the Provisions themselves:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall extend only to such Undertakings or Commissioners as shall be authorized or constituted by any Act of Parliament hereafter to be passed, which shall declare that this Act shall be incorporated therewith; and all the Clauses of this Act, save so far as they shall be expressly varied or excepted by any such Act, shall apply to the Commissioners constituted by such Act and to the Undertaking for carrying on which such Commissioners shall be constituted, so far as the same shall be applicable thereto respectively; and such Clauses, with the Clauses of every other Act which shall be incorporated therewith, shall, save as aforesaid, form Part of such Act, and be construed therewith as forming One Act.

Extent of Act.

Interpretations in this Act:

And with respect to the Construction of this Act, and any Act incorporated therewith, be it enacted as follows:

"the special Act:" "prescribed:"

II. The Expression "the special Act" used in this Act shall be construed to mean any Act which shall be hereafter passed, constituting a Body of Commissioners as herein-after defined for the Purpose of carrying on any Undertaking, and with which this Act shall be incorporated; and the Word "prescribed" used in this Act, in reference to any Matter herein stated, shall be construed to refer to such Matter as the same shall be prescribed or provided for in the special Act; and the Sentence in which such Word occurs shall be construed as if, instead of the Word "prescribed," the Expression "prescribed for that Purpose in the special Act" had been used; and the Expression "the Undertaking" shall mean the Undertaking or Works, of whatever Nature, which shall by the special Act be authorized to be executed or carried on; and the Expression "the Commissioners" shall mean the Commissioners, Trustees, Undertakers, or other Persons or Body Corporate constituted by the special Act, or thereby intrusted with Powers for executing the Undertaking.

"the Undertaking:" "the Commissioners."

Interpretations in this and the special Act:

III. The following Words and Expressions, both in this and the special Act, and any Act incorporated therewith, shall have the several Meanings hereby assigned to them, unless there be something in the Subject or the Context repugnant to such Construction; (that is to say,)

Number: Words importing the Singular Number only shall include the Plural Number; and Words importing the Plural Number only shall include the Singular Number:

Gender: Words importing the Masculine Gender only shall include Females:

"Person:" The Word "Person" shall include a Corporation, whether aggregate or sole:

"Lands:" The Word "Lands" shall extend to Messuages, Lands, Tenements, and Hereditaments or Heritages of any Tenure:

"Month:" The Word "Month" shall mean Calendar Month:

"Superior Courts:" The Expression "Superior Courts," where the Matter submitted to the Cognizance of the Court arises in *England* or *Ireland*, shall mean Her Majesty's Superior Courts of Record at *Westminster* or *Dublin*, as the Case may require, and shall include the Court of Common Pleas of the County Palatine of *Lancaster* and the Court of Pleas of the County of *Durham*; and where such Matter arises in *Scotland* shall mean the Court of Session:

"Oath:" The Word "Oath" shall include Affirmation in the Case of Quakers, and any Declaration lawfully substituted for an Oath in the Case of any other Persons allowed by Law to make a Declaration instead of taking an Oath:

"County:" The Word "County" shall include Riding or other Division of a County having a separate Commission of the Peace, and in *Scotland* Stewartry, and any Ward or other Division of a County or Stewartry having a separate Sheriff, and it shall also include County of a City or County of a Town:

"Justice:" The Word "Justice" shall mean Justice of the Peace acting for the Place where the Matter requiring the Cognizance of any such Justice arises; and where any Matter is authorized or required to be done by Two Justices, the Expression "Two Justices" shall be understood to mean Two or more Justices met and acting together:

"Two Justices:"

"Sheriff:" The Word "Sheriff" shall mean the Sheriff Depute of the County or Ward of a County in *Scotland* and the Steward Depute of the Stewartry in *Scotland* in which any Matter submitted to the Cognizance of the Sheriff arises, and shall include the Substitutes of such Sheriff Depute and Steward Depute respectively:

"Quarter Sessions:" The Expression "Quarter Sessions" shall mean Quarter Sessions as defined in the special Act; and if such Expression be not there defined, it shall mean the General or Quarter Sessions of the Peace which shall be held at the Place nearest to the Undertaking for the County or Place in which the Undertaking, or the principal Office thereof, is situate, or for some Division of such County having a separate Commission of the Peace:

"Clerk:" The Expression "the Clerk" shall mean the Clerk of the Commissioners, and shall include the Word "Secretary:"

"the Town." The Expression "the Town" shall mean the Town or District named in the special Act within which the Powers of the Commissioners are to be exercised.

And with respect to citing this Act or any Part thereof, be it enacted as follows:

Short Title of this Act.

IV. In citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The Commissioners Clauses Act, 1847."

Form in which Portions of this Act may be incorporated with other Acts.

V. For the Purpose of incorporating Part only of this Act with any Act of Parliament hereafter to be passed, it shall be enough to describe the Clauses of this Act with respect to any Matter in the Words introductory to the Enactment with respect to such Matter, and to enact that the Clauses so described, or that this Act, with the Exception of the Clauses so described, shall be incorporated with such Act; and thereupon all the Clauses of this Act so incorporated shall, save so far as they are expressly varied or excepted by such Act, form Part of such Act, and such Act shall be construed as if such Clauses were set forth therein with reference to the Matter to which such Act relates.

Commissioners.

With respect to the Qualification of Commissioners, be it enacted as follows:

Joint Owners or Occupiers when qualified

VI. Where by the special Act the Qualification of the Commissioners is made to depend upon their being rated in respect of Property of a given Amount, then if Two or more Persons be jointly rated in respect of any Property, each of such Persons shall, subject to the Provisions herein and in the special Act

Act contained, be eligible to be chosen a Commissioner, provided the Property in respect of which such Persons are rated be of a rateable yearly Value, which, when divided by the Number of Persons so rated, will give to each a sufficient rateable yearly Value according to the Provisions of this and the special Act. eligible as Commissioners.

VII. The same Property shall not at the same Time give a Qualification as Commissioner to one Person as the Owner, and to another as the Occupier thereof. Same Property not to give Two Qualifications.

VIII. No Bankrupt or Insolvent, or Person not qualified as required by the special Act, shall be capable of being or continuing a Commissioner. No Bankrupt, &c. to be a Commissioner.

IX. Any Person who at any Time after his Appointment or Election as a Commissioner shall accept or continue to hold any Office or Place of Profit under the special Act, or be concerned or participate in any Manner in any Contract, or in the Profit thereof, or of any Work to be done under the Authority of such Act, shall thenceforth cease to be a Commissioner, and his Office shall thereupon become vacant. No Person holding Office or concerned in a Contract to be a Commissioner.

X. Provided always, That no Person being a Shareholder or Member of any Joint Stock Company established by Act of Parliament shall be prevented from acting as a Commissioner by reason of any Contract entered into between such Company and the Commissioners; but no such Commissioner, being a Member of such Company, shall vote on any Question relating to the Execution of this or the special Act in which such Company is interested. Shareholders in Companies not disqualified by reason of Contracts.

XI. A Person shall not be incapable of acting as a Justice of the Peace in the Execution of this or the special Act, with reference to the levying of any Penalty thereunder, by reason of his being a Commissioner. Commissioner may act as a Justice.

XII. No Person shall be capable of acting as a Commissioner, except in administering the Declaration herein-after mentioned, until he shall have made and signed, before One of the Commissioners, a Declaration to the Effect following: Declaration to be made by Commissioners before acting.

'I *A.B.* do solemnly declare, That I will faithfully and impartially, according to the best of my Skill and Judgment, execute all the Powers and Authorities reposed in me as a Commissioner, by virtue of the [*here name the special Act*], and also that I [*here set forth a Statement of the Possession of the Qualification required by the special Act in the Terms thereof*].'

XIII. Any Person who shall falsely or corruptly make and subscribe the Declaration aforesaid, knowing the same to be untrue in any material Particular, shall be deemed guilty of a Misdemeanor, or in *Scotland* shall be deemed guilty of Perjury. False Declaration a Misdemeanor.

XIV. Every Person elected or appointed a Commissioner shall, at the Meeting of Commissioners at which he first attends as a Commissioner, make and subscribe the Declaration herein required, and any Commissioner, whether he himself have made such Declaration or not, may administer such Declaration. Declaration to be taken at the First Meeting.

XV. Every Person who shall act as a Commissioner, being incapacitated or not duly qualified to act, or before he has made or subscribed such Declaration as aforesaid, or after having become disqualified, shall for every such Offence be liable to a Penalty of Fifty Pounds; and such Penalty may be recovered by any Person, with full Costs of Suit, in any of the Superior Courts; and in every such Action the Person sued shall prove that at the Time of so acting he was qualified, and had made and subscribed the Declaration aforesaid, or he shall pay the said Penalty and Costs without any other Evidence being required from the Plaintiff than that such Person had acted as a Commissioner in the Execution of this or the special Act; nevertheless all Acts as a Commissioner of any Person incapacitated, or not duly qualified, or not having made or subscribed the Declaration aforesaid, done previously to the Recovery of the Penalty, shall be as valid as if such Person had been duly qualified. Penalty on Commissioner, not being qualified, acting.

XVI. Every Commissioner who for the Space of Six Months after his Appointment neglects to make and subscribe the Declaration herein-before required, or who for Six Months in succession is absent from all Meetings of the Commissioners, and to act in the Execution of this and the special Act, shall be deemed to have refused to act, and shall cease to be a Commissioner. Commissioners neglecting to act to cease to be one.

Election and Rotation of Commissioners.

And with respect to the Election and Rotation of the Commissioners, where the Commissioners are to be elected by the Rate-payers or other like Class of Electors, be it enacted as follows:

XVII. Where by the special Act it is provided that the Commissioners shall be elected by the Rate-payers within the Town, or other like Class of Electors, the first Body of Commissioners, whether appointed by the special Act, or elected under the Provisions of this and the special Act, shall go out of Office according to the prescribed Rotation, and at the prescribed Times, and where no Rotation or Time of going out of Office is prescribed they shall go out of Office by Rotation in the following Manner, (that is to say,) on the first *Thursday* in the Month of *September* in the Year following that in which the special Act is passed One Third of such Body of Commissioners shall go out of Office, and on the first *Thursday* in *September* in the following Year another Third of such Body of Commissioners shall go out of Office, and on the first *Thursday* in *September* in the Year following the Remainder of such Body of Commissioners shall go out of Office, and on the first *Thursday* in the Month of *September* in every subsequent Year One Third of the Commissioners, being those who have been longest in Office, shall go out of Office; and in each Instance the Places of the retiring Commissioners shall be supplied by the Election of a like Number of Commissioners in the Manner herein or in the special Act provided: Provided always, that if the prescribed Number of Commissioners be some Number not divisible by Three, and the Number of Commissioners to retire be not prescribed, the Commissioners shall in each Case determine what Number of Commissioners, as nearly One Third as may be, shall go out of Office, so that no Commissioner shall remain in Office longer than Three Years without being re-elected. One Third of Commissioners elected by Rate-payers and Owners to go out of Office every Three Years.

XVIII. Every

Commissioners eligible to be re-elected.

XVIII. Every Commissioner going out of Office by Rotation, or otherwise ceasing to be a Commissioner, may be re-elected, and after such Re-election he shall, with reference to going out by Rotation, be considered as a new Commissioner.

Mode of supplying occasional Vacancies.

XIX. If any of the Commissioners die or resign, or be disqualified, or cease to be a Commissioner from any other Cause than that of going out of Office by Rotation, the remaining Commissioners, if they think fit, may, within One Month from the happening of such Vacancy, elect another Commissioner in his Place; and every Commissioner so elected shall continue in Office only so long as the Person in whose Place he is elected would have been entitled to continue in Office.

Manner of making the Rotation List.

XX. In order to determine the Rotation by which such first Body of Commissioners shall go out of Office, the Commissioners shall within One Month after the passing of the special Act (or after the first Election of Commissioners, as the Case may be,) meet at some convenient Place for the Purpose of forming a Rotation List; and at such Meeting the Clerk, or some Person to be then appointed for that Purpose by the Commissioners shall write the Names of all the Commissioners on separate Slips of Paper, all as nearly as may be of equal Size, and having folded them up in the same Manner he shall put them into a Balloting Box, and shall, in the Presence of the Meeting, draw out such Slips of Paper in succession, and the Names upon the Slips so drawn shall be written by the Clerk or other Person in a List, in the Order in which they are drawn, or where the Commissioners are elected for Wards or other Electoral Divisions of the Town (and which Electoral Divisions are herein-after called Wards) in as many Lists as there are Wards or Electoral Divisions, and in the Order aforesaid, each List containing the Names of the Commissioners for One such Ward or Electoral Division only, and every such List shall be kept by the Clerk among the Papers of the Commissioners, and the Names therein shall be numbered consecutively, and the Commissioners shall retire from Office in the Order in which their Names appear on such List or Lists, as the Case may be, in the Proportions herein-before or in the special Act mentioned.

Annual Meeting for Election of Commissioners.

XXI. For the Purpose of electing Commissioners from Time to Time in the Place of those who go out by Rotation, a Meeting of the Persons entitled to vote at such Election shall be held at the prescribed Place, and if no Place be prescribed at the principal Office of the Commissioners, on the prescribed Day, or if no Day be prescribed on the first *Thursday* in the Month of *September* in the Year following that in which the special Act is passed, and on the first *Thursday* in *September* in each succeeding Year, or if the Commissioners are to be elected for Wards, a Meeting of the Persons entitled to vote in each Ward shall on the same Day be held at some Place to be appointed by the Commissioners, of which Meetings, and the Time and Place of holding the same, public Notice shall be given by the Clerk by Advertisement, and also by Placards affixed on the principal Doors of the Parish Churches or other public Places in the Town Seven clear Days at the least before the Day of Election, and at such Meeting or Meetings the Election of Commissioners shall take place as herein-after mentioned.

Returning Officer at Elections.

XXII. Where the Appointment of the Returning Officer to act at the Election of Commissioners is not provided for by the special Act, the Chairman of the Commissioners shall be the Returning Officer; and if the Commissioners are to be elected for Wards, the said Chairman shall act as the presiding Officer at the Election for the Ward for which he was elected a Commissioner, and he shall appoint some other Commissioner for each of the other Wards to be the presiding Officer at the Election for such Ward, and in case of the Death of any such presiding Officer, or of his declining or becoming incapable to act, the Commissioners shall appoint another of their Body to be the presiding Officer in the Place of the Person so dying or declining, or becoming incapable to act, and the Clerk to the Commissioners shall, Two Days at least before each Election, by Advertisement, Placards, or otherwise, give public Notice of every such Appointment.

Returning Officer to appoint Poll Clerks.

XXIII. At every such Election of Commissioners the Commissioners shall cause to be printed a sufficient Number of Voting Papers in blank, in the Form given in the Schedule (A.) to this Act annexed, or to the like Effect, and shall furnish them to the Returning Officer for the Use of the Voters; and if it appear to the Returning Officer at any Election expedient so to do, he may cause Booths to be erected, or Rooms to be hired and used as Booths, for taking the Poll at such Election, and he shall in such Case appoint a Clerk to take the Poll at each Booth, and shall cause to be affixed on the most conspicuous Part thereof the Name of the Ward or District for which such Booth is provided; and public Notice of every Election, and of the Situation of the different Polling Places, and of the Place where Voting Papers may be procured by Electors, shall be given by the Returning Officer Two Days at least before the Commencement of the Poll.

Scale of Votes of Owners and Occupiers.

XXIV. Where by the special Act the Owners of Property and Rate-payers are entitled to vote in the Election of Commissioners, and no Scale of Voting is prescribed, every such Owner and Rate-payer shall have respectively the same Number and Proportion of Votes according to the Scale following; (that is to say,)

If the Property in respect of which he is entitled to vote be rated upon a rateable Value of less than Fifty Pounds, he shall have One Vote:

If such rateable Value amount to Fifty Pounds and be less than One hundred Pounds, he shall have Two Votes:

If it amount to One hundred Pounds and be less than One hundred and fifty Pounds, he shall have Three Votes:

If it amount to One hundred and fifty Pounds and be less than Two hundred Pounds, he shall have Four Votes:

If

If it amount to Two hundred Pounds and be less than Two hundred and fifty Pounds, he shall have Five Votes:

And if it amount to or exceed Two hundred and fifty Pounds, he shall have Six Votes.

Election and Rotation of Commissioners.

XXV. Where by the special Act the Commissioners are directed to be elected for Wards, every Person entitled to vote in the Election of Commissioners shall vote for Commissioners for that Ward only wherein the Property or Part thereof in respect of which his Name appears in the Rate Book is situate; and if any Person be rated in respect of Property situate in more than One Ward, he may vote for Commissioners for any One of such Wards, but having so voted he shall not afterwards, at the same Election, vote for a Commissioner for any other Ward; and any Vote so afterwards given by him shall be void.

Electors to vote in Ward where their Property Qualification is situate, but not to vote for more than One Ward.

XXVI. Before any such Election of Commissioners the Commissioners, if they think it necessary for enabling the Returning Officer to take the Poll conveniently at such Election, may cause an alphabetical List to be made out of the Names of the Persons entitled to vote at such Election as they appear in the Rates made for the Purposes of the special Act, and they shall deliver to the Returning Officer for the Time being a sufficient Number of Copies of the List so prepared, to enable the Returning Officer to take the Poll at the Election, and they may defray the Expence of making such List and Copies out of the Rates payable to them under the special Act.

Commissioners may cause alphabetical List of Voters to be made, and may defray the Expence out of the Rates.

XXVII. If the Qualification of the Electors of the Commissioners depend upon the Rates payable by such Electors, the Returning Officer may summon the Overseers or Inspectors of the Poor, Collectors, and other Officers employed in the Assessment or Collection of the Rates, to attend the Election in order to assist in ascertaining that the Persons presenting themselves to vote, or who have voted, are or were duly qualified to vote at such Election; and such Overseers or Inspectors, Rate Collectors, or other Officers shall attend with the Rates and such other Documents necessary for the Purpose aforesaid as may be in their Custody or Power, at such Places and at such Times as the Returning Officer may direct, and shall answer all such Questions as any presiding Officer at the Poll shall put to them respecting the Title of any Person to vote at the Election; and any Overseer or Inspector, Rate Collector, or other Officer who shall wilfully neglect or fail to perform the Duties hereby imposed upon him, shall for such Neglect or Failure be liable to a Penalty not exceeding Twenty Pounds.

Returning Officer may summon Rate Collector, &c. to attend the Election.

Penalty on Rate Collector, &c. for Neglect.

XXVIII. At every such Election of Commissioners the voting shall commence at Nine of the Clock in the Forenoon of the Day fixed for the Election as aforesaid, and shall finally close at Four of the Clock in the Afternoon of the same Day (unless in case of Riot or Obstruction), and shall be conducted in manner following; (that is to say,) every Person entitled to vote may vote for any Number of Persons having the prescribed Qualification (not exceeding the Number of Commissioners then to be chosen for the Town, or where the Commissioners are to be elected in Wards not exceeding the Number to be elected for the Ward in which such Person is entitled to vote) by delivering to the presiding Officer at the Poll a Voting Paper, containing a Description of his Qualification to vote, in the Form contained in Schedule (A.) to this Act annexed, or to the like Effect, and also the Names of the Persons for whom he votes, such Paper being previously signed with the Name of the Person voting, and the Poll Clerk shall thereupon openly record such Vote in the Poll Book, and the Voting Paper shall be carefully preserved by the presiding Officer; and the presiding Officer shall, if he thinks fit, or if he be required so to do by any Person entitled to vote at the said Election, put to any Voter at the Time of his delivering in his Voting Paper the following Questions, or either of them:

Mode of voting at Elections.

1. Are you the Person assessed as *A.B.*, on the [ ] Rate [*specifying the Rate which confers the Right to vote*] in respect of Property described to be situated in [*here specify the Street, &c. as described in the Rate*]?

Or, if the Voter claim to vote as the Owner of the Property,

Are you the Person described as the Owner of the Property mentioned in [ ] Rate [*specifying the Rate*] and described as being situated in [*here specify the Street, &c. as described in the Rate*]?

2. Have you already voted at the present Election? [*or, if the Town be divided into Wards,*] Have you already voted for Commissioners to be elected for this or any other Ward at the present Election?

And no Person required to answer either of the said Questions shall be permitted or qualified to vote until he has answered the same; and if any Person wilfully make a false Answer to either of the Questions aforesaid he shall be deemed guilty of a Misdemeanor, or in *Scotland* shall be deemed guilty of Perjury.

Close of Poll if no Voting Paper tendered for an Hour.

XXIX. The presiding Officer, at any Place of voting, may close the voting or Poll at any Time before Four of the Clock, if One Hour have elapsed during which no Voting Paper has been tendered at such Place of voting.

Returning Officer to examine Poll Books and declare the Poll.

XXX. After the Close of the Poll the Returning Officer, or where the Commissioners are elected for Wards the presiding Officer in each Ward, shall examine the Poll Books, and, if necessary, compare the Entries therein with the Rate Book and with the Voting Papers so delivered as aforesaid for the Purpose of ascertaining the Number of Votes given for each Person; and so many of such Persons, being not more than the Number of Persons then to be chosen for the Town, or for each Ward, as the Case may be, and having the prescribed Qualification, as shall have the greatest Number of Votes shall be deemed to be elected; and in case of an Equality in the Number of Votes for any Two or more such Persons, the presiding Officer shall, if necessary to prevent an Excess in the Number of Commissioners, decide by Lot which of such Persons shall be elected; and the presiding Officer shall, not later than Two of the Clock

Election and Rotation of Commissioners.

Clock in the Afternoon of the Day next but one following the Day of such Election, unless such Day be *Sunday*, and then on the Day following, publish a List of the Names of the Persons so elected, and he shall also send a Notice to each Person so elected, informing him of his being elected a Commissioner.

Voting Papers to be open to Inspection for Six Months after each Election.

XXXI. Within Four Days after every Election the Returning Officer, or where the Commissioners are elected for Wards the presiding Officer in each Ward, shall cause the Voting Papers delivered as aforesaid to be arranged in alphabetical Order, and numbered according to the Names of the Voters, and shall deliver them, together with the Poll Books, to the Clerk to the Commissioners; and such Clerk shall, during Six Months at least after every such Election, keep such Voting Papers and Poll Books at his Office, and shall permit any Person to inspect the same on Payment of a Fee of One Shilling, and if such Clerk shall refuse or fail to allow such Inspection he shall for every such Refusal or Failure be liable to a Penalty of Ten Pounds.

Manner of proceeding if any Person is elected a Commissioner in more than One Ward.

XXXII. If any Person be elected a Commissioner in more than One Ward, he shall, within Three Days after Notice thereof, choose, or in default thereof the Commissioners at their next Meeting shall declare, for which One of the Wards such Commissioner shall serve, and he shall thereupon be held to be elected in that Ward only, which he shall so choose or which the Commissioners shall so declare, and shall cease to be a Commissioner for any other Ward.

If no Election on Day appointed, it may be made on a subsequent Day.

XXXIII. If from any Cause no Election take place on the Day appointed for the same, either for the Town or for any Ward, the Election shall stand adjourned until the same Day of the following Week, and the Returning Officer shall give not less than Three Days previous Notice thereof by Advertisement or by Placards, affixed in public Places in the Town; and in such Case the Commissioners who would on that Day have retired from Office by Rotation shall continue in Office until such adjourned Election takes place.

Election not to be void for Want of Title in presiding Officer.

XXXIV. No Election of Commissioners shall be liable to be questioned by reason only of any Defect in the Title, or any Want of Title, of the Person by or before whom such Election shall have been held; provided that such Person have been actually appointed to preside, or have been acting in the Office giving the Right to preside at such Election.

Expences of presiding Officer to be paid out of Rates levied.

XXXV. All Expences of or incident to any Election incurred by the Returning Officer or presiding Officer shall be repaid to them by the Commissioners out of the Monies arising from the Rates authorized to be levied for the Purposes of the special Act; and all Overseers and other parochial Officers or other Persons shall be in like Manner paid a reasonable Remuneration for Attendance at the Election, with Rate Books, and for any other Services performed in relation to such Election; and any Dispute respecting the Amount of such Expences and Remuneration shall be determined by a Justice, or by the Sheriff, who shall have Power also to fix the Costs attending such Determination, and to order by whom the same shall be paid.

Meetings of Commissioners.

And with respect to the Meetings and other Proceedings of the Commissioners, and their Liabilities, be it enacted as follows:

First Meeting of the Commissioners.

XXXVI. The Commissioners shall hold their first Meeting at the prescribed Time and Place, and if a Time or Place be not prescribed they shall hold their first Meeting at some convenient Place within the Limits of the special Act on the third *Wednesday* next after the Commencement thereof, or if the first Body of Commissioners be not named in the special Act, on the first *Wednesday* after the first Election of Commissioners, or as soon after such Periods respectively as conveniently may be, at the Hour of Ten of the Clock in the Forenoon, and shall proceed to put this and the special Act into execution.

Election of Chairmen of Meetings.

XXXVII. At the first Meeting of the Commissioners they shall, by the Majority of the Votes of the Commissioners present, elect One of their Body to be their Chairman until the next annual Meeting of the Commissioners, when, and at every subsequent annual Meeting, the Commissioners shall in like Manner elect a Chairman for the ensuing Year; and in case the Chairman die, or resign, or cease to be a Commissioner, or otherwise become disqualified to act as such, the Commissioners present at the Meeting next after the Occurrence of such Vacancy shall choose some other of their Body to fill such Vacancy, and the Chairman so elected shall continue in Office so long only as the Person in whose Place he was elected would have been entitled to continue Chairman; and if at any Meeting of the Commissioners the Chairman be not present, one of the Commissioners present shall be elected Chairman of such Meeting by the Majority of the Votes of the Commissioners present at such Meeting.

Manner of voting.

XXXVIII. At all Meetings of the Commissioners the Questions there considered shall be decided by the Votes of the Majority present, and if there be an equal Division of Votes upon any Question the Chairman or Commissioner acting as Chairman at such Meeting shall, in addition to his own Vote as a Commissioner, have a second or casting Vote; provided always, that if at any such Meeting there be an Equality of Votes in the Election of the Chairman, it shall be decided by Lot which of the Commissioners having an equal Number of Votes shall be the Chairman; provided also, that at every annual Meeting the Chairman going out of Office at that Meeting shall, if present and willing to act, be the Chairman of such Meeting.

Quorum of Commissioners.

XXXIX. All Powers vested in the Commissioners under this or the special Act may be exercised by the prescribed Number, and where no Number is prescribed by any Five or more of the Commissioners present at any Meeting holden in pursuance of this and the special Act, and no Business shall be transacted at any Meeting of the Commissioners unless the said Number of Commissioners be present.

XL. The

Commissioners to hold annual and monthly Meetings.

XL. The Commissioners shall hold an annual Meeting at the prescribed Time and Place, and if no Time or Place be prescribed then on the Third *Wednesday* in the Month of *June* in each Year, at a Place to be appointed by the Commissioners, and the first of such annual Meetings shall be held in the Year after that in which the special Act is passed; and they shall also hold monthly Meetings for the Transaction of general Business, and the said monthly Meetings shall be held at the Office of the Commissioners, on such Day and Hour in each Month as the Commissioners shall from Time to Time appoint, and when any such Appointment is made the Clerk shall give Notice thereof to each of the Commissioners, and they shall afterwards, until the Time or Place of such monthly Meetings is changed, and Notice of such Change given to the Commissioners, attend such monthly Meetings without Notice.

Meetings of Commissioners may be adjourned from Time to Time.

XLI. The Commissioners present at such first Meeting, or at any annual or monthly Meeting, or at any adjourned Meeting, may from Time to Time adjourn such Meeting to the same or any other Place within the Limits of the special Act, and if at any Meeting of the Commissioners there be not the prescribed Number, or where no Number is prescribed Five Commissioners, present within One Half Hour after the Time appointed for such Meeting, the Commissioners present, or the major Part of them, or any One Commissioner if only One be present, or their Clerk if no Commissioner be present, may adjourn such Meeting to another Day at the same or any other Place within the Limits of the special Act.

Monthly Meetings shall be held for transacting the ordinary Business.

XLII. The said monthly Meetings of the Commissioners shall be held for transacting the ordinary Business of the Commissioners under this or the special Act, and amongst the rest for appointing and removing the inferior Officers of the Commissioners, and superintending their Conduct, and for inquiring into the Conduct of the Contractors or other Persons employed by them to execute any Works, and into the State and Progress of such Works, and generally for giving such Directions from Time to Time as may be necessary for carrying into effect the Purposes of this and the special Act.

If extraordinary Business be transacted at monthly Meetings Notice to be given.

XLIII. Where any Business other than ordinary Business is required or intended to be transacted at any monthly Meeting, the Clerk shall give Notice thereof to each of the Commissioners, and no such extraordinary Business, nor any new Rules or Regulations, shall be adopted at the monthly Meetings unless due Notice thereof have been given at a prior Meeting, and sent to each Commissioner in the Manner required for special Meetings.

No Resolution of Commissioners to be revoked at a subsequent Meeting unless under certain Circumstances.

XLIV. No Resolution at any Meeting of the Commissioners shall be revoked or altered at any subsequent Meeting unless Notice of the Intention to propose such Revocation or Alteration be given by the Clerk to each of the Commissioners Seven Days at least before holding the Meeting, nor unless such Revocation or Alteration be determined upon by a Majority consisting of Two Thirds of the Commissioners present at such subsequent Meeting, if the Number of Commissioners present at such subsequent Meeting be not greater than the Number present when such Resolution was come to, or by a Majority if the Number of Commissioners present at such subsequent Meeting be greater than the Number present at such former Meeting.

As to holding special Meetings.

XLV. The Commissioners may hold special Meetings, and any Five or more of the Commissioners may require a special Meeting to be held, but no such Meeting shall be held unless Two clear Days Notice thereof at the least be given.

Notice to be given of Things to be done by the Commissioners by special Order only.

XLVI. Where by the special Act the Commissioners are empowered to do any thing by special Order only, they shall not do such thing unless the Resolution to do the same have been agreed to by the Commissioners in some Meeting whereof special Notice has been given, and have been confirmed in a subsequent Meeting held not sooner than Four Weeks after the preceding Meeting, and which subsequent Meeting has been advertised once at least in each of the Weeks intervening between the Two Meetings, and special Notice thereof given to each of the Commissioners.

How Notices of Meetings of Commissioners are to be given.

XLVII. All Notices of any Meeting of the Commissioners shall be in Writing or in Print, or partly in Writing and partly in Print, and shall be by the Clerk delivered or sent by the Post, or otherwise, to the usual Place of Abode or Place of Business, if any, within the Limits of the special Act, of each of the Commissioners Two clear Days at least previous to such Meeting, and every such Notice shall specify the Time and Place of Meeting, and in case of a special Meeting shall specify the Object thereof, and no Business shall be transacted at any special Meeting except such as is stated in the Notice thereof.

Expences of Meetings.

XLVIII. At all Meetings of the Commissioners they shall defray their own Expences, except what may be incurred for the Use of the Room in which the Meeting is held, and for Books, Stationery, and Fire.

Power to Commissioners to appoint Committees.

XLIX. The Commissioners may at any Meeting from Time to Time appoint Committees for any Purposes which in the Opinion of the Commissioners would be better regulated and managed by means of such Committee, and they may fix the Quorum of any such Committee, and may continue, alter, or discontinue such Committee.

Quorum of Committee.

L. Every Committee so appointed may meet from Time to Time, and may adjourn from Place to Place, as they may think proper, for carrying into effect the Purposes of their Appointment; but no Business shall be transacted at any Meeting of the Committee unless the Quorum of Members, if any, fixed by the Commissioners, and if no Quorum be fixed Three Members, be present, and at all Meetings of the Committee One of the Members present shall be appointed Chairman, and all Questions shall be determined by a Majority of the Votes of the Members present, and in case of an equal Division of Votes the Chairman shall have a casting Vote in addition to his Vote as a Member of the Committee.

Acts of Commissioners not to be invalidated by Vacancies.

LI. No Proceeding of the Commissioners or of any Committee shall be invalidated or be illegal in consequence only of there being any Vacancy in the Number of Commissioners at the Time of such Proceeding.

Informalities in Appointment of Commissioners not to invalidate Proceedings.

LII. All Proceedings of the Commissioners, or of a Committee of Commissioners, or of any Person acting as a Commissioner, shall, notwithstanding it be afterwards discovered that there was some Defect in the Appointment of any such Commissioners or Persons acting as aforesaid, or that they or any of them were disqualified, be as valid as if every such Person had been duly appointed and was qualified to be a Commissioner.

Commissioners may provide public Offices, &c.

LIII. The Commissioners may from Time to Time provide and maintain fit and convenient public Offices, together with all necessary and proper Furniture for the same, for holding the Meetings and transacting the Business of the Commissioners, and for the Use of their Officers, and for the holding of such public Meetings and transacting such public Business relating to the Town as the Commissioners shall, from Time to Time, under the Powers of this or the special Act, or any Act incorporated therewith, direct or allow to be held or transacted therein, and for such Purpose may purchase or hire any Lands or Buildings which the Commissioners think necessary from any Person willing to sell or let the same, or may cause any new Building to be erected upon any Land purchased or hired under the Provisions of this or the special Act, or otherwise belonging to the Commissioners.

Commissioners to provide daily Attendance at their Office to receive Notices, &c.

LIV. The Commissioners shall require their Clerk or some Person duly authorized by them in that Behalf, to attend at their Office daily, *Sundays*, *Christmas Days*, and *Good Fridays*, and Days appointed for General Fasts or Thanksgivings only excepted, for the Purpose of receiving Notices, and transacting the ordinary Business of the Commissioners, and due Notice of the Situation of the Office of the Commissioners, and of the Hours during which Attendance is given there, shall be published by the Commissioners within the Limits of the special Act, in such Manner that the same may be fully and generally known.

Proceedings to be entered in a Book, and, when signed, shall be received in Evidence.

LV. The Commissioners shall cause Entries of all the Proceedings of the Commissioners, and of every Committee appointed by them, with the Names of the Commissioners who shall attend each Meeting, to be duly made from Time to Time in Books to be provided for the Purpose, which shall be kept by the Clerk under the Superintendence of the Commissioners, and every such Entry shall be signed by the Chairman of the Meeting at which the Proceeding took place, and such Entry so signed shall be received as Evidence in all Courts, and before all Judges, Justices, and others, without Proof of such Meeting having been duly convened or held, or of the Persons attending such Meeting having been or being Commissioners or Members of Committees respectively, or of the Signature of the Chairman, or of the Fact of his having been Chairman, all of which last-mentioned Matters shall be presumed until the contrary is proved; and such Books shall at all reasonable Times be open to the Inspection of any of the Commissioners, and of any Mortgagee of the Rates or Property of the Commissioners.

Such Books to be open to Inspection.

Contracts.

And with respect to the Contracts to be entered into and the Deeds to be executed by the Commissioners, be it enacted as follows:

Power to Commissioners to enter into Contracts.

LVI. The Commissioners may enter into Contracts with any Persons for the Execution of any Works directed or authorized by this and the special Act to be done by the Commissioners, or for furnishing Materials, or for any other Things necessary for the Purposes of this or the special Act, and every such Contract for the Execution of any Work shall be in Writing, and shall specify the Work to be done, and the Materials to be furnished and the Price to be paid for the same, and the Time or Times within which the Work is to be completed, and the Penalties to be suffered in case of Nonperformance thereof, and the Power hereby granted to the Commissioners to enter into Contracts may lawfully be exercised as follows; (that is to say,)

Any Contract which if made between private Persons would be by Law required to be in Writing and under Seal, or in *Scotland* by a Probative Deed, the Commissioners may make in Writing and under their Common Seal, if they be incorporated, or if not incorporated under the Hands and Seals, or in *Scotland* under the Hands of the Commissioners or any Two of them, acting by the Direction and on behalf of the Commissioners, and in the same Manner may vary or discharge the same:

Any Contract which if made between private Persons would be by Law required to be in Writing and signed by the Parties to be charged therewith, the Commissioners may make in Writing, signed by the Commissioners or any Two of their Number acting by the Direction and on behalf of the Commissioners, and in the same Manner may vary or discharge the same:

Any Contract which if made between private Persons would by Law be valid, although made by Parol only and not reduced into Writing, the Commissioners, or any Two of them, acting by the Direction and on behalf of the Commissioners, may make by Parol only, without Writing, and in the same Manner may vary or discharge the same:

And all Contracts made according to the Provisions herein contained, being duly executed by the Persons contracting to perform the Works therein comprised respectively, shall be effectual in Law, and shall be binding on the Commissioners, and all other Parties thereto, their Successors, Heirs, Executors, or Administrators, as the Case may be, and in case of Default in the Execution of any such Contract, either by the Commissioners or by any other Party thereto, such Actions or Suits may be maintained thereon, and Damages and Costs recovered by or against the Commissioners or the other Parties failing in the Execution thereof, as might have been maintained and recovered had the same Contracts been made between private Persons only.

LVII. Before

Notice to be given of Contracts to the Amount of 100*l.* or upwards.

LVII. Before any Contract to the Amount of One hundred Pounds or upwards shall be entered into by the Commissioners, Ten Days Notice at the least shall be given in some One of the Newspapers circulating within the Limits of the special Act, expressing the Purpose of such Contract, and inviting any Person willing to undertake the same to make Proposals for that Purpose to the Commissioners, and the Commissioners shall accept the Proposal which upon a View of all the Circumstances shall appear to them to be most advantageous, and shall take Security for the due and faithful Performance of every such Contract.

Commissioners may compound for Breach of Contract.

LVIII. The Commissioners may compound with any Party who has entered into any such Contract, or against whom any Action or Suit has been brought for any Penalty contained in any such Contract, or in any Bond or other Security for the Performance thereof, or on account of any Breach or Non-performance of any such Contract, Bond, or Security for such Sums of Money or other Recompence as the Commissioners may think proper.

As to the Conveyance of Lands by the Commissioners.

LIX. Where by the special Act or any Act incorporated therewith the Commissioners are authorized or required to sell or convey any Lands vested in them, and no other Mode of Conveyance is provided, they may convey such Lands, or such Interest as the Commissioners have therein, by Deed under the Common Seal of the Commissioners if they be a Corporation, or if not a Corporation by Deed executed by the Commissioners or any Two of them acting by the Authority of and on behalf of the Commissioners; and a Deed so executed, followed as to Lands in *Scotland* by Infeftment duly recorded, shall be effectual to vest the Lands comprised therein or such Interest as the Commissioners have therein in the Grantee or other Person to whom the same shall be so conveyed; and a Receipt under such Common Seal, or under the Hands of Two of the Commissioners acting as aforesaid, shall be a sufficient Discharge to the Purchaser of any such Lands for the Purchase Money in such Receipt expressed to be received.

Receipt under Seal to be a sufficient Discharge.

Legal Proceedings.

And with respect to the Liabilities of the Commissioners, and to legal Proceedings by or against the Commissioners, be it enacted as follows:

Commissioners not to be personally liable.

LX. No Commissioner, by being Party to or executing in his Capacity of Commissioner any Contract or other Instrument on behalf of the Commissioners, or otherwise lawfully executing any of the Powers given to the Commissioners, shall be subject to be sued or prosecuted, either individually or collectively, by any Person whomsoever; and the Bodies or Goods or Lands of the several Commissioners shall not be liable to execution of any legal Process by reason of any Contract or other Instrument so entered into, signed, or executed by them, or by reason of any other lawful Act done by them in the Execution of any of their Powers as Commissioners; and the Commissioners respectively, their Heirs, Executors, and Administrators, shall be indemnified out of the Rates and other Monies coming to the Hands of the Commissioners by virtue of this and the special Act for all Payments made or Liability incurred in respect of any Acts done by them, and for all Losses, Costs, and Damages which they may incur in the Execution of the Powers granted to them.

Commissioners to be indemnified for Acts done in Execution of Office.

Actions to be brought in Name of Two Commissioners or their Clerk.

LXI. In all Actions and Suits in respect of any Matter or Thing relating to the Execution of this or the special Act, to be brought by or against the Commissioners, it shall be sufficient, where such Commissioners are not a Body Corporate, to state the Names of any Two of the Commissioners, or the Name of their Clerk, as the Party, Plaintiff or Defendant, representing the Commissioners in any such Action or Suit, and no such Action or Suit shall abate or be discontinued, or require to be transferred, by reason of the Death of any such Commissioner, or by his ceasing to be a Commissioner, or by the Death, Suspension, or Removal of such Clerk.

Executions to be levied on Goods of Commissioners as such.

LXII. Execution upon every Judgment or Decree against the Commissioners in any such Action or Suit shall be levied on the Goods, Chattels, or Personal Effects belonging to the Commissioners by virtue of their Office, and shall not in any Manner extend to charge or make liable the Persons or private Lands or Goods of any of the Commissioners, or the Heirs, Executors, or Administrators of any of them.

Commissioners and Clerk to be reimbursed all Damages, &c.

LXIII. Every Commissioner or Clerk in whose Name any such legal Proceeding shall be carried on, either as Plaintiff or Defendant, on behalf of the Commissioners, shall be reimbursed, out of the Monies which shall come into the Hands of the Treasurer of the Commissioners by virtue of his Office, all Damages, Costs, Charges, and Expences to which any such Commissioner or Clerk may be put, or with which he may become chargeable, by reason of being so made Plaintiff or Defendant.

How Indictments to be preferred.

LXIV. The Commissioners may prefer a Bill of Indictment against any Person who shall steal or wilfully injure any Property or Thing belonging to the Commissioners, or under their Management, or institute any other Proceeding which may appear to them necessary for the Protection of such Property, and in every such Case it shall be sufficient to state generally the Property or Thing in respect of which such Proceeding shall have been taken to be the Property of the Commissioners, as they shall be described in the special Act, without naming the individual Commissioners.

Officers.

And with respect to the Appointment and Accountability of the Officers of the Commissioners, be it enacted as follows:

Power to Commissioners to appoint Clerk and other Officers.

LXV. The Commissioners may from Time to Time appoint and employ a Treasurer, Clerk, Collector, Assessor, and all such other Officers to assist in the Execution of this and the special Act as they shall think necessary and proper, and from Time to Time remove any of such Officers, and appoint others in the Room of such as shall be so removed, or as may die, resign, or discontinue their Offices, and may, out of the Monies to be raised for the Purposes of this and the special Act, pay such Salaries and Allowances to the said Officers respectively as the Commissioners shall think reasonable.

Offices of Clerk and Treasurer not to be held by the same Person.

LXVI. The same Person shall not be appointed to the Office both of Clerk and Treasurer; and if any Person being the Clerk, or the Partner of such Clerk, or in the Service of such Clerk or of his Partner, accept the Office of Treasurer, or if any Person being the Treasurer, or the Partner of such Treasurer, or in the Service of such Treasurer or of his Partner, accept the Office of Clerk, he shall forfeit the Sum of One hundred Pounds, and any Person may sue for such Penalty by Action of Debt or on the Case in any of the Superior Courts, and shall on Recovery thereof be entitled to full Costs of Suit.

Officer taking Fees other than those allowed to lose his Office, and forfeit 50*l.*

LXVII. Every Officer employed by the Commissioners who shall exact or accept on account of any thing done by virtue of his Office, or in relation to the Matters to be done under this or the special Act, any Fee or Reward whatsoever other than the Salary or Allowances allowed by the Commissioners, or who shall be in anywise concerned or interested in any Bargain or Contract made by the Commissioners, shall be incapable of being afterwards employed by the Commissioners, and shall forfeit the Sum of Fifty Pounds, and any Person may sue for such Penalty by Action of Debt or on the Case in any of the Superior Courts, and shall on Recovery thereof be entitled to full Costs of Suit.

Security to be taken from Officers intrusted with Money.

LXVIII. Before any Person, whether Treasurer, Collector, or other Officer intrusted by the Commissioners with the Custody or Control of Monies by virtue of his Office, shall enter upon such Office, the Commissioners shall take sufficient Security from him for the faithful Execution thereof.

Collectors to pay over Monies within Seven Days to the Treasurer.

LXIX. Every Collector appointed or employed by the Commissioners by virtue of this or the special Act to collect any Rates shall, within Seven Days after he shall have received any Monies on account of any such Rates, pay over the same to the Treasurer of the Commissioners to their Account, and the Receipt of such Treasurer for the Monies so paid shall be a sufficient Discharge to the Collector, and every such Collector shall, in such Time and in such Manner as the Commissioners direct, deliver to them true and perfect Accounts in Writing under his Hand of all Monies received by him and of all Monies paid by him to the said Treasurer by virtue of this or the special Act, and also a List of the Names of all Persons who have neglected or refused to pay any Rate or Money owing by them, with a Statement of the Monies due from them respectively.

Officers to account.

LXX. Every Collector and other Officer appointed or employed by the Commissioners by virtue of this or the special Act shall, from Time to Time when required by the Commissioners, make out and deliver to them, or to any Person appointed by them for that Purpose, a true and perfect Account in Writing under his Hand of all Monies received by him on behalf of the Commissioners, and such Account shall state how and to whom and for what Purpose such Monies have been disposed of, and together with such Account such Officer shall deliver the Vouchers and Receipts for such Payments; and every such Officer shall pay to the Commissioners, or to any Person appointed by them to receive the same, all Monies which shall appear to be owing from him upon the Balance of such Accounts.

Summary Recovery against Parties failing to account.

LXXI. If any such Collector or other Officer fail to render such Accounts as aforesaid, or to produce and deliver up all the Vouchers and Receipts relating to the same in his Possession or Power, or to pay the Balance thereof when thereunto required, or if for Five Days after being thereunto required he fail to deliver up to the Commissioners, or to any Person appointed by them to receive the same, all Papers and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this or the special Act, or any Act incorporated therewith, or belonging to the Commissioners, then on Complaint thereof being made to a Justice, or to the Sheriff, such Justice or Sheriff shall summon such Officer to appear before Two or more Justices, or before such Sheriff, according as the Summons may have been issued by a Justice or by the Sheriff, at a Time and Place to be set forth in such Summons, to answer such Charge; and upon the Appearance of such Officer, or upon Proof that such Summons was personally served upon him, or left at his last known Place of Abode, such Justices or Sheriff may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it appear, either upon Confession of such Officer, or upon Evidence, or upon Inspection of the Account, that any Monies of the Commissioners are in the Hands of such Officer, or owing by him to the Commissioners, such Justices or Sheriff may order such Officer to pay the same, and if he fail to pay the Amount it shall be lawful for such Justices or Sheriff to grant a Warrant to levy the same by Distress, or by Poinding and Sale, or in default thereof to commit the Offender to Gaol, there to remain without Bail for a Period not exceeding Three Months, unless the same be sooner paid.

Officers refusing to make out Account and deliver up Documents, &c. may be committed to Prison.

LXXII. If any such Officer summoned as aforesaid refuse to make out such Account in Writing, or to produce and deliver to the Justices or Sheriff the several Vouchers and Receipts relating thereto, or to deliver up any Books, Papers, or Writings, Property, Effects, Matters, or Things, in his Possession or Power, belonging to the Commissioners, such Justices or Sheriff may commit such Offender to Gaol, there to remain until he shall have delivered up all the Vouchers and Receipts in his Possession or Power relating to such Accounts, and all the Books, Papers, Writings, Property, Effects, Matters, and Things, in his Possession or Power belonging to the Commissioners.

Where Officer about to abscond, a Warrant may be issued in the first instance.

LXXIII. Provided always, That if any Commissioner, or other Person acting on behalf of the Commissioners, shall make Oath that he has good Reason to believe, upon Grounds to be stated in his Deposition, and that he does believe, that it is the Intention of any such Officer as aforesaid to abscond, the Justice or the Sheriff before whom the Complaint is made may, instead of issuing his Summons, issue his Warrant for bringing such Officer before such Two Justices as aforesaid if the Warrant be issued by a Justice, or before such Sheriff if the Warrant be issued by him; but no Person executing such Warrant shall keep such Officer in Custody longer than Twenty-four Hours without bringing him before some Justice or the Sheriff, according as he may be summoned before the one or the other; and the Justice

Justice or Sheriff before whom such Officer may be brought may either discharge such Officer, if he think there is no sufficient Ground for his Detention, or order such Officer to be detained in Custody so as to be brought before Two Justices at a Time and Place to be named in such Order, unless such Officer give Bail to the Satisfaction of such Justice for his Appearance before such Justices to answer the Complaint of the Commissioners.

Officers.

Proceedings against Officers not to discharge Sureties.

LXXIV. No such Proceeding against or Dealing with any such Officer as aforesaid shall deprive the Commissioners of any Remedy which they might otherwise have against any Surety of such Officer.

Mortgages.

And with respect to the Mortgages to be executed by the Commissioners, be it enacted as follows:

Form of Mortgage.

LXXV. Every Mortgage or Assignation in Security of Rates or other Property authorized to be made under the Provisions of this or the special Act shall be by Deed duly stamped, in which the Consideration shall be truly stated; and every such Deed shall be under the Common Seal of the Commissioners if they be a Body Corporate, or if they be not a Body Corporate shall be executed by the Commissioners, or any Five of them, and may be according to the Form in the Schedule (B.) to this Act annexed or to the like Effect; and the respective Mortgagees or Assignees in Security shall be entitled one with another to their respective Proportions of the Rates and Assessments or other Property comprised in such Mortgages or Assignations respectively, according to the respective Sums in such Mortgages or Assignations mentioned to be advanced by such Mortgagees or Assignees respectively, and to be repaid the Sums so advanced, with Interest, without any Preference one above another by reason of the Priority of advancing such Monies, or of the Dates of any such Mortgages or Assignations respectively.

Register of Mortgages to be kept, and to be open to Inspection.

LXXVI. A Register of Mortgages or Assignations in Security shall be kept by the Clerk to the Commissioners, and where by the special Act the Commissioners are authorized or required to raise separate Sums on separate Rates or other Property, a separate Register shall be kept for each Class of Mortgages or Assignations in Security, and within Fourteen Days after the Date of any Mortgage or Assignation in Security an Entry or Memorial of the Number and Date thereof, and of the Names of the Parties thereto, with their proper Additions, shall be made in the proper Register, and every such Register may be perused at all reasonable Times by any Person interested in any such Mortgage or Assignation in Security without Fee or Reward.

Transfers of Mortgages.

LXXVII. Any Person entitled to any such Mortgage or Assignation may transfer his Right and Interest therein to any other Person, and every such Transfer shall be by Deed duly stamped, wherein the Consideration shall be truly stated, and every such Transfer may be according to the Form in the Schedule (C.) to this Act annexed, or to the like Effect.

Register of Transfers to be kept.

LXXVIII. Within Thirty Days after the Date of every such Transfer, if executed within the United Kingdom, or otherwise within Thirty Days after the Arrival thereof in the United Kingdom, it shall be produced to the Clerk to the Commissioners, and thereupon such Clerk shall cause an Entry or Memorial thereof to be made, in the same Manner as in the Case of the original Mortgage or Assignation in Security, and for such Entry the Clerk may demand a Sum not exceeding Five Shillings, and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assigns, to the full Benefit of the original Mortgage or Assignation in Security, and the Principal and Interest thereby secured, and such Transferee may in like Manner assign or transfer the same again *toties quoties*, and it shall not be in the Power of any Person, except the Person to whom the same shall have been last transferred, his Executors, Administrators, or Assigns, to make void, release, or discharge the Mortgage or Assignation so transferred, or any Money thereby secured.

Interest to be paid half-yearly.

LXXIX. Unless otherwise provided by any Mortgage or Assignation in Security, the Interest of the Money borrowed thereupon shall be paid half-yearly to the several Parties entitled thereto.

Power to borrow Money at a lower Rate of Interest to pay off Securities at a higher Rate.

LXXX. If the Commissioners can at any Time borrow or take up any Sum of Money at a lower Rate of Interest than any Securities given by them and then be in force shall bear, they may borrow such Sum at such lower Rate as aforesaid, in order to pay off and discharge the Securities bearing such higher Rate of Interest, and may charge the Rates and other Property which they may be authorized to mortgage or assign in Security under this or the special Act, or any Part thereof, with Payment of such Sum and such lower Rate of Interest, in such Manner and subject to such Regulations as are herein contained with respect to other Monies borrowed on Mortgage or Assignation in Security.

Repayment of Money borrowed at a Time and Place agreed upon.

LXXXI. The Commissioners may, if they think proper, fix a Period for the Repayment of all Principal Monies borrowed under the Provisions of this or the special Act, with the Interest thereof, and in such Case the Commissioners shall cause such Period to be inserted in the Mortgage Deed or Assignation in Security; and upon the Expiration of such Period the Principal Sum, together with the Arrears of Interest thereon, shall, on Demand, be paid to the Party entitled to receive such Principal Money and Interest, and if no other Place of Payment be inserted in such Deed such Principal and Interest shall be payable at the Office of the Commissioners.

Repayment of Money borrowed when no Time or Place has been agreed upon.

LXXXII. If no Time be fixed in the Mortgage Deed or Assignation in Security for the Repayment of the Money so borrowed, the Party entitled to receive such Money may, at the Expiration or at any Time after the Expiration of Twelve Months from the Date of such Deed, demand Payment of the Principal Money thereby secured, with all Arrears of Interest, upon giving Six Months previous Notice for that Purpose, and in the like Case the Commissioners may at any Time pay off the Money borrowed, on giving the like Notice; and every such Notice shall be in Writing or Print, or both, and if given by a Mortgagee or Creditor shall be delivered to the Clerk or left at the Office of the Commissioners, and if

Mortgages.

if given by the Commissioners shall be given either personally to such Mortgagee or Creditor, or left at his Residence, or if such Mortgagee or Creditor be unknown to the Commissioners, or cannot be found after diligent Inquiry, such Notice shall be given by Advertisement in the *London Gazette* if the Office of the Commissioners is in *England*, the *Edinburgh Gazette* if it is in *Scotland*, or in the *Dublin Gazette* if it is in *Ireland*.

Interest to cease on Expiration of Notice to pay off a Mortgage Debt.

LXXXIII. If the Commissioners shall have given Notice of their Intention to pay off any such Mortgage or Assignation in Security at a Time when the same may lawfully be paid off by them, then at the Expiration of such Notice all further Interest shall cease to be payable thereon, unless, on Demand of Payment made pursuant to such Notice, or at any Time thereafter, the Commissioners fail to pay the Principal and Interest due at the Expiration of such Notice on such Mortgage or Assignation in Security.

Monies borrowed on Security of Rates to be paid off in a limited Period.

LXXXIV. In order to discharge the Principal Money borrowed as aforesaid on Security of any of the Rates the Commissioners shall every Year appropriate and set apart out of such Rates respectively a Sum equal to the prescribed Part, and if no Part be prescribed One Twentieth Part of the Sums so borrowed respectively, as a Sinking Fund to be applied in paying off the respective Principal Monies so borrowed, and shall from Time to Time cause such Sinking Fund to be invested in the Purchase of Exchequer Bills or other Government Securities, or in *Scotland* deposited in One of the Banks there incorporated by Act of Parliament or Royal Charter, and to be increased by Accumulation in the way of Compound Interest or otherwise, until the same respectively shall be of sufficient Amount to pay off the Principal Debts respectively to which such Sinking Fund shall be applicable, or some Part thereof which the Commissioners shall think ought then to be paid off, at which Time the same shall be so applied in paying off the same in manner herein-after mentioned.

Mode of paying off Mortgages.

LXXXV. Whenever the Commissioners shall be enabled to pay off One or more of the Mortgages or Assignations in Security which shall be then payable, and shall not be able to pay off the whole of the same Class, they shall decide the Order in which they shall be paid off by Lot among the Class to which such One or more of the Mortgages or Assignations in Security belong, and shall cause a Notice, signed by their Clerk, to be given to the Persons entitled to the Money to be paid off, pursuant so such Lot, and such Notice shall express the Principal Sum proposed to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified, at the Expiration of Six Months from the Date of giving such Notice.

Arrears of Interest, when to be enforced by Appointment of a Receiver.

LXXXVI. Where by the special Act the Mortgagees or Assignees in Security of the Commissioners are empowered to enforce the Payment of the Arrears of Interest, or the Arrears of Principal and Interest, due to them, by the Appointment of a Receiver, then, if within Thirty Days after the Interest accruing upon any such Mortgage or Assignation in Security has become payable, and, after Demand thereof in Writing, the same be not paid, the Mortgagee or Assignee in Security may, without Prejudice to his Right to sue for the Interest so in arrear in any of the Superior Courts, require the Appointment of a Receiver, by an Application to be made as herein-after provided; and if within Six Months after the Principal Money owing upon any such Mortgage or Assignation in Security has become payable, and after Demand thereof in Writing the same be not paid, together with all Interest due in respect thereof, the Mortgagee or Assignee in Security, without Prejudice to his Right to sue for such Principal Money, together with all Arrears of Interest, in any of the Superior Courts, may, if his Debt amount to the prescribed Sum, alone, or if his Debt do not amount to the prescribed Sum he may in conjunction with other Mortgagees or Assignees in Security, whose Debts being so in arrear, after Demand as aforesaid, together with his amount to the prescribed Sum, require the Appointment of a Receiver, by an Application to be made as herein-after provided.

Arrears of Principal and Interest.

As to the Appointment of Receiver.

LXXXVII. Every Application for a Receiver in the Cases aforesaid shall in *England* or *Ireland* be made to Two Justices, and in *Scotland* to the Sheriff, and on any such Application such Justices or Sheriff may, by Order in Writing, after hearing the Parties, appoint some Person to receive the whole or a competent Part of the Rates or Sums liable to the Payment of such Interest, or such Principal and Interest, as the Case may be, until such Interest, or until such Principal and Interest, as the Case may be, together with all Costs, including the Charges of receiving the Rates or Sums aforesaid, be fully paid; and upon such Appointment being made all such Rates and Sums of Money as aforesaid, or such Part thereof as may be ordered by the said Justices or Sheriff, shall be paid to the Person so to be appointed, and the Money so paid shall be so much Money received by or to the Use of the Party to whom such Interest, or such Principal and Interest, as the Case may be, shall be then due, and on whose Behalf such Receiver shall have been appointed, and after such Interest and Costs, or such Principal, Interest, and Costs, have been so received, the Power of such Receiver shall cease.

Account Books to be open to the Inspection of Mortgagees.

LXXXVIII. The Books of Account of the Commissioners shall be open at all seasonable Times to the Inspection of the respective Mortgagees or Assignees in Security of the Commissioners, with Liberty to take Extracts therefrom without Fee or Reward.

Accounts.

And with respect to the Accounts to be kept by the Commissioners, be it enacted as follows:

Accounts to be kept of Receipts and Disbursements, which shall be open for Inspection.

LXXXIX. The Commissioners shall cause Books to be provided and kept, and true and regular Accounts to be entered therein of all Sums of Money received and paid for and on account of this and the special Act, and of the several Purposes for which such Sums of Money shall have been received and paid, which Books shall at all reasonable Times be open to the Inspection of any of the Commissioners, and any Mortgagee, Assignee in Security, or other Creditor of the Commissioners without Fee

or

or Reward, and the Commissioners and Persons aforesaid, or any of them, may take Copies of or Extracts from the said Books, without paying any thing for the same; and any Clerk or other Person having the Custody of the said Books who shall not on any reasonable Demand of any Commissioner, Mortgagee, or Creditor as aforesaid permit him to inspect the said Books, or to take such Copies or Extracts as aforesaid, shall be liable to a Penalty of Five Pounds for every such Offence. Penalty for Refusal.

XC. The Commissioners shall cause their Accounts to be balanced in each Year to a Period not less than One Month before the annual General Meeting at which they are to be produced, as after mentioned; and Fourteen Days at the least before such Meeting the Commissioners shall cause a full and true Statement and Account to be drawn out of the Amount of all Rates or Assessments made, and of all Contracts entered into, and of all Monies received and expended by virtue of this or the special Act during the preceding Year, and also of all Debts then owing by the Commissioners, and they shall cause such Statement and Account to be printed, and shall allow the same to remain for Inspection at the Office of the Commissioners; and every Creditor on the Rates and Assessments by this or the special Act, or any Act incorporated therewith, authorized to be made, and every Person paying any such Rate or Assessment, or any Person acting on behalf of any such Creditor or Rate-payer, may, at all reasonable Times, inspect such Statement and Account, and compare the same with the Books and Documents relating thereto in the Possession of the Commissioners; and the Clerk shall, on Demand, furnish a printed Copy of the said Statement and Account to every such Creditor and Rate-payer without Fee; and Fourteen Days at the least before to the Meeting for examining and settling such Account the Commissioners shall give public Notice of such intended Meeting, stating in such Notice that the said Statement and Account are printed, and lie at the Office of the Commissioners ready for the Inspection of the Creditors and Rate-payers or other Parties interested. Statement of Accounts to be prepared, and to be open for Inspection. Copies of such Statement to be furnished.

XCI. The Accounts of the Commissioners, so balanced as aforesaid, together with the said Statement and Account, shall be produced at the annual Meeting of the Commissioners, or at some Adjournment thereof, at which Meeting all Creditors and Rate-payers and other Persons interested may be present, and the Accounts shall be then finally examined and settled by the Commissioners, and if the same be found just and true they shall be allowed by the Commissioners, and certified accordingly under the Hand of the Chairman of such Meeting; and after such Accounts have been so allowed and signed by such Chairman, and also by the Auditors as herein-after provided, the same shall be final in regard to all Persons whomsoever, unless an Appeal be prosecuted against such Accounts as herein-after provided. Accounts to be examined and settled at the annual Meeting.

XCII. Except in the Cases where by the special Act Provision is made for the Appointment of a permanent Auditor, and such Auditor shall have been appointed accordingly, the Rate-payers present at the said annual Meeting may appoint Two or more Persons not being Commissioners to be Auditors of the Accounts of the Commissioners; and if no other Person present at such Meeting propose the Names of Two Persons to be appointed Auditors by such Meeting, it shall be the Duty of the Chairman of the Meeting to propose the Names of Two Persons to be so appointed; and the Persons so to be appointed Auditors shall have the like Qualification, and shall be subject to the like Disqualification or Disability, as the Commissioners; and before entering on their Office they shall make and sign before a Justice or the Sheriff a solemn Declaration of the like Purport and Effect to that hereby required to be signed by the Commissioners; and the Auditors so appointed shall receive a reasonable Remuneration for their Time and Trouble, not exceeding Two Guineas each for every Day they shall be fully employed on such Audit, and all such Expences as they shall be put unto attending the auditing of the said Accounts; and if any Dispute arise as to the Amount of the Remuneration and Expences to be paid to such Auditors, it shall in *England* or *Ireland* be settled by Two Justices, and in *Scotland* by the Sheriff. Auditors to be appointed. Qualification of Auditors.

XCIII. The Auditors so nominated or the said permanent Auditor, if any shall have been appointed as aforesaid, shall attend as soon as conveniently may be after the said annual Meeting, at the Office of the Commissioners, or at some other convenient Place to be appointed by the Commissioners, and from Time to Time shall, in the Presence of the Clerk to the Commissioners if he desire to be present, proceed to audit the Accounts of the Commissioners for the Year preceding the said annual Meeting; and the Commissioners shall by their Clerk produce and lay before such Auditors the Accounts so allowed and certified as aforesaid, together with the Statement and Account herein-before mentioned, accompanied with proper Vouchers in support of the same, and all Books, Papers, and Writings in their Custody or Power relating thereto; and any Person interested in the said Account, either as a Creditor of the Commissioners or as a Ratepayer, may be present at the Audit of the said Accounts by himself or his Agent, and may make any Objection to any Part of such Account; and if the said Accounts be found correct such Auditors shall sign the same in token of their Allowance thereof, but if such Auditors think there is just Cause to disapprove of any Part of the said Accounts, they or any other Person interested in the said Accounts as aforesaid may appeal against any such Parts of the said Accounts as shall be so disapproved of to one of the Two next Quarter Sessions in *England* or *Ireland*, and to the Sheriff in *Scotland*, Notice in Writing of such Appeal being given to the Clerk of the Commissioners Fourteen Days at the least before the Hearing of such Appeal. Auditors to inspect Accounts, and may appeal against Part of the same, if they think fit.

XCIV. Upon the Hearing of any such Appeal the Justices or the Sheriff may make such Order as they or he think fit respecting the Payment of the Costs of the Appellant out of the Monies coming to the Hands of the Commissioners under the special Act or otherwise, as they or he think fit, and such Order shall be final. Court may order Payment of Costs of Appeal.

XCV. The Commissioners shall every Year cause an annual Account in abstract to be prepared, showing the total Receipt and Expenditure of all Funds levied by virtue of this and the special Act, and any Act incorporated Annual Account to be made up and

transmitted to the Clerk of the Peace in England or Ireland, or to the Sheriff Clerk in Scotland, and to be open to Inspection.

incorporated therewith, for the Year ending on the Day down to which their Accounts shall have been made up for the said annual Meeting, or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by the Chairman of the Commissioners and also by the Auditors thereof, and shall, if the Undertaking is situated in *England* or *Ireland*, send a Copy of the said Account free of Charge to the Clerk of the Peace for the County where the Undertaking is situate, and if the Undertaking is situated in *Scotland* shall send such Copy to the Sheriff Clerk of such County, on or before the Thirty-first Day of *January* then next, or within One Month after the same has been duly audited, which Account shall be open to the Inspection of the Public at all reasonable Hours, on Payment of the Sum of One Shilling for every such Inspection; and if the Commissioners shall omit to prepare and transmit such Account as aforesaid, they shall be liable for every such Omission to a Penalty of Twenty Pounds.

Bye Laws.

And with respect to the making of Bye Laws, be it enacted as follows:

Power to make Bye Laws for regulating the Conduct of the Officers, &c. of the Commissioners.

XCVI. The Commissioners may from Time to Time make such Bye Laws as they think fit, for the Purpose of regulating the Conduct of the Officers and Servants of the Commissioners, and for providing for the due Management of the Affairs of the Commissioners, and may from Time to Time alter or repeal any such Bye Laws, and make others, provided such Bye Laws be not repugnant to the Laws of that Part of the United Kingdom where the same are to have effect, or to the Provisions of this or the special Act; and such Bye Laws shall be reduced into Writing, and shall have affixed thereto the Common Seal of the Commissioners, where the Commissioners are a Body Corporate, or shall be signed by the Commissioners, or any Two of them, where they are not a Body Corporate; and a Copy of such Bye Laws shall be given to every Officer and Servant of the Commissioners affected thereby.

Fines for Breach of such Bye Laws.

XCVII. The Commissioners may by such Bye Laws impose such reasonable Penalties upon all Persons, being Officers or Servants of the Commissioners, offending against such Bye Laws as the Commissioners think fit, not exceeding Five Pounds for any One Offence.

Bye Laws to be framed so that Penalties may be mitigated.

XCVIII. All the Bye Laws to be made by the Commissioners shall be so framed as to allow the Justice or the Sheriff before whom any Penalty imposed thereby may be sought to be recovered to order a Part only of such Penalty to be paid, if such Justice or Sheriff think fit.

Notices.

And with respect to giving Notices and Orders, be it enacted as follows:

Service of Notices upon Commissioners.

XCIX. Any Summons or Notice, or any Writ or other Proceeding at Law or in Equity, requiring to be served upon the Commissioners, may be served by the same being left at or sent through the Post Office, directed to the Commissioners, at their principal Office, or One of their principal Offices where there shall be more than One, or by being given personally to the Clerk, or in case there be no Clerk, then by being given to any One Commissioner.

Notices by Advertisement.

C. All Notices required by this or the special Act, or any Act incorporated therewith, to be given by Advertisement, shall be advertised in the prescribed Newspaper, or if no Newspaper be prescribed, or if the prescribed Newspaper cease to be published, in a Newspaper circulating in the District within which the Undertaking shall be situated.

Authentication of Notices and Orders.

CI. Every Order, Summons, Notice, or other such Document requiring Authentication by the Commissioners shall be sufficiently authenticated if signed by Two Commissioners, or by the Clerk of the Commissioners, and it need not be under the Common Seal of the Commissioners, although they be incorporated, and the same may be in Writing or in Print, or partly in Writing and partly in Print.

Proof of Debts in Bankruptcy.

CII. And with respect to the Proof of Debts in Bankruptcy or Insolvency, be it enacted, That if any Person against whom the Commissioners have any Claim or Demand become bankrupt, or take the Benefit of any Act for the Relief of Insolvent Debtors, the Clerk or Treasurer of the Commissioners in all Proceedings against the Estate of such Bankrupt or Insolvent, or under any Fiat, Sequestration, or Act of Insolvency against such Bankrupt or Insolvent, may represent the Commissioners, and act in their Behalf, in all respects as if such Claim or Demand had been the Claim or Demand of such Secretary or Treasurer and not of the Commissioners.

Tender of Amends.

CIII. And with respect to Tender of Amends, be it enacted, That if any Person shall have committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this or the special Act, or by virtue of any Power or Authority thereby given, and if before Action brought in respect thereof such Party make Tender of sufficient Amends to the Party injured, such last-mentioned Party shall not recover in any such Action; and if no such Tender have been made, the Defendant, by Leave of the Court where such Action is pending, may, at any Time before Issue joined, pay into Court such Sum of Money as he thinks fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Recovery of Damages and Penalties.

And with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices or to the Sheriff, be it enacted as follows:

Railways Clauses Consolidation Acts, 1845, as to Damages, &c. to be incor-

CIV. If the Undertaking be situate in *England* or *Ireland* the Clauses of the Railways Clauses Consolidation Act, 1845, with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices, shall be incorporated with this and the special Act; and if the Undertaking be situate in *Scotland* the Clauses of the Railways Clauses Consolidation Act (*Scotland*), 1845, with respect to the Recovery of Damages not specially provided for, and to the Determination of any other Matter referred to the Sheriff or to Justices, shall be incorporated

incorporated with this and the special Act; and such Clauses shall apply to the Undertaking, and to the Commissioners respectively, and shall be construed as if the Word "Commissioners" had been inserted therein instead of the Word "Company." porated with this and the special Act.

CV. All Things herein or in the special Act, or any Act incorporated herewith, authorized or required to be done by Two Justices, may and shall be done in *England* and *Ireland* by any One Magistrate having by Law Authority to act alone for any Purpose with the Powers of Two or more Justices, and in *Scotland* by the Sheriff or Steward of any County or Stewartry or Ward, or his Substitute. One Magistrate in England or Ireland, and the Sheriff in Scotland, may act for Two Justices.

CVI. Every Penalty or Forfeiture imposed by this or the special Act, or any Act incorporated therewith, or by any Bye Law in pursuance thereof, in respect of any Offence which shall take place within the Metropolitan Police District, shall be recovered, enforced, accounted for, and except where the Application thereof is otherwise specially provided for, shall be paid to the Receiver of the Metropolitan Police District, and shall be applied in the same Manner as Penalties or Forfeitures, other than Fines upon drunken Persons, or upon Constables for Misconduct, or for Assaults upon Police Constables, are directed to be recovered, enforced, accounted for, paid, and applied by an Act passed in the Third Year of the Reign of Her present Majesty, intituled *An Act for regulating the Police Courts in the Metropolis;* and every Order or Conviction of any of the Police Magistrates in respect of any such Forfeiture or Penalty shall be subject to the like Appeal and upon the same Terms as is provided in respect of any Order or Conviction of any of the said Police Magistrates by the said last-mentioned Act; and every Magistrate by whom any Order or Conviction shall have been made shall have the same Power of binding over the Witnesses who shall have been examined, and such Witnesses shall be entitled to the same Allowance of Expences as they would have had or been entitled to in case the Order, Conviction, and Appeal had been made in pursuance of the Provisions of the said last-mentioned Act. Penalties, &c. imposed in respect of any Offence committed within the Metropolitan Police District to be paid to the Receiver, and applied under 2 & 3 Vict. c. 71.

CVII. Provided always, That in *Ireland*, in the Case of any Penalty imposed by Justices, where the Application is not otherwise provided for, such Justices may award not more than One Half of such Penalty to the Informer, and shall award the Remainder to the Guardians of the Poor of the Union within which the Offence shall have been committed, to be applied in aid of the Poor Rates of such Union. In Ireland Part of Penalties to be paid to Guardians.

CVIII. Every Person who, upon any Examination upon Oath under the Provisions of this or the special Act, or any Act incorporated therewith, shall wilfully and corruptly give false Evidence, shall be liable to the Penalties of wilful and corrupt Perjury. Penalties on false Evidence.

CIX. And be it enacted, That nothing in this or the special Act shall be deemed to extend to or affect any Act of Parliament relating to Her Majesty's Duties of Customs or Excise, or any other Revenue of the Crown, or to extend to or affect any Claim of Her Majesty in right of Her Crown, or otherwise howsoever, or any Proceedings at Law or in Equity by or on behalf of Her Majesty, in any Part of the United Kingdom of *Great Britain* and *Ireland*. *Nothing in* this or the special Act to affect the Rights of the Crown.

Access to special Act.

And with respect to Access to the special Act, be it enacted as follows:

CX. The Commissioners shall, at all Times after the Expiration of Six Months after the passing of the special Act, keep in their principal Office of Business a Copy of the special Act, printed by the Printers to Her Majesty, or some of them; and shall also, within the Space of such Six Months, deposit in the Office of the Clerk of the Peace in *England* or *Ireland*, and of the Sheriff Clerk in *Scotland*, of the County in which the Undertaking is situate, a Copy of such special Act so printed as aforesaid; and the said Clerk of the Peace and Sheriff Clerk respectively shall receive, and they and the Commissioners respectively shall keep, the said Copies of the special Act, and shall permit all Persons interested to inspect the same, and make Extracts or Copies therefrom, in the like Manner, and upon the like Terms, and under the like Penalty for Default, as is provided in the Case of certain Plans and Sections by an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.* Copies of special Act to be kept by Commissioners at their Office, and deposited with the Clerks of the Peace, &c. and be open to Inspection. 7 W. 4. & 1 Vict. c. 83.

CXI. If the Commissioners fail to keep or deposit as herein-before mentioned any of the said Copies of the special Act, they shall forfeit Twenty Pounds for every such Offence, and also Five Pounds for every Day afterwards during which such Copy shall be not so kept or deposited. Penalty on Failure to keep or deposit such Copies.

CXII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.) Sect. 23.

Voting Paper.

Town of
[*or*
District of]
Voting Paper for the Town [*or* District] of
[*or, if divided into Wards,*
Voting Paper for Ward, in the Town [*or* District] of]

Name of the Persons voted for as Commissioners.	Christian Name and Surname of Voter.	Description of Property.	Number of Votes.	
			As Owner.	As Occupier.

I vote for the Persons named in the above List as Commissioners for this Town [*or* District, *or* Ward, *as the Case may be*].

(Signed)
Here the Name of the Voter should be written.

SCHEDULE (B.) Sect. 75.

Form of Mortgage.

By virtue of [*here name the special Act*], we [*here name the Corporation, if the Commissioners be incorporated, or if not incorporated, Five of the Commissioners,*] appointed in pursuance of the said Act, in consideration of the Sum of paid to the Treasurer to the said Commissioners by *A. B.* of for the Purposes of the said Act, do grant and assign unto the said *A. B.*, his Executors, Administrators, and Assigns, such Proportion of the Rates, Rents, Profits, and other Monies arising or accruing by virtue of the said Act from [*here describe the Rates or other Property proposed to be mortgaged*] as the said Sum of doth or shall bear to the whole Sum which is or shall be borrowed upon the Credit of the said Rates, Rents, Profits, or Monies, to hold to the said *A. B.*, his Executors, Administrators, and Assigns, from this Day until the said Sum of with Interest at per Centum per Annum for the same, shall be fully paid and satisfied (the Principal Sum to be repaid at the End of Years from the Date hereof [*in case any Period be agreed upon for that Purpose*]). Given under our Corporate Seal [*or*, In witness whereof we have hereunto set our Hands and Seals, *or if the Deed be granted in Scotland, insert the testing Clause required by the Law of Scotland, as the Case may be,*] this Day of One thousand eight hundred and .

SCHEDULE (C.) Sect. 77.

Form of Transfer of Mortgage.

I *A. B.* of in consideration of the Sum of paid to me by *C. D.* of do hereby transfer to the said *C. D.*, his Executors, Administrators, and Assigns, a certain Mortgage, [*or, if the Deed be granted in Scotland,* a certain Assignation in Security,] Number made by "The Commissioners for executing the [*here name the special Act*] to bearing Date the Day of for securing the Sum of and Interest [*or, if such Transfer be by Endorsement,* the within Security], and all my Right, Estate, and Interest in and to the Money thereby secured, and in and to the Rates, Rents, Profits, or other Monies thereby assigned. In witness whereof I have hereunto set my Hand and Seal [*or, if the Deed be granted in Scotland, insert the testing Clause required by the Law of Scotland,*] this Day of One thousand eight hundred and .

SCHE-

SCHEDULE (D.) Sect.

Form of Conviction.

} Be it remembered, That on this Day of in the Year of our
to wit. } Lord *A. B.* is convicted before us, Two of Her Majesty's Justices of the Peace
for the County of [*or* before me the Sheriff of the County of]
[*here describe the Offence generally, and the Time and Place when and where committed*], contrary to
[*here name the special Act*]. Given under our Hands and Seals [*or, if by the Sheriff*, under my Hand]
the Day and Year first above written.

C.
D.

CAP. XVII.

An Act for consolidating in One Act certain Provisions usually contained in Acts authorizing the making of Waterworks for supplying Towns with Water. [23d *April* 1847.]

'WHEREAS it is expedient to comprise in One Act sundry Provisions usually contained in Acts of Parliament authorizing the Construction of Waterworks for supplying Towns with Water, and that as well for avoiding the Necessity of repeating such Provisions in each of the several Acts relating to such Undertakings as for ensuring greater Uniformity in the Provisions themselves:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall extend only to such Waterworks as shall be authorized by any Act of Parliament hereafter to be passed which shall declare that this Act shall be incorporated therewith, and all the Clauses of this Act, save so far as they shall be expressly varied or excepted by any such Act, shall apply to the Undertaking authorized thereby, so far as the same shall be applicable to such Undertaking, and shall, with the Clauses of every other Act which shall be incorporated therewith, form Part of such Act, and be construed therewith as forming One Act. Extent of Act.

And with respect to the Construction of this Act and any Act incorporated therewith, be it enacted as follows: Interpretations in this Act:

II. The Expression "the special Act" used in this Act shall be construed to mean any Act which shall be hereafter passed authorizing the Construction of Waterworks, and with which this Act shall be incorporated; and the Word "prescribed" used in this Act in reference to any Matter herein stated shall be construed to refer to such Matter as the same shall be prescribed or provided for in the special Act, and the Sentence in which such Word occurs shall be construed as if, instead of the Word "prescribed," the Expression "prescribed for that Purpose in the special Act," had been used; and the Expression "the Lands and Streams" shall mean the Lands and Streams of Water which shall by the special Act be authorized to be taken or used for the Purposes thereof; and the Expression "the Undertaking" shall mean the Waterworks, and the Works connected therewith, by the special Act authorized to be constructed; and the Expression "the Undertakers" shall mean the Persons by the special Act authorized to construct the Waterworks. "special Act:" "prescribed:" "the Lands and Streams:" "the Undertaking:" "the Undertakers."

III. The following Words and Expressions, in both this and the special Act, and any Act incorporated therewith, shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) Interpretations in this and the special Act:

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number only shall include also the Singular Number: Number:

Words importing the Masculine Gender shall include Females: Gender:

The Word "Person" shall include a Corporation, whether aggregate or sole: "Person:"

The Word "Lands" shall include Messuages, Lands, Tenements, and Hereditaments, or Heritages of any Tenure: "Lands:"

The Word "Streams" shall include Springs, Brooks, Rivers, and other running Waters: "Streams:"

The Word "Street" shall include any Square, Court, or Alley, Highway, Lane, Road, Thoroughfare, or public Passage or Place within the Limits of the special Act: "Street:"

The Expression "the Waterworks" shall mean the Waterworks, and the Works connected therewith, by the special Act authorized to be constructed: "the Waterworks:"

The Expression "Water Rate" shall include any Rent, Reward, or Payment to be made to the Undertakers for a Supply of Water: "Water Rate:"

The Word "Month" shall mean Calendar Month: "Month:"

The Expression "Superior Courts," where the Matter submitted to the Cognizance of the Court arises in *England* or *Ireland*, shall mean Her Majesty's Superior Courts of Record at *Westminster* or *Dublin*, as the Case may require, and shall include the Court of Common Pleas of the County Palatine of *Lancaster* and the Court of Pleas of the County of *Durham*, and where such Matter arises in *Scotland* it shall mean the Court of Session: "Superior Courts:"

The Word "Oath" shall include Affirmation in the Case of Quakers, and any Declaration lawfully substituted for an Oath in the Case of any other Persons allowed by Law to make a Declaration instead of taking an Oath: "Oath:"

"County:" The Word "County" shall include Riding or other Division of a County having a separate Commission of the Peace, and in *Scotland* Stewartry, and any Ward or other Division of a County or Stewartry having a separate Sheriff, and it shall also include County of a City or County of a Town:

"Justice:" The Word "Justice" shall mean Justice of the Peace acting for the Place where the Matter requiring the Cognizance of any such Justice arises; and if such Matter arise in respect of Lands or Streams situated not wholly in One Jurisdiction, shall mean a Justice acting for the County or Place where any Part of such Lands or Streams shall be situated; and where any Matter is authorized or

"Two Justices:" required to be done by Two Justices, the Expression "Two Justices" shall be understood to mean Two or more Justices met and acting together:

"Sheriff:" The Word "Sheriff" shall mean the Sheriff Depute of the County or Ward of a County in *Scotland* and the Steward Depute of the Stewartry in *Scotland* in which the Matter submitted to the Cognizance of the Sheriff arises, and shall include the Substitutes of such Sheriff Depute and Steward Depute respectively:

"Quarter Sessions:" The Expression "Quarter Sessions" shall mean Quarter Sessions as defined in the special Act, and if such Expression be not there defined it shall mean the Court of General or Quarter Sessions of the Peace which shall be held at the Place nearest to the Waterworks, or the principal Office thereof, for the County or Place in which the Waterworks, or the principal Office thereof, is situate, or for some Division of such County having a separate Commission of the Peace:

"the Town Commissioners:" The Expression "the Town Commissioners" shall mean the Parties defined under that Title in the special Act, and where no such Parties shall be there defined shall mean the Commissioners, Trustees, or other Parties having the Control or Management of the Streets under any Act for paving or improving the Town or District to be supplied with Water under the special Act:

"Inspector." The Word "Inspector" shall mean an Officer appointed under any local Act relating to the Town or District supplied with Water under the special Act, for the Purpose of inspecting or superintending Works connected with the Paving, Drainage, or Supply of Water of such Town or District, or an Officer appointed under any general Act for executing the like Duties with respect to such Town or District together with other Towns or Districts.

Citing the Act.

And with respect to citing this Act, or any Part thereof, be it enacted as follows:

Short Title of this Act.

IV. In citing this Act in other Acts of Parliament, and in legal Instruments, it shall be enough to use the Expression "the Waterworks Clauses Act, 1847."

Form in which Portions of this Act may be incorporated in other Acts.

V. For the Purpose of incorporating Part only of this Act with any Act hereafter to be passed, it shall be enough to describe the Clauses of this Act with respect to any Matter in the Words introductory to the Enactment with respect to such Matter, and to enact that the Clauses so described, or that this Act with the Exception of the Clauses so described, shall be incorporated with such Act, and thereupon all the Clauses of this Act so incorporated shall, save so far as they are expressly varied or excepted by such Act, form Part of such Act, and such Act shall be construed as if such Clauses were set forth therein with reference to the Matter to which such Act relates.

Construction of Waterworks.

And with respect to the Construction of the Waterworks, be it enacted as follows:

Construction of Waterworks to be subject to the Provisions of this Act and the Lands Clauses Consolidation Acts, 1845.

VI. Where by the special Act the Undertakers shall be empowered, for the Purpose of constructing or supplying Waterworks, to take or use any Lands or Streams otherwise than with the Consent of the Owners and Occupiers thereof, they shall, in exercising the Power so given to them be subject to the Provisions and Restrictions contained in this Act, and if the Waterworks be situated in *England* or *Ireland*, to the Provisions and Restrictions contained in the Lands Clauses Consolidation Act, 1845, and if the Waterworks be situated in *Scotland*, the Provisions and Restrictions contained in the Lands Clauses Consolidation, *Scotland*, Act, 1845; and shall make to the Owners and Occupiers of and all other Parties interested in any Lands or Streams taken or used for the Purposes of the special Act, or injuriously affected by the Construction or Maintenance of the Works thereby authorized, or otherwise by the Execution of the Powers thereby conferred, full Compensation for the Value of the Lands and Streams so taken or used, and for all Damage sustained by such Owners, Occupiers, and other Persons, by reason of the Exercise, as to such Lands and Streams, of the Powers vested in the Undertakers by this or the special Act, or any Act incorporated therewith; and except where otherwise provided by this or the special Act, the Amount of such Compensation shall be determined in the Manner provided by the said Lands Clauses Consolidation Acts respectively for determining Questions of Compensation with regard to Lands purchased or taken under the Provisions thereof, and all the Provisions of the said last-mentioned Acts respectively shall be applicable to determine the Amount of any such Compensation, and to enforce Payment or other Satisfaction thereof.

Errors and Omissions in Plans, &c. may be corrected by Justices, &c., who shall certify the same.

VII. If any Omission, Mis-statement, or wrong Description shall have been made of any Lands or Streams, or of the Owners, Lessees, or Occupiers of any Lands or Streams, described on the Plans or Books of Reference deposited in compliance with the Standing Orders of either House of Parliament, or in the Schedule to the special Act, the Undertakers, after giving Ten Days Notice to the Owners, Lessees, and Occupiers of the Lands and Streams affected by such proposed Correction, may apply, in *England* or *Ireland*, to Two Justices, and in *Scotland* to the Sheriff, for the Correction thereof; and if it appear to such Justices or Sheriff that such Omission, Mis-statement, or wrong Description arose from Mistake, they or he shall certify the same accordingly, and shall in such Certificate state the Particulars of any such Omission, Mis-statement, or wrong Description; and such Certificate, with the other Documents

Documents to which it relates, shall be deposited, in *England* or *Ireland*, with the Clerk of the Peace, and in *Scotland* with the Sheriff Clerk of the several Counties in which the Lands or Streams affected thereby are situated, or, where any such Lands or Streams are situated in a Royal Burgh in *Scotland*, with the Town Clerk of such Burgh; and such Certificate shall be kept by such Clerks of the Peace, Sheriff Clerks, or Town Clerks respectively with the other Documents to which they relate; and thereupon such Plan, Book of Reference, or Schedule shall be deemed to be corrected according to such Certificate; and the Undertakers may make the Works in accordance with such Certificate, as if such Omission, Mis-statement, or wrong Description had not been made.

Certificate, &c. to be deposited.

VIII. The Undertakers shall not begin to execute the Waterworks unless they shall have previously deposited with the Clerk of the Peace in *England* or *Ireland*, and the Sheriff Clerk in *Scotland*, of every County, and the Town Clerk of every Royal Burgh in *Scotland*, in which the Waterworks shall be situated, a Plan and Section of all such Alterations from the original Plan and Section (if any) as shall have been approved of by Parliament, on the same Scale and containing the same Particulars as the original Plan and Section of the Waterworks, and shall also have deposited with the Parish Clerks of the several Parishes in *England*, and the Clerks of the Unions of the several Parishes in *Ireland*, and the Schoolmasters of the several Parishes in *Scotland*, in which such Alterations shall have been authorized to be made, Copies or Extracts of or from such Plans and Sections as shall relate to such Parishes respectively.

Works not to be proceeded with until Plans of all Alterations authorized by Parliament have been deposited.

IX. The said Clerks of the Peace, Sheriff Clerks, and Town Clerks, Parish Clerks, Clerks of Unions, and Schoolmasters, shall receive the said Plans and Sections of Alterations, and Copies and Extracts thereof respectively, and shall keep the same, as well as the said original Plans and Sections, and shall allow all Persons interested to inspect any of the Documents aforesaid, and to make Copies and Extracts of and from the same, in the like Manner and upon the like Terms, and under the like Penalty for Default, as is provided in the Case of the original Plans and Sections by an Act passed in the First Year of the Reign of Her Majesty, intituled *An Act to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.*

Clerks of the Peace, &c. to receive Plans of Alterations, &c., and allow Inspection.

7 W. 4. & 1 Vict. c. 83.

X. Copies of the said Plans and Books of Reference, or of any Alteration or Correction thereof or Extracts therefrom, certified by any such Clerk of the Peace, Sheriff Clerk, or Town Clerk, which Certificate such Clerk shall give to all Parties interested, when required, shall be received in all Courts of Justice or elsewhere as Evidence of the Contents thereof.

Copies of Plans and Alterations, &c. to be Evidence.

XI. The Undertakers in constructing the Waterworks shall not deviate from the Line of the Works laid down in the said Plan more than the prescribed Number of Yards, and where no Number of Yards is prescribed not more than Ten Yards, nor in any Case to any greater Extent than the Line of lateral Deviation described in the said Plans with respect to such Works, nor take nor use, for the Purpose of such Deviation, the Lands of any Person not mentioned in the Books of Reference, without his previous Consent in Writing, unless the Name of such Person shall have been omitted by Mistake, and the Fact that such Omission happened from Mistake shall have been certified in manner herein-before provided.

Not to deviate beyond Limits defined upon Plans, &c.

XII. Subject to the Provisions and Restrictions in this and the special Act, and any Act incorporated therewith, the Undertakers may execute any of the following Works for constructing the Waterworks; (that is to say,)

Undertakers, subject to Provisions of this and the special Act, may execute the Works herein named.

They may enter upon any Lands and other Places described on the said Plans and in the said Books of Reference, and take Levels of the same, and set out such Parts thereof as they shall think necessary, and dig and break up the Soil of such Lands, and trench and sough the same, and remove or use all Earth, Stone, Mines, Minerals, Trees, or other Things dug or gotten out of the same:

They may from Time to Time sink such Wells or Shafts, and make, maintain, alter, or discontinue such Reservoirs, Waterworks, Cisterns, Tanks, Aqueducts, Drains, Cuts, Sluices, Pipes, Culverts, Engines, and other Works, and erect such Buildings, upon the Lands and Streams authorized to be taken by them, as they shall think proper, for supplying the Inhabitants of the Town or District within the prescribed Limits with Water:

They may from Time to Time divert and impound the Water from the Streams mentioned for that Purpose in the special Act, or the said Plans or Books of Reference, and alter the Course of any such Streams, not being navigable, and also take such Waters as may be found in and under or on the Lands to be taken for constructing the Works:

Provided always, that in the Exercise of the said Powers the Undertakers shall do as little Damage as can be, and in all Cases where it can be done shall provide other Watering Places, Drains, and Channels for the Use of adjoining Lands, in place of any such as shall be taken away or interrupted by them, and shall make full Compensation to all Parties interested for all Damage sustained by them through the Exercise of such Powers.

Undertakers to make Compensation for Damages.

XIII. Every Person who shall wilfully obstruct any Person acting under the Authority of the Undertakers in setting out the Line of the Works, or pull up or remove any Poles or Stakes driven into the Ground for the Purpose of setting out the Line of such Works, or deface or destroy any Works made for the same Purpose, shall be liable to a Penalty not exceeding Five Pounds for every such Offence.

Penalty for obstructing Construction of Works.

XIV. After the Streams or Supplies of Water hereby or by the special Act authorized to be taken by the Undertakers shall have been so taken, every Person who shall illegally divert or take the Waters supplying or flowing into the Streams so taken, or any Part thereof, or who shall do any unlawful Act whereby the said Streams or Supplies of Water may be drawn off or diminished in Quantity, and who shall

Penalty for illegally diverting Water.

Construction of Waterworks.

shall not immediately repair the Injury done by him, on being required so to do by the Undertakers, so as to restore the said Waters to the State in which they were before such Act, shall forfeit to the Undertakers any Sum which shall be awarded, in *England* or *Ireland*, by Two Justices, and in *Scotland* by the Sheriff, not exceeding Five Pounds for every Day during which the said Supply of Water shall be diverted or diminished by reason of any Act done by or by the Authority of such Person, and any Sum so forfeited shall be in addition to the Sum which he may be lawfully adjudged liable to pay to the Undertakers for any Damage which they may sustain by reason of their Supply of Water being diminished; and the Payment of the Sum so forfeited shall not bar or affect the Right of the Undertakers to bring or raise an Action at Law against such Person for the Damage so committed.

Reservation of existing Rights.

XV. Provided always, That nothing herein contained shall prevent the Owners and Occupiers for the Time being of Lands through or by which such Streams shall flow from using the Waters thereof in such Manner and to such Extent as they might have done before the passing of the special Act, unless they shall have received Compensation in respect of their Right of so using such Water.

Accommodation Works.

And with respect to the Construction of Works for the Accommodation of Lands adjoining the Waterworks, be it enacted as follows:

Differences as to the Construction of Accommodation Works to be settled by Justices.

XVI. Where by the special Act the Undertakers shall be required to erect any Works for making good the Interruption caused to any Lands adjoining or near the Waterworks, or otherwise, for the Accommodation of such Lands, then if any Difference shall arise respecting the Construction of any such Accommodation Works, or the Kind or Size or Sufficiency thereof, or respecting the Maintenance thereof, the same shall be determined in *England* or *Ireland* by Two Justices, and in *Scotland* by the Sheriff, and such Justices or Sheriff shall also appoint the Time within which such Accommodation Works shall be begun and finished by the Undertakers.

If Undertakers fail to execute Works, Persons aggrieved may do so, and charge Expence.

XVII. If the Undertakers shall for Fourteen Days next after the Time appointed by such Justices or Sheriff for the Beginning of any such Accommodation Works fail to begin such Works, or, having begun such Works, fail diligently to execute the same in a sufficient Manner, the Person aggrieved by such Failure may execute such Works or Repairs; and the reasonable Expences thereof shall, on Demand, be repaid by the Undertakers to the Person by whom the same shall so have been executed; and if there be any Dispute about the Amount or Nature of such Expences, the same shall be settled in *England* or *Ireland* by Two Justices, and in *Scotland* by the Sheriff.

Mines.

And with respect to Mines, be it enacted as follows:

Undertakers not entitled to Mines unless previously purchased.

XVIII. The Undertakers shall not be entitled to any Mines of Coal, Ironstone, Slate, or other Minerals under any Land purchased by them, except only such Parts thereof as shall be necessary to be dug or carried away or used in the Construction of the Waterworks, unless the same shall have been expressly purchased, and all such Mines, excepting as aforesaid, shall be deemed to be excepted out of the Conveyance of such Lands, unless they shall have been expressly named therein and conveyed thereby.

Map and Plan of underground Works of Undertakers to be made.

XIX The Undertakers shall from Time to Time, within Six Months from the Time at which any Pipes, Conduits, or underground Works shall have been laid down or formed by them, cause a Survey and Map to be made of the District within which any such Pipes or underground Works shall be laid, on a Scale not less than One Foot to a Mile, and shall cause to be marked thereon the Course and Situation of all existing Pipes or Conduits for the Collection, Passage, or Distribution of Water and underground Works belonging to them, in order to show all such underground Works within the said District, and shall, within Six Months from the making of any Alterations or Additions, cause the said Map to be from Time to Time corrected, and such Additions made thereto as may show the Line and Situation of all such Pipes, Conduits, and underground Works as may be laid down or formed by them from Time to Time after the passing of the special Act, and such Map and Plan, or a Copy thereof, with the Date expressed thereon of the last Time when the same shall have been so corrected as aforesaid, shall be kept in the Office of the Undertakers, and shall be open to the Inspection of all Persons interested in the same within the said District.

Copies of such Map or Plan to be deposited with Clerk of the Peace, &c.

XX. The Undertakers shall, from Time to Time, within Three Months from the Time at which any such Map or Plan, or any such Correction thereof or Addition thereto, shall have been made as aforesaid, deposit with the Clerks of the Peace in *England* or *Ireland*, and with the Sheriff Clerks in *Scotland*, of every County, and the Town Clerk of every Burgh in *Scotland*, in which such District or any Part thereof may be situate, and also with the Parish Clerks of the several Parishes in *England*, and Clerks of the Union of the several Parishes in *Ireland*, and the Schoolmaster of the several Parishes in *Scotland*, in which such underground Works shall be situate, Copies of the said Map or Plan, with all such Particulars, and all such Corrections and Additions as aforesaid, so far as relates to such Counties, Burghs, and Parishes respectively.

Clerks of the Peace, &c. to receive and keep Copies of the Map, &c., and allow Inspection. 7 W. 4. & 1 Vict. c. 83.

XXI. The said Clerks of the Peace, Sheriff Clerks, and Town Clerks, Parish Clerks, Clerks of the Union, and Schoolmasters shall receive the said Copies of the said Map and Plan respectively, and shall keep the same, and shall allow all Persons interested to inspect the same, and take Copies or Extracts of and from the same, in the like Manner, and upon the like Terms, and under the like Penalty for Default, as is provided in the Case of Maps and Plans deposited under an Act passed in the First Year of the Reign of Her Majesty, intituled *An Act to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.*

XXII. Except

Mines lying near the Works not to be worked until Owners give Notice of their Intentions.

XXII. Except where otherwise provided for by Agreement between the Undertakers and other Parties, if the Owner, Lessee, or Occupier of any Mines or Minerals lying under the Reservoirs or Buildings belonging to the Undertakers, or under any of their Pipes or Works which shall be under Ground, and shall be described in the Map or Plan which shall be so kept and deposited as herein-before mentioned, or within the prescribed Distance, if any, and if no Distance be prescribed within Forty Yards therefrom, be desirous of working the same, such Owner, Lessee, or Occupier, shall give the Undertakers Notice in Writing of his Intention so to do Thirty Days before the Commencement of working; and upon the Receipt of such Notice it shall be lawful for the Undertakers to cause such Mines to be inspected by any Person appointed by them for the Purpose, and if it appear to the Undertakers that the working of such Mines or Minerals is likely to damage the said Works, and if they be willing to make Compensation for such Mines to such Owner, Lessee, or Occupier thereof, then he shall not work the same; and if the Undertakers and such Owner do not agree as to the Amount of such Compensation the same shall be settled as in other Cases of disputed Compensation.

Upon Receipt of Notice, Undertakers may take Mines, making Compensation.

If Company unwilling to compensate, Owner may work the Mines,

XXIII. If before the Expiration of such Thirty Days the Undertakers do not state their Willingness to treat with such Owner, Lessee, or Occupier for the Payment of such Compensation, it shall be lawful for him to work the said Mines, and to drain the same, by means of Engines or otherwise, as if this Act and the special Act had not been passed, so that no wilful Damage be done to the said Works, and so that the said Mines be not worked in an unusual Manner; and if any Damage or Obstruction be occasioned to the Works of the Undertakers by the working of such Mines in an unusual Manner the same shall be forthwith repaired or removed (as the Case may require), and such Damage made good by the Owner, Lessee, or Occupier of such Mines or Minerals, and at his own Expence, and if such Repair or Removal be not forthwith done, or if the Undertakers shall so think fit, without waiting for the same to be done by such Owner, Lessee, or Occupier, it shall be lawful for the Undertakers to execute the same, and recover from such Owner, Lessee, or Occupier the Expence occasioned thereby by Action in any of the Superior Courts.

Owners to make good Damage occasioned by working the Mines in an unusual Manner.

Mining Communications.

XXIV. If the working of any such Mines under the said Works of the Undertakers or within the above-mentioned Distance therefrom be prevented as aforesaid by reason of apprehended Injury to such Works, it shall be lawful for the respective Owners, Lessees, and Occupiers of such Mines to cut and make such and so many Airways, Headways, Gateways, or Water Levels through the Mines, Measures, or Strata, the working whereof shall be so prevented as may be requisite to enable them to ventilate, drain, and work any Mines or Minerals on each or either Side thereof, but no such Airway, Headway, Gateway, or Water Level, shall be of greater Dimensions or Sections than the prescribed Dimensions or Sections, and where no Dimensions are prescribed Eight Feet wide and Eight Feet high, nor shall the same be cut or made upon any Part of the said Works so as to injure the same.

Company to make Compensation to Owner, Lessee, or Occupier of Mines for Expences incurred by reason of Mines being worked.

Disputes to be settled by Arbitration.

XXV. Except where otherwise provided for by Agreement the Undertakers shall from Time to Time pay to the Owner, Lessee, or Occupier of any Mines of Coal, Ironstone, and other Minerals extending so as to lie on both Sides of any Reservoirs, Buildings, Pipes, Conduits, or other Works, all such additional Expences and Losses as shall be incurred by such Owner, Lessee, or Occupier, by reason of the Severance of the Lands over such Mines or Minerals by such Reservoirs or other Works, or of the continuous working of such Mines or Minerals being interrupted as aforesaid, or by reason of the same being worked under the Restrictions contained in this or the special Act; and for any Mines or Minerals not purchased by the Undertakers which cannot be obtained by reason of making and maintaining the said Works, or by reason of such apprehended Injury from the working thereof as aforesaid; and if any Dispute or Question shall arise between the Undertakers and such Owner, Lessee, or Occupier as aforesaid touching the Price of such Minerals, the same shall be settled by Arbitration in such Manner as is provided by the Lands Clauses Consolidation Act if the Undertaking shall be situate in *England* or *Ireland*, and by the Lands Clauses Consolidation (*Scotland*) Act if the Undertaking shall be situate in *Scotland*.

Power to Company to enter and inspect the working of Mines, after giving Notice of the same.

XXVI. For better ascertaining whether any such Mines are being worked or have been worked so as to damage the said Works it shall be lawful for the Undertakers, after giving Twenty-four Hours Notice in Writing, to enter upon any Lands through or near which the said Works are situate, and wherein any such Mines are being worked or are supposed so to be, and to enter into and return from any such Mines or the Works connected therewith, and for that Purpose it shall be lawful for them to make use of any Apparatus or Machinery belonging to the Owner, Lessee, or Occupier of such Mines, and to use all necessary Means for discovering the Distance from the said Works to the Parts of such Mines which are being worked or about to be worked.

Undertakers liable to Actions for Injury done to Mines.

XXVII. Nothing in this or the special Act shall prevent the Undertakers from being liable to any Action or other legal Proceeding to which they would have been liable for any Damage or Injury done or occasioned to any Mines by means or in consequence of the Waterworks, in case the same had not been constructed or maintained by virtue of this Act or the special Act.

Laying of Pipes.

And with respect to the breaking up of Streets for the Purpose of laying Pipes, be it enacted as follows:

Power to break up Streets, &c., under Superintendence, and to open Drains.

XXVIII. The Undertakers, under such Superintendence as is herein-after specified, may open and break up the Soil and Pavement of the several Streets and Bridges within the Limits of the special Act, and may open and break up any Sewers, Drains, or Tunnels within or under such Streets and Bridges, and lay down and place within the same Limits Pipes, Conduits, Service Pipes, and other Works and Engines, and from Time to Time repair, alter, or remove the same, and for the Purposes aforesaid remove and

Laying of Pipes.

and use all Earth and Materials in and under such Streets and Bridges, and do all other Acts which the Undertakers shall from Time to Time deem necessary for supplying Water to the Inhabitants of the District included within the said Limits, doing as little Damage as can be in the Execution of the Powers hereby or by the special Act granted, and making Compensation for any Damage which may be done in the Execution of such Powers.

Not to enter on private Land without Consent.

XXIX Provided always, That nothing herein contained shall authorize or empower the Undertakers to lay down or place any Pipe, Conduit, Service Pipe, or other Work in any Land not dedicated to public Use, without the Consent of the Owners and Occupiers thereof, except that the Undertakers at any Time may enter upon and lay or place any new Pipe in the Place of an existing Pipe in any Land wherein any Pipe hath been already lawfully laid down or placed in pursuance of this or the special Act, or any other Act of Parliament, and may repair or alter any Pipe so laid down.

Notice to be served before breaking up Streets or opening Drains.

XXX. Before the Undertakers open or break up any Street, Bridge, Sewer, Drain, or Tunnel, they shall give to the Persons under whose Control or Management the same may be, or to their Clerk, Surveyor, or other Officer, Notice in Writing of their Intention to open or break up the same, not less than Three clear Days before beginning such Work, except in Cases of Emergency arising from Defects in any of the Pipes or other Works, and then so soon as is possible after the Beginning of the Work, or the Necessity for the same shall have arisen.

Streets or Drains not to be broken up except under Superintendence of Persons having Control of the same.

XXXI. No such Street, Bridge, Sewer, Drain, or Tunnel shall, except in the Cases of Emergency aforesaid, be opened or broken up, except under the Superintendence of the Persons having the Control or Management thereof, or of their Officer, and according to such Plan as shall be approved of by such Persons or their Officer, or in case of any Difference respecting such Plan, then according to such Plan as shall be determined by Two Justices; and such Justices may, on the Application of the Persons having the Control or Management of any such Sewer or Drain, or their Officer, require the Undertakers to make such temporary or other Works as they may think necessary for guarding against any Interruption of the Drainage during the Execution of any Works which interfere with any such Sewer or Drain: Provided always, that if the Persons having such Control or Management as aforesaid, and their Officer, fail to attend at the Time fixed for the opening of any such Street, Bridge, Sewer, Drain, or Tunnel, after having had such Notice of the Intention of the Undertakers as aforesaid, or shall not propose any Plan for breaking up or opening the same, or shall refuse or neglect to superintend the Operation, the Undertakers may perform the Work specified in such Notice without the Superintendence of such Persons or their Officer.

If Persons having Control, &c. fail to superintend, Undertakers may perform the Work.

Streets, &c. broken up to be reinstated without Delay.

XXXII. When the Undertakers open or break up the Road or Pavement of any Street or Bridge, or any Sewer, Drain, or Tunnel, they shall with all convenient Speed complete the Work for which the same shall be broken up, and fill in the Ground, and reinstate and make good the Road or Pavement, or the Sewer, Drain, or Tunnel, so opened or broken up, and carry away the Rubbish occasioned thereby, and shall at all Times whilst any such Road or Pavement shall be so opened or broken up cause the same to be fenced and guarded, and shall cause a Light sufficient for the warning of Passengers to be set up and kept thereagainst, every Night during which such Road or Pavement shall be continued open or broken up, and shall, after replacing and making good the Road or Pavement which shall have been so broken up, keep the same in good Repair for Three Months thereafter, and such further Time, if any, not being more than Twelve Months in the whole, as the Soil so broken up shall continue to subside.

Penalty for Delay in reinstating Streets, &c.

XXXIII. If the Undertakers open or break up any Street or Bridge, or any Sewer, Drain, or Tunnel, without giving such Notice as aforesaid, or in a Manner different from that which shall have been approved of or determined as aforesaid, or without making such temporary or other Works as aforesaid, when so required, except in the Cases in which the Undertakers are authorized to perform such Works without any Superintendence or Notice, or if the Undertakers make any unnecessary Delay in completing any such Work, or in filling in the Ground, or reinstating and making good the Road or Pavement, or the Sewer, Drain, or Tunnel, so opened or broken up, or in carrying away the Rubbish occasioned thereby, or if they neglect to cause the Place where such Road or Pavement has been broken up to be fenced, guarded, and lighted, or neglect to keep the Road or Pavement in repair for the Space of Six Months next after the same is made good or such further Time as aforesaid, they shall forfeit to the Persons having the Control or Management of the Street, Bridge, Sewer, Drain, or Tunnel in respect of which such Default is made a Sum not exceeding Five Pounds for every such Offence, and an additional Sum of Five Pounds for each Day during which any such Delay as aforesaid shall continue after they shall have received Notice thereof.

In case of Delay other Parties may reinstate and recover the Expences.

XXXIV. If any such Delay or Omission as aforesaid shall take place the Persons having the Control or Management of the Street, Bridge, Sewer, Drain, or Tunnel in respect of which such Delay or Omission shall take place may cause the Work so delayed or omitted to be executed, and the Expence of executing the same shall be repaid to such Persons by the Undertakers, and such Expences may be recovered in the same Way as Damages are recoverable under this and the special Act.

Supply of Water.

And with respect to the Supply of Water to be furnished by the Undertakers, be it enacted as follows:

A constant Supply of Water to be kept for domestic Purposes at high Pressure.

XXXV. The Undertakers shall provide and keep in the Pipes to be laid down by them a Supply of pure and wholesome Water, sufficient for the domestic Use of all the Inhabitants of the Town or District within the Limits of the special Act, who, as herein-after provided shall be entitled to demand a Supply, and shall be willing to pay Water Rate for the same; and such Supply shall be constantly laid on at such a Pressure as will make the Water reach the top Story of the highest Houses within the said Limits, unless

Supply of Water.

unless it be provided by the special Act that the Water to be supplied by the Undertakers need not be constantly laid on under Pressure; and the Undertakers shall cause Pipes to be laid down and Water to be brought to every Part of the Town or District within the Limits of the special Act whereunto they shall be required by so many Owners or Occupiers of Houses in that Part of the Town or District as that the aggregate Amount of Water Rate payable by them annually at the Rates specified in the special Act shall be not less than One Tenth Part of the Expence of providing and laying down such Pipes; provided that no such Requisition shall be binding on the Undertakers unless such Owners or Occupiers shall severally execute an Agreement binding themselves to take such Supply of Water for Three successive Years at least.

Penalty for Neglect to lay Pipes for Supply of Water for domestic Use.

XXXVI. If for Twenty-eight Days after Demand in Writing made to the Undertakers, and Tender made of an Agreement, signed by such Number of Owners or Occupiers as aforesaid, to take and pay for a Supply of Water for Three Years or more, the Undertakers shall refuse or neglect to lay down Pipes in the Manner herein-before directed, and to provide such Supply of Water as aforesaid or as provided by the special Act, they shall forfeit to each of such Owners and Occupiers the Amount of Rate which he would be liable to pay under such Agreement, and also the further Sum of Forty Shillings for every Day during which they shall refuse or neglect to lay down such Pipes, or to provide such Supply of Water: Provided always, that the Undertakers shall not be liable to any Penalty for not supplying Water if the Want of such Supply shall arise from Frost, unusual Drought, or other unavoidable Cause or Accident.

Proviso.

Supply of Water to be kept for cleansing Sewers, Drains, &c. and for other public Purposes.

XXXVII. In all the Pipes to which any Fire-plug shall be fixed the Undertakers shall provide and keep constantly laid on, unless prevented by Frost, unusual Drought, or other unavoidable Accident, or during necessary Repairs, a sufficient Supply of Water for the following Purposes; (that is to say,) for cleansing the Sewers and Drains, for cleansing and watering the Streets, and for supplying any public Pumps, Baths, or Wash-houses that may be established for the free Use of the Inhabitants, or paid for out of any Poor Rates or Borough Rates levied within the Limits of the special Act; and such Supply shall be provided at such Rates, in such Quantities, and upon such Terms and Conditions as may be agreed upon by the Town Commissioners and the Undertakers, or, in case of Disagreement, as shall be settled in *England* or *Ireland* by Two Justices, and in *Scotland* by the Sheriff, until in either Case an Inspector shall have been appointed, and after the Appointment of such Inspector, by the Inspector so appointed.

Fire-plugs.

Undertakers to affix public Fire-plugs in Mains.

XXXVIII. The Undertakers, at the Request of the Town Commissioners, shall fix proper Fire-plugs in the Main and other Pipes belonging to them, at such convenient Distances, not being more than the prescribed Distance, or, if no Distance be prescribed, not more than One hundred Yards from each other, and at such Places as may be most proper and convenient for the Supply of Water for extinguishing any Fire which may break out within the Limits of the special Act; and in case of any Difference of Opinion as to the proper Position or Number of such Fire-plugs, it shall be settled by such Inspector as aforesaid, when appointed, and in the meantime by Two Justices in *England* or *Ireland*, and by the Sheriff in *Scotland*.

Undertakers to repair Fire-plugs and deposit Keys thereof at Engine Houses, &c.

XXXIX. The Undertakers shall from Time to Time renew and keep in effective Order every such Fire-plug; and as soon as any such Fire-plug is completed they shall deposit a Key thereof at each Place within the Limits of the special Act where any public Fire Engine is kept, and in such other Places as may be appointed by the Town Commissioners, and shall put up a public Notice in some conspicuous Place in each Street in which such Fire-plug is situated showing its Situation, which Notice the Undertakers may put up on any House or Building in such Street.

As to Expence of Fire-plugs, &c.

XL. The Cost of such Fire-plugs, and the Expence of fixing, placing, and maintaining the same in repair, and of providing such Keys as aforesaid, shall be defrayed by the Town Commissioners.

Fire-plugs to be placed near Manufactories at Request, &c. of Owners.

XLI. The Undertakers shall at the Request and Expence of the Owner or Occupier of any Work or Manufactory situated in any Street in which there shall be a Pipe of the Undertakers, place and maintain in effective Order a Fire-plug (to be used only for extinguishing Fires) as near as conveniently may be to such Work or Manufactory.

Pipes to be kept charged, and Water taken for Fires without Charge.

XLII. The Undertakers shall at all Times keep charged with Water, under such Pressure as aforesaid, all their Pipes to which Fire-plugs shall be fixed, unless prevented by Frost, unusual Drought, or other unavoidable Cause or Accident, or during necessary Repairs, and shall allow all Persons at all Times to take and use such Water for extinguishing Fire, without making Compensation for the same.

Penalty for Refusal to fix, &c. Fire-plugs, or occasional Failure of Supply of Water.

XLIII. If, except when prevented as aforesaid, the Undertakers neglect or refuse to fix, maintain, or repair such Fire-plugs, or to furnish to the Town Commissioners a sufficient Supply of Water for the public Purposes aforesaid, upon such Terms as shall have been agreed on or settled as aforesaid, or if, except as aforesaid, they neglect to keep their Pipes charged under such Pressure as aforesaid, or neglect or refuse to furnish to any Owner or Occupier entitled under this or the special Act to receive a Supply of Water during any Part of the Time for which the Rates for such Supply have been paid or tendered, they shall be liable to a Penalty of Ten Pounds, and shall also forfeit to the Town Commissioners, and to every Person having paid or tendered the Rate, the Sum of Forty Shillings for every Day during which such Refusal or Neglect shall continue after Notice in Writing shall have been given to the Undertakers of the Want of Supply.

Pipes to be laid by the Undertakers.

And with respect to the Communication Pipes to be laid by the Undertakers, be it enacted as follows:

Undertakers to lay down Communication Pipes on Request of Occupier and with the Consent of Owners in Houses of limited Value.

XLIV. The Undertakers shall, upon the Request of the Owner of any Dwelling House in any Street in which Pipes shall have been laid down by them, the annual Value of which House shall not exceed Ten Pounds, or upon Request of the Occupier, with the Consent in Writing of the Owner or reputed Owner of any such House, or of the Agent of such Owner, and upon Payment or Tender of the Proportion of Water Rate in respect of such House by this or the special Act made payable in advance, lay down Communication Pipes and other necessary Works for the Supply of such House with Water for domestic or other Purposes, and shall keep the same in repair, and thereupon the Occupier of such House shall be entitled to have a sufficient Supply of Water for his domestic Purposes from the Undertakers; and the Undertakers may charge for such Pipes and Works, in addition to the Water Rate, such reasonable annual Rent as shall be agreed upon, or, in case of Dispute, as shall be settled by such Inspector as aforesaid, when appointed, and in the meantime as shall in *England* or *Ireland* be settled by Two Justices, and in *Scotland* by the Sheriff; and such Rent shall be chargeable on and recoverable from the Occupier, or, in his Default, from the Owner of such House, at the same Times and in the same Manner as Water Rates; and such Pipes and other Works shall not be subject to Distress or to the Landlord's Hypothec for Rent, nor to be taken in execution under any Process of a Court of Law or Equity, or under any Fiat or Sequestration in Bankruptcy, against such Occupier or against such Owner, unless he shall have become the Proprietor of the said Pipes and Works under the Provisions herein-after contained.

Penalty on Undertakers for Refusal to lay Communication Pipes.

XLV. If, upon such Request and Consent, and upon Tender or Payment of such Proportion of Rate as aforesaid, the Undertakers for Seven Days neglect or refuse to lay down such Communication Pipes or other Works, they shall be liable to forfeit to the Person so making such Request the Sum of Five Pounds, and a further Sum of Forty Shillings for every Day during which such Refusal or Neglect shall continue after Seven Days from the making of such Request and Tender as aforesaid.

Undertakers to be at liberty to remove Pipes, and recover Expences of Owners or Occupiers.

XLVI. If the Occupier for the Time being of the House in which any such Communication Pipes or other Works and Engines shall have been laid down by the Undertakers refuse to pay for a Supply of Water, or if such House be unoccupied for Twelve Months, the Undertakers may demand from the Owner thereof Payment of the Amount of the Principal Money invested by them in providing and laying down such Communication Pipes and other Works and Engines; and if such Owner, after Ten Days Notice given to him by the Undertakers, neglect or refuse to pay such Principal Money, the Undertakers may enter the House and remove such Pipes and other Works; and the Balance of such Principal Money, after deducting the Value of such Pipes and other Works, with all Arrear of Rent for such Pipes and Works, shall, in default of Payment, be recovered, with the Costs incurred, from the Owner or from the Occupier for the Time being in the same Manner as Water Rates are directed by this or the special Act to be recovered: Provided always, that no greater Sum shall be recovered from any such Occupier than the Amount of Rent for the Time being owing by him unless he refuse to discover the Amount of Rent owing by him; and that every such Occupier shall be entitled to deduct from the Amount of Rent payable by him the Sum so recovered from him, or which he shall have paid on Demand.

No greater Sum to be recovered than Amount of Rent due.

Owner to be at liberty to purchase the Pipes.

XLVII. The Owner or reputed Owner of any House where any such Communication Pipes or other Works shall have been laid down by the Undertakers may at any Time pay off the Amount then due to the Undertakers in respect of the Costs of providing and laying down such Pipes and Works, and all Rent at that Time due in respect thereof, and thereupon such Pipes and Works shall become the Property of such Owner, and all further Rent in respect thereof shall cease to accrue to the Undertakers.

Pipes to be laid by the Inhabitants.

And with respect to the Communication Pipes to be laid by the Inhabitants, be it enacted as follows:

Power to Inhabitants to lay Service Pipes, giving the Undertakers Notice of the same.

XLVIII. Any Owner or Occupier of any Dwelling House or Part of a Dwelling House within the Limits of the special Act who shall wish to have Water from the Waterworks of the Undertakers brought into his Premises, and who shall have paid or tendered to the Undertakers the Portion of Water Rate in respect of such Premises by this or the special Act directed to be paid in advance, may open the Ground between the Pipes of the Undertakers and his Premises, having first obtained the Consent of the Owners and Occupiers of such Ground, and lay any Leaden or other Pipes from such Premises, to communicate with the Pipes of the Undertakers, such Pipes to be of a Strength and Material to be approved of by the Undertakers, or, in case of Dispute, to be settled in *England* or *Ireland* by Two Justices, and in *Scotland* by the Sheriff, or in either Case by the Inspector to be appointed as aforesaid: Provided always, that every such Owner or Occupier shall, before he begins to lay any such Pipe, give to the Undertakers Fourteen Days Notice of his Intention to do so.

Communication with Pipes of Undertakers to be made under Superintendence of Surveyor.

As to settling of Disputes.

XLIX. Before any Pipe is made to communicate with the Pipes of the Undertakers, the Person intending to lay such Pipe shall give Two Days Notice to the Undertakers of the Day and Hour when such Pipe is intended to be made to communicate with the Pipes of the Undertakers; and every such Pipe shall be so made to communicate under the Superintendence and according to the Directions of the Surveyor or other Officer appointed for that Purpose by the Undertakers, unless such Surveyor or Officer fail to attend at the Time mentioned in the said Notice; and in case of any Dispute as to the Manner in which such Pipe shall be so made to communicate, it shall in *England* or *Ireland* be settled by Two Justices, and in *Scotland* by the Sheriff, or in either Case by the Inspector to be appointed as aforesaid.

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L. The Bore of any such Pipe as last aforesaid shall not exceed the prescribed Limits, and where no Limit shall be prescribed it shall not exceed Half an Inch, except with the Consent of the Undertakers. Bore of Service Pipes.

LI. Any Person who shall have laid down any Pipe or other Works, or who shall have become the Proprietor thereof, may remove the same, after having first given Six Days Notice in Writing to the Undertakers of his Intention so to do, and of the Time of such proposed Removal, and every such Person shall make Compensation to the Undertakers for any Injury or Damage to their Pipes or Works which may be caused by such Removal; and every Person who shall remove any such Pipe or other Works without giving such Notice as aforesaid shall forfeit to the Undertakers a Sum not exceeding Five Pounds, over and above the Damage which he may be found liable to pay in any Action at Law, at the Suit of the Undertakers, for the Damage done to their Pipes or Works. Service Pipes may be removed after giving Notice. Penalty on removing Pipes without Notice.

LII. Any such Owner or Occupier may open or break up so much of the Pavement of any Street as shall be between the Pipe of the Undertakers and his House, Building, or Premises, and any Sewer or Drain therein, for any such Purpose as aforesaid, doing as little Damage as may be, and making Compensation for any Damage done in the Execution of any such Work: Provided always, that every such Owner or Occupier desiring to break up the Pavement of any Street, or any Sewer or Drain therein, shall be subject to the same Necessity of giving previous Notice, and shall be subject to the same Control, Restriction, and Obligations in and during the Time of breaking up the same, and also reinstating the same, and to the same Penalties for any Delay in regard thereto, as the Undertakers are subject to by virtue of this or the special Act. Power to Inhabitants to break up Pavements, giving Notice of the same.

LIII. Every Owner and Occupier of any Dwelling House or Part of a Dwelling House within the Limits of the special Act shall, when he has laid such Communication Pipes as aforesaid, and paid or tendered the Water Rate payable in respect thereof, according to the Provisions of this and the special Act, be entitled to demand and receive from the Undertakers a sufficient Supply of Water for his domestic Purposes. Supply of Water for domestic Purposes.

And with respect to Waste or Misuse of the Water supplied by the Undertakers, be it enacted as follows: *Protection of Water.*

LIV. If by the special Act it be provided that the Water to be supplied by the Undertakers need not be constantly laid on under Pressure, every Person supplied with Water shall, when required by the Undertakers, provide a proper Cistern to hold the Water with which he shall be so supplied with a Ball and Stop Cock in the Pipe bringing the Water from the Works of the Undertakers to such Cistern, and shall keep such Cistern, Ball and Stop Cock in good Repair, so as effectually to prevent the Water from running to waste; and in case any such Person shall, when required by the Undertakers, neglect to provide such Cistern, Ball or Stop Cock, or to keep the same in good Repair, the Undertakers may cut off the Pipe or turn off the Water from the Premises of such Person until such Cistern and Ball and Stop Cock shall be provided or repaired, as the Case may require. Persons using the Water to provide Cisterns and Cocks. Penalty for Neglect.

LV. Every Person supplied with Water by the Undertakers who shall suffer any such Cistern, Pipe, Ball or Stop Cock to be out of repair, so that the Water supplied to him by the Undertakers shall be wasted, shall forfeit to the Undertakers for every such Offence a Sum not exceeding Five Pounds. Penalty for suffering Cistern, &c. to be out of repair.

LVI. The Undertakers may repair any such Cistern, Pipe, Ball or Stop Cock, so as to prevent any such Waste of Water, and the Expences of such Repair shall be repaid to them by the Person so allowing the same to be out of repair, and may be received as Damages. Undertakers may repair, and recover Expences.

LVII. The Surveyor, or any other Person acting under the Authority of the Undertakers, may, between the Hours of Nine of the Clock in the Forenoon and Four of the Clock in the Afternoon, enter into any House or Premises supplied with Water by virtue of this or the special Act in order to examine if there be any Waste or Misuse of such Water; and if such Surveyor or other Person at any such Time be refused Admittance into such Dwelling House or Premises for the Purpose aforesaid, or be prevented from making such Examination as aforesaid, the Undertakers may turn off the Water supplied by them from such House or other Premises. Power to Surveyor employed by Undertakers to enter Houses to inspect, &c.

LVIII. Every Owner or Occupier of any Tenement supplied with Water under this or the special Act who shall supply to any other Person or wilfully permit him to take any such Water from any Cistern or Pipe in such Tenement, unless for the Purpose of extinguishing any Fire, or unless he be a Person supplied with Water by the Undertakers, and the Pipes belonging to him be, without his Default, out of repair, shall forfeit to the Undertakers for every such Offence a Sum not exceeding Five Pounds. Penalty for allowing Persons to use the Undertakers Water.

LIX. Every Person who, not having agreed to be supplied with Water by the Undertakers, shall take any Water from any Reservoir, Watercourse, or Conduit belonging to the Undertakers, or any Pipe leading to any such Reservoir, Watercourse, or Conduit, or from any Cistern or other like Place containing Water belonging to the Undertakers, other than such as may have been provided for the gratuitous Use of the Public, shall forfeit to the Undertakers for every such Offence a Sum not exceeding Ten Pounds. Penalty for taking the Undertakers Water without Agreement.

LX. Every Person who shall wilfully or carelessly break, injure, or open any Lock, Cock, Valve, Pipe, Work, or Engine belonging to the Undertakers, or shall flush or draw off the Water from the Reservoirs or other Works of the Undertakers, or shall do any other wilful Act whereby such Water shall be wasted, shall forfeit to the Undertakers for every such Offence a Sum not exceeding Five Pounds. Penalty for destroying Valves, &c.

Fouling the Water.

And with respect to the Provision for guarding against fouling the Water of the Undertakers, be it enacted as follows:

Penalties for causing the Water of the Undertakers to be fouled, &c.

LXI. Every Person who shall commit any of the Offences next herein-after enumerated shall for every such Offence forfeit to the Undertakers a Sum not exceeding Five Pounds; (that is to say,)

Every Person who shall bathe in any Stream, Reservoir, Aqueduct, or other Waterworks belonging to the Undertakers, or wash, throw, or cause to enter therein any Dog or other Animal:

Every Person who shall throw any Rubbish, Dirt, Filth, or other noisome Thing into any such Stream, Reservoir, Aqueduct, or other Waterworks as aforesaid, or wash or cleanse therein any Cloth, Wool, Leather, or Skin of any Animal, or any Clothes or other Thing:

Every Person who shall cause the Water of any Sink, Sewer, or Drain, Steam Engine Boiler, or other filthy Water belonging to him or under his Control, to run or be brought into any Stream, Reservoir, Aqueduct, or other Waterworks belonging to the Undertakers, or shall do any other Act whereby the Water of the Undertakers shall be fouled:

And every such Person shall forfeit a further Sum of Twenty Shillings for each Day (if more than One) that such last-mentioned Offence shall be continued.

Penalty for permitting Substances produced in making Gas to flow into Works.

LXII. Every Person making or supplying Gas within the Limits of the special Act who shall at any Time cause or suffer to be brought or to flow into any Stream, Reservoir, Aqueduct, or Waterworks belonging to the Undertakers, or into any Drain communicating therewith, any Washing or other Substance which shall be produced in making or supplying Gas, or who shall wilfully do any Act connected with the making or supplying of Gas whereby the Water in any such Stream, Reservoir, Aqueduct, or Waterworks shall be fouled, shall forfeit to the Undertakers for every such Offence the Sum of Two hundred Pounds; and such Penalty shall be recovered, with full Costs of Suit, in any of the Superior Courts; but such Penalty shall not be recoverable unless it be sued for during the Continuance of the Offence, or within Six Months after it has ceased.

Penalty to be sued for within Six Months.

Daily Penalty during the Continuance of the Offence.

LXIII. In addition to the said Penalty of Two hundred Pounds, and whether such Penalty have been recovered or not, the Person making or supplying Gas as aforesaid shall forfeit to the Undertakers the Sum of Twenty Pounds, to be recovered in like Manner for each Day during which such Washing or Substance shall be brought or shall flow as aforesaid, or during which the Act shall continue by which such Water is fouled, after the Expiration in either Case of Twenty-four Hours from the Time when Notice of the Offence has been served on such Person by the Undertakers.

Penalty on Gas Makers causing Water to be fouled.

LXIV. Whenever the Water supplied by the Undertakers shall be fouled by the Gas of any Person making or supplying Gas within the Limits of the special Act, such Person shall forfeit to the Undertakers for every such Offence a Sum not exceeding Twenty Pounds, and a further Sum not exceeding Ten Pounds for each Day during which the Offence shall continue after the Expiration of Twenty-four Hours from the Service of Notice of such Offence.

Power to examine Gas Pipes, to ascertain Cause of Water being fouled.

LXV. For the Purpose of ascertaining whether the Water of the Undertakers be fouled by the Gas of any Person making or supplying Gas within the Limits of the special Act, the Undertakers may dig up the Ground, and examine the Pipes, Conduits, and Works of the Persons making or supplying Gas; provided that before proceeding so to dig and examine the Undertakers shall give Twenty-four Hours Notice in Writing to the Person so making or supplying Gas of the Time at which such Digging and Examination is intended to take place, and they shall give the like Notice to the Persons having the Control or Management of the Pavements or Place where such Digging shall take place, and they shall be subject to the like Obligation of reinstating the Road and Pavement, and to the same Penalties for Delay, or any Nonfeasance or Misfeasance therein, as herein-before provided with respect to Roads and Pavements broken up by them for laying their Pipes.

The Expences to abide the Result of the Examination.

LXVI. If upon such Examination it appear that such Water has been fouled by any Gas belonging to such Person, the Expences of the Digging, Examination, and Repair of the Street or Place disturbed in any such Examination shall be paid by the Person making or supplying Gas; but if upon such Examination it appear that the Water has not been fouled by the Gas of such Person, then the Undertakers shall pay all the Expences of the Examination and Repair, and also make good to the said Person any Injury which may be occasioned to his Works by such Examination.

How Expence to be ascertained.

LXVII. The Amount of the Expences of every such Examination and Repair, and any Injury done to the Undertakers, shall, in case of any Dispute about the same, together with the Costs of ascertaining and recovering the same, be ascertained and recovered in the same Manner as Damages for the ascertaining and Recovery whereof no special Provision is made are directed to be ascertained and recovered.

Water Rates.

And with respect to the Payment and Recovery of the Water Rates, be it enacted as follows:

Rates to be payable according to the annual Value of the Premises.

LXVIII. The Water Rates, except as herein-after and in the special Act mentioned, shall be paid by and be recoverable from the Person requiring, receiving, or using the Supply of Water, and shall be payable according to the annual Value of the Tenement supplied with Water, and if any Dispute arise as to such Value the same shall be determined by Two Justices.

Where several Houses supplied by One Pipe, each to pay.

LXIX. When several Houses or Parts of Houses in the separate Occupation of several Persons are supplied by one common Pipe, the several Owners or Occupiers of such Houses or Parts of Houses shall be liable to the Payment of the same Rates for the Supply of Water as they would have been liable to if each of such several Houses or Parts of Houses had been supplied with Water from the Works of the Undertakers by a separate Pipe.

LXX. The

Rates to be paid quarterly.

LXX. The Rates shall be paid in advance by equal quarterly Payments, in *England* or *Ireland*, at *Christmas Day*, *Lady Day*, *Midsummer Day*, and *Michaelmas Day*, and in *Scotland* at *Martinmas*, *Candlemas*, *Whitsuntide*, and *Lammas*, and the first Payment shall be made at the Time when the Pipe by which the Water is supplied is made to communicate with the Pipes of the Undertakers, or at the Time when the Agreement to take Water from the Undertakers is made.

Parties giving Notice to discontinue Use of Water, &c. to pay to next Quarter Day.

LXXI. The Occupier of any Dwelling House or Part of a Dwelling House liable to the Payment of any Water Rate, who shall give Notice of his Intention to discontinue the Use of the Water supplied by the Undertakers, or who shall remove from his Dwelling between any Two quarterly Days of Payment, shall pay the Water Rate in respect of such Dwelling House or Part of a Dwelling House for the Quarter ending on the quarterly Day of Payment next after his quitting the same or giving such Notice.

Owners of Houses not exceeding 10*l.* Rent to be liable to Water Rates.

LXXII. The Owners of all Dwelling Houses or Parts of Dwelling Houses occupied as separate Tenements, the annual Value of which Houses or Tenements shall not exceed the Sum of Ten Pounds, shall be liable to the Payment of the Rates instead of the Occupiers thereof; and the Powers and Provisions herein or in the special Act contained for the Recovery of Rates from Occupiers shall be construed to apply to the Owners of such Houses and Tenements; and the Person receiving the Rents of any such House or Tenement as aforesaid from the Occupier thereof, on his own Account, or as Agent or Receiver for any Person interested therein, shall be deemed the Owner of such House or Tenement.

Tenants under existing Leases to repay the Owner.

LXXIII. Provided always, That when any Owner shall pay any such Rate in respect of any such Dwelling House or Part of a Dwelling House which shall be in the Occupation of any Tenant under any Lease or Agreement made prior to the passing of the special Act, such Tenant shall repay to the Owner all Sums which shall be so by him paid during the Continuance of such Lease, unless it have been agreed that the Owner shall pay the Water Rates in respect of such Dwelling House or Part of a Dwelling House; and every such Sum of Money payable by the Tenant to the Owner, under the Provision herein-before contained, may be recovered, if the same be not paid upon Demand, as Arrears of Rent could be recovered from the Occupier by the said Owner.

Rates how to be recovered.

LXXIV. If any Person supplied with Water by the Undertakers, or liable as herein or in the special Act provided to pay the Water Rate, neglect to pay such Water Rate at any of the said Times of Payment thereof the Undertakers may stop the Water from flowing into the Premises in respect of which such Rate is payable, by cutting off the Pipe to such Premises, or by such Means as the Undertakers shall think fit, and may recover the Rate due from such Person, if less than Twenty Pounds, with the Expences of cutting off the Water, and Costs of recovering the Rate, in the same Manner as any Damages for the Recovery of which no special Provision is made are recoverable by this or the special Act; or if the Rate so due amount to Twenty Pounds or upwards, the Undertakers may recover the same, with the Expences of cutting off the Water, by Action in any Court of competent Jurisdiction.

Profits of the Undertakers.

And with respect to the Amount of Profit to be received by the Undertakers when the Waterworks are carried on for their Benefit, be it enacted as follows:

Profits of the Company to be limited.

LXXV. The Profits of the Undertaking to be divided among the Undertakers in any Year shall not exceed the prescribed Rate, or where no Rate is prescribed they shall not exceed the Rate of Ten Pounds in the Hundred by the Year on the paid-up Capital in the Undertaking, which in such Case shall be deemed the prescribed Rate, unless a larger Dividend be at any Time necessary to make up the Deficiency of any previous Dividend which shall have fallen short of the said yearly Rate.

If Profits exceed the Amount limited, Excess to be invested and form a reserved Fund.

LXXVI. If the clear Profits of the Undertaking in any Year amount to a larger Sum than is sufficient after making up the Deficiency in the Dividends of any previous Year as aforesaid, to make a Dividend at the prescribed Rate, the Excess beyond the Sum necessary for such Purpose shall from Time to Time be invested in Government or other Securities, and the Dividends and Interest arising from such Securities shall also be invested in the same or like Securities in order that the same may accumulate at Compound Interest until the Fund so formed amounts to the prescribed Sum, or if no Sum be prescribed to a Sum equal to One Tenth Part of the nominal Capital of the Undertakers, which Sum shall form a reserved Fund to answer any Deficiency which may at any Time happen in the Amount of divisible Profits, or to meet any extraordinary Claim or Demand which may at any Time arise against the Undertakers; and if such Fund be at any Time reduced it may thereafter be again restored to the said Sum, and so from Time to Time as often as such Reduction shall happen.

Reserved Fund not to be resorted to.

LXXVII. Provided always, That no Sum of Money shall be taken from the said Fund for the Purpose of meeting any extraordinary Claim, unless it be first certified, in *England* or *Ireland*, by Two Justices and in *Scotland* by the Sheriff, that the Sum so proposed to be taken is required for the Purpose of meeting an extraordinary Claim within the Meaning of this or the special Act.

When Fund amounts to prescribed Sum how Interest to be applied.

LXXVIII. When such Fund shall, by Accumulation or otherwise, amount to the prescribed Sum, or One Tenth Part of the nominal Capital, as the Case may be, the Interest and Dividends thereon shall no longer be invested, but shall be applied to any of the general Purposes of the Undertaking to which the Profits thereof are applicable.

If Profits are less than prescribed Rate, how Deficiency to be supplied.

LXXIX. If in any Year the Profits of the Undertaking divisible amongst the Undertakers shall not amount to the prescribed Rate, such a Sum may be taken from the reserved Fund as, with the actual divisible Profits of such Year, will enable the Undertakers to make a Dividend of the Amount aforesaid, and so from Time to Time as often as the Occasion shall require.

If Profits are more than the Amount pre-

LXXX. In *England* or *Ireland* the Court of Quarter Sessions, and in *Scotland* the Sheriff of such County, may, on the Petition of any Two Water-rate Payers within the Limits of the special Act, appoint some

scribed, a rateable Reduction to be made in the Price of Water.

some Accountant or other competent Person, not being a Proprietor of any Waterworks, to examine and ascertain, at the Expence of the Undertakers, the actual State and Condition of the Concerns of the Undertakers, and make report thereof to the said Court at the then present or some following Sessions, or to the Sheriff, (the Amount of such Expence to be determined by the said Court or Sheriff,) and the said Court or Sheriff may examine any Witnesses upon Oath touching the Truth of the said Accounts, and the Matters therein referred to; and if it thereupon appear to the said Court or Sheriff that the Profits of the Undertakers for the preceding Year have exceeded the prescribed Rate, the Undertakers shall, in case the whole of the said reserved Fund has been and then remains invested as aforesaid, and in case Dividends to the Amount herein-before limited have been paid, make such a rateable Reduction in the Rates for Water to be furnished by them as in the Judgment of the said Court or Sheriff shall be proper, but so as such Rates, when reduced, shall insure to the Undertakers, regard being had to the Amount of Profit before received, a Profit as near as may be to the prescribed Rate.

Court may order Petitioner to pay the Costs of groundless Petition.

LXXXI. Provided always, That if, in the Case of any Petition so presented it appear to the said Court or Sheriff that there was no sufficient Ground for presenting the same, the said Court or Sheriff may, if they or he think fit, order the Petitioner to pay the whole or any Part of the Costs of or incident to such Petition (the Amount thereof to be determined by the said Court or Sheriff), and the Costs so ordered to be paid shall be recoverable in the same Way as Damages are recoverable under this or the special Act.

Penalty on Undertakers refusing to produce Books, Vouchers, &c.

LXXXII. If the Undertakers shall, for Seven Days after being required to produce to the said Court or Sheriff or to the said Accountant or other Person as aforesaid, any Books of Account, or other Books, Bills, Receipts, Vouchers, or Papers, relating to their pecuniary Affairs, refuse or neglect to produce such Books, Bills, Receipts, Vouchers, or Papers, they shall forfeit the Sum of One hundred Pounds for every such Refusal or wilful Neglect, and the further Sum of Ten Pounds for every Day during which such Refusal or wilful Neglect shall continue after the Expiration of the said Seven Days; such respective Penalties to be recovered by any Person who will sue for the same, with full Costs of Suit, in any of the Superior Courts.

Annual Account to be made up by Undertakers, and sent to the Clerk of the Peace in England or Ireland, or to the Sheriff Clerk in Scotland, &c.

LXXXIII. And with respect to the yearly Receipt and Expenditure of the Undertakers, be it enacted, That the Undertakers shall, in each Year after they have begun to supply Water under this or the special Act, cause an Account in abstract to be prepared of the whole Receipt and Expenditure of all Rates or other Monies levied under the Powers of this or the special Act for the Year preceding, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by the Chairman of the Undertakers, and also by the Auditors thereof, if any; and a Copy of such annual Account shall be sent, free of Charge, to the Clerk of the Peace for the County in which the Waterworks are situated, if the Waterworks are situated in *England* or *Ireland*, and if the Waterworks are situated in *Scotland*, to the Sheriff Clerk of such County, on or before the Thirty-first Day of *January* in each Year, under a Penalty of Twenty Pounds for each Default; and the Copy of such Account so sent to the said Clerk shall be kept by him, and shall be open to Inspection by all Persons, at all seasonable Hours, on Payment of One Shilling for each Inspection.

Tender of Amends.

LXXXIV. And with respect to Tender of Amends, be it enacted, That if any Person shall have committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this or the special Act or any Act incorporated therewith, or by virtue of any Power or Authority thereby given, and if before Action brought in respect thereof such Person make Tender of sufficient Amends to the Person injured, such last-mentioned Person shall not recover in any such Action; and if no such Tender have been made the Defendant may by Leave of the Court where such Action is pending, at any Time before Issue joined, pay into Court such Sum of Money as he thinks fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Recovery of Damages and Penalties.

And with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices or to the Sheriff, be it enacted as follows:

Railways Clauses Consolidation Acts, 1845, as to Damages, &c., to be incorporated with this and the special Act.

LXXXV. If the Waterworks be in *England* or *Ireland* the Clauses of the Railways Clauses Consolidation Act 1845, with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices, shall be incorporated with this and the special Act, and if the Waterworks be in *Scotland* the Clauses of the Railways Clauses Consolidation Act (*Scotland*), 1845, with respect to the Recovery of Damages not specially provided for, and to the Determination of any other Matter referred to the Sheriff or to Justices, shall be incorporated with this and the special Act, and such Clauses shall apply to the Waterworks and to the Undertakers respectively, and shall be construed as if the Word "Undertakers" had been inserted therein instead of the Word "Company."

In Ireland, Part of Penalties to be paid to Guardians of Unions.

LXXXVI. Provided always, That in *Ireland* in the Case of any Penalty imposed by Justices, where the Application is not otherwise provided for, such Justices may award not more than One Half of such Penalty to the Informer, and shall award the Remainder to the Guardians of the Poor of the Union within which the Offence shall have been committed, to be applied in aid of the Poor Rates of such Union.

One Magistrate in England or Ireland, and the Sheriff in Scotland, may act for Two Justices.

LXXXVII. All Things herein or in the special Act or any Act incorporated therewith, authorized or required to be done by Two Justices, may and shall be done in *England* and *Ireland* by any One Magistrate having by Law Authority to act alone for any Purpose with the Powers of Two or more Justices, and in *Scotland* by the Sheriff or Steward of any County, Stewartry, or Ward, or his Substitute.

LXXXVIII. Every

Penalties, &c. imposed in respect of Offences committed within the Metropolitan Police District, to be paid to the Receiver, and applied under 2 & 3 Vict. c. 71.

LXXXVIII. Every Penalty or Forfeiture imposed by this or the special Act, or any Act incorporated therewith, or by any Bye Law in pursuance thereof, in respect of any Offence which shall take place within the Metropolitan Police District, shall be recovered, enforced, accounted for, and, except where the Application thereof is otherwise specially provided for, shall be paid to the Receiver of the Metropolitan Police District, and shall be applied in the same Manner as Penalties or Forfeitures, other than Fines upon drunken Persons, or upon Constables for Misconduct, or for Assaults upon Police Constables, are directed to be recovered, enforced, accounted for, paid, and applied by an Act passed in the Third Year of the Reign of Her present Majesty, intituled *An Act for regulating the Police Courts in the Metropolis;* and every Order or Conviction of any of the Police Magistrates in respect of any such Forfeiture or Penalty shall be subject to the like Appeal, and upon the same Terms, as is provided in respect of any Order or Conviction of any of the said Police Magistrates by the said last-mentioned Act; and every Magistrate by whom any Order or Conviction shall have been made shall have the same Power of binding over the Witnesses who shall have been examined, and such Witnesses shall be entitled to the same Allowance of Expences, as they would have had or been entitled to in case the Order, Conviction, and Appeal had been made in pursuance of the Provisions of the said last-mentioned Act.

Penalty on false Evidence.

LXXXIX. Every Person who upon any Examination upon Oath under the Provisions of this or the special Act, or any Act incorporated therewith, shall wilfully and corruptly give false Evidence, shall be liable to the Penalties of wilful and corrupt Perjury.

Access to special Act.

And with respect to Access to the special Act, be it enacted as follows:

Copies of special Act to be kept by Undertakers in their Office, and deposited with the Clerks of the Peace, &c.

7 W. 4. & 1 Vict. c. 83.

XC. The Undertakers shall at all Times after the Expiration of Six Months after the passing of the special Act keep in their principal Office of Business a Copy of the special Act, printed by the Printers to Her Majesty, or some of them, and shall also within the Space of such Six Months deposit in the Office of the Clerk of the Peace in *England* or *Ireland*, and of the Sheriff Clerk in *Scotland*, of the County in which the Undertaking is situated, a Copy of such special Act, so printed as aforesaid; and the said Clerk of the Peace and Sheriff Clerk shall receive, and they and the Undertakers respectively shall keep, the said Copies of the special Act, and shall allow all Persons interested therein to inspect the same, and make Extracts or Copies therefrom, in the like Manner, and upon the like Terms, and under the like Penalty for Default as is provided in the Case of certain Plans and Sections by an Act passed in the First Year of the Reign of Her Majesty, intituled *An Act to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.*

Penalty on failing to keep or deposit such Copies.

XCI. If the Undertakers fail to keep or deposit any of the said Copies of the special Act, as hereinbefore mentioned, they shall forfeit Twenty Pounds for every such Offence, and also Five Pounds for every Day afterwards during which such Copy shall be not so kept or deposited.

Undertakers not exempt from 57 G. 3. c. xxix. or from Laws regulating Sewers.

XCII. And be it enacted, That nothing in this Act contained shall be deemed to exempt the Undertakers from the Provisions of an Act passed in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for better paving, improving, and regulating the Streets of the Metropolis, and removing and preventing Nuisances and Obstructions therein*, or from the Laws of Sewers for the Time being in force within Ten Miles from the *Royal Exchange* in the City of *London*.

Undertakers not exempt from the Provisions of any future general Act.

XCIII. And be it enacted, That nothing herein or in the special Act contained shall be deemed to exempt the Undertakers from any general Act relating to Waterworks, or any Act for improving the sanitary Condition of Towns and populous Districts, which may be passed in the same Session of Parliament in which the special Act is passed, or any future Session of Parliament.

Act may be amended, &c.

XCIV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. XVIII.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively until the Twenty-fifth Day of *March* One thousand eight hundred and forty-eight.

[23d *April* 1847.]

[*This Act is the same, except as to Dates, as* 9 & 10 *Vict. c.* 13.]

CAP. XIX.

An Act for raising the Sum of Eighteen millions three hundred and ten thousand seven hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and forty-seven. [23d *April* 1847.]

CAP. XX.

An Act to authorize the Application of certain Sums received on account of the Fees payable to the Office of Director in Chancery in *Scotland* towards the Payment of Debts incurred in completing the General Register House at *Edinburgh*. [23d *April* 1847.]

57 G. 3. c. 64. 3 G. 4. c. 62. 7 & 8 G. 4. c. 46.

'WHEREAS an Act was passed in the Fifty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act to abolish certain Offices, and regulate others in* Scotland, whereby the Fees of certain Offices regulated by the said Act were directed to be paid to the Receiver General of *Scotland*, and to be applied in the Manner therein mentioned: And whereas another Act was passed in the Third Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for regulating the Fees chargeable in His Majesty's General Registry House at* Edinburgh, *and for completing the Buildings necessary for keeping the Public Records of* Scotland *therein*, whereby it was provided, that the Balance of all Fees that had arisen and should thereafter arise, and which were directed by the said first-recited Act to be paid to the Receiver General of *Scotland*, should be paid to the Persons in the said second-recited Act named, to the Amount of Thirty thousand Pounds, to be applied by them in completing and fitting-up the Buildings of the General Register House or Repository of the Public Records of *Scotland*: And whereas another Act was passed in the Seventh and Eighth Years of the Reign of His said Majesty King *George* the Fourth, intituled *An Act for the better enabling the Commissioners appointed by an Act passed in the Third Year of His present Majesty to complete the Buildings of His Majesty's General Register House at* Edinburgh, whereby it was enacted, that the Balance of all such Fees as had already arisen or should thereafter arise, and which were directed by the said first-recited Act to be paid to the Receiver General of *Scotland*, should be paid to the Persons therein named, to the Amount in all of Twenty thousand Pounds, to be applied by them, or any Three or more of them, in enlarging, altering, and improving, and completing and fitting-up, the Buildings intended for a general Repository of the Public Records of *Scotland*: And whereas, for the greater Convenience of the Courts of Justice and of the Public, and to accomplish with as little Delay as possible the Purposes of the said Acts, by enlarging, altering, and improving, and completing and fitting-up, the said Buildings, it became necessary for the said Commissioners to borrow, and they did accordingly borrow certain considerable Sums of Money, which were all duly applied for the Purposes of the said Acts: And whereas by Reports made by the Persons named as Commissioners by the said Two last-recited Acts, in pursuance thereof, to the Two Houses of Parliament, it appears that the annual Amount of the Balances thereby directed to be paid and applied as aforesaid fell much short of their expected Amount, and the Result of various Measures adopted by Parliament for the Amelioration of the Law of *Scotland* also tended considerably to diminish the Fees applicable to the Purposes of the said Two last-recited Acts, whereby there remains unpaid of the said Sums so borrowed, and applied to the Purposes aforesaid, as ascertained by Report of the Queen's and Lord High Treasurer's Remembrancer in *Scotland*, a Balance of Seventeen thousand two hundred and seventy-three Pounds or thereby, and there are no Means for the Extinction thereof available or likely to arise out of the Fees appropriated for the Completion of the said General Register House as aforesaid, as the Amount of the said Fees has been recently still further diminished by the annual Payment thereout of the Salary of the Lord Clerk Register, which, after the Death of the late Lord Clerk Register, was by the said first-recited Act appointed to be paid out of such Fees, and it is necessary to make further Provision for Payment of the said Balance: And whereas, upon the Decision of certain legal Proceedings which took place in relation to the Fees of the Office of Director in Chancery connected with the said Register House, a Sum of Twenty thousand seven hundred and eleven Pounds Fourteen Shillings and One Penny has been paid into Bank to the Credit of the said Office of Director in Chancery; and it is just and expedient that so much of the said Sum as shall be necessary to extinguish the said Debt should be applied to that end:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful to the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners of Her Majesty's Treasury of the said United Kingdom, or any Three or more of them, and they are hereby required, by Warrant under their Hands, to authorize Her Majesty's and the Lord High Treasurer's Remembrancer in *Scotland* to apply so much of the said Sum of Twenty thousand seven hundred and eleven Pounds Fourteen Shillings and One Penny, now standing at the Credit of the Office of Director in Chancery as aforesaid, in Payment and Extinction of the said Debt of Seventeen thousand two hundred and seventy-three Pounds Nine Shillings and Seven-pence, incurred in the Completion of the said Register House, together with any Interest which may accrue thereon before the same be paid, and to direct that the same be duly discharged accordingly.

Treasury to authorize Remembrancer in Scotland to apply certain Monies in Payment of Debt incurred in the Completion of the Register House, &c.

Certain Parts of recited Acts 3 G. 4. c. 62. and 7 & 8 G. 4. c. 46. repealed.

II. And be it enacted, That the said recited Acts of the Third and of the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth, in so far as the same authorize and direct the enlarging, altering, and improving, and completing and fitting up, the said General Register House, and the Application thereto of the Balances of any Fees receivable at the said General Register House, shall be and are hereby repealed.

Act may be amended, &c.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

CAP.

CAP. XXI.

An Act to regulate the Stations of Soldiers during Parliamentary Elections. [23d *April* 1847.]

'WHEREAS by an Act passed in the Eighth Year of the Reign of King *George* the Second, intituled *An Act for regulating the quartering of Soldiers during the Time of the Election of Members to serve in Parliament*, Provision is made for the Removal of all Soldiers quartered or billeted in any City, Borough, Town, or Place to the Distance of Two or more Miles, when and as often as any Election of any Peer or Peers to represent the Peers of *Scotland* in Parliament, or of any Member or Members to serve in Parliament, shall be appointed to be made therein: And whereas in consequence of Changes in the Law for taking the Poll at the Election of Members to serve in Parliament the Expence and Inconvenience of such Removal of Soldiers is greatly increased:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall be repealed. 8 G. 2. c. 30. Recited Act repealed.

II. And be it enacted, That on every Day appointed for the Nomination or for the Election or for taking the Poll for the Election of a Member or Members to serve in the Commons House of Parliament no Soldier within Two Miles of any City, Borough, Town, or Place where such Nomination or Election shall be declared or Poll taken shall be allowed to go out of the Barrack or Quarters in which he is stationed, unless for the Purpose of mounting or relieving Guard, or for giving his Vote at such Election; and that every Soldier allowed to go out for any such Purpose within the Limits aforesaid shall return to his Barrack or Quarters with all convenient Speed as soon as his Guard shall have been relieved or Vote tendered. Soldiers to remain in Barracks or Quarters during Elections for Members of Parliament, except in certain Cases.

III. And be it enacted, That when and so often as any Election of any Member or Members to serve in the Commons House of Parliament shall be appointed to be made, the Clerk of the Crown in Chancery or other Officer making out any new Writ for such Election shall, with all convenient Speed after making out the said Writ, give Notice thereof to the Secretary at War, or in case there shall be no Secretary at War to the Person officiating in his Stead, who shall, at some convenient Time before the Day appointed for such Election, give Notice thereof in Writing to the General Officer commanding in each District of *Great Britain*, who shall thereupon give the necessary Orders for enforcing the Execution of this Act in all Places under his Command. Notice of Elections to be given by the Clerk of the Crown to Secretary at War, &c.

IV. Provided always, and be it enacted, That nothing in this Act contained shall be deemed to apply to any Soldiers attending as the Guards of Her Majesty or any Person of the Royal Family, or to the Soldiers usually stationed or employed within the Bank of *England*. Not to apply to Guards attending Her Majesty, &c.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

CAP. XXII.

An Act to amend, and continue until the First Day of *November* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament, an Act for making Provision for the Treatment of poor Persons afflicted with Fever in *Ireland*.

[27th *April* 1847.]

'WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act to make Provision until the First Day of* September *One thousand eight hundred and forty-seven for the Treatment of poor Persons afflicted with Fever in* Ireland, and it is expedient to amend and continue the said Act for a further Period: And whereas an Act was passed in the present Session of Parliament, intituled *An Act for the temporary Relief of destitute Persons in* Ireland, and certain Persons therein mentioned, and therein called Relief Commissioners, are thereby constituted Commissioners for the Execution of the said last-mentioned Act, and it is thereby enacted that it shall be lawful for the Lord Lieutenant of *Ireland* to give Orders for the Constitution of a Relief Committee in any One or more Electoral Divisions of a Union formed for the Relief of the destitute Poor in *Ireland* in which it shall appear to him that the said last-mentioned Act should be put in force: And whereas the Provisions of the said recited Act passed in the last Session of Parliament can be more effectually carried out by Relief Committees appointed under the said recited Act passed in this Session of Parliament in those Districts in which such Relief Committees shall have been appointed than by the Board of Guardians of any Union for the Relief of the destitute Poor:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act of the last Session shall, subject to the Amendments herein-after contained, be continued until the First Day of *November* One thousand eight hundred and forty-seven, and from thence until the End of the then next Session of Parliament. 9 & 10 Vict. c. 6. 10 & 11 Vict. c. 7. Recited Act 9 & 10 Vict. c. 6. continued to 1st Nov. 1847.

II. And be it enacted, That it shall be lawful for the Commissioners of Health in *Ireland* appointed or to be appointed under the said recited Act passed in the last Session, from Time to Time, as they shall think fit, to transmit a Certificate in Writing, under the Hands of any Two or more of them, to the said Relief Commissioners, certifying the Necessity of Medical Relief being afforded to the destitute Poor affected with Fever or other epidemic Disease in any Electoral Division or District for which a Relief *The Board of Health may issue to Relief Commissioners a Certificate of the Necessity of Medical Relief.*

Relief Committee shall have been constituted under the Provisions of the said recited Act passed in this Session of Parliament.

Relief Commissioners may direct Relief Committees to provide Fever Hospitals and Dispensaries with Medicines and Necessaries for Persons therein;

and also Medicines and Nutriment, if necessary, for Out-Patients.

III. And be it enacted, That the said Relief Commissioners shall from Time to Time, upon Receipt of any such Certificate, issue their Order in Writing to the Relief Committee of any Electoral Division or District requiring such Relief Committee to rent, hire, or procure a fitting House, Building, or Rooms, other than the Workhouse of such Union, to be used as a Hospital for the Purpose of receiving so many poor Persons affected with Fever or any other epidemic Disease as the said Commissioners of Health may from Time to Time think necessary, and to provide such Nourishment, Bedding, Clothing, Medicines, and Medical Appliances and other Necessaries as may be requisite for the due Care and Treatment of the poor Persons admitted into every such Hospital, and also such a Number of competent Nurses and Attendants as the said Commissioners of Health may think necessary for each such Hospital, and also to rent, hire, or procure a House, Building, or Room, to be used as a Dispensary or Office for the Medical Officer or Officers of such Union appointed under the said first-recited Act or under this Act, and to provide such other Medicines and Medical Appliances, including Nutriment, if necessary for their Cure, in Cases where the poor Persons diseased are destitute, as such Medical Officer or Officers may require to be supplied to poor Persons affected as aforesaid who may not be received in any such House, Building, or Room, and generally to do or cause to be done all such Acts, Matters, and Things as shall from Time to Time be necessary for the Purpose of carrying out the Provisions of the said first-recited Act in that Behalf; and upon Receipt of any such Order, such Relief Committee shall proceed to carry such Order into full Effect.

Three Members of Relief Committee may act.

IV. And be it enacted, That all and every the Powers and Authorities vested in any Relief Committee under this Act may be executed by any Three or more Members of such Relief Committee.

Hospitals and Dispensaries to be managed by Relief Committees.

V. And be it enacted, That, subject to the Superintendence of the said Commissioners of Health, any Hospital or Dispensary procured as aforesaid by the Relief Committee of any such Electoral Division or District, or by any Board of Guardians under the said first-recited Act, shall be managed by such Relief Committee, and poor Persons affected with Fever or other epidemic Disease shall be admitted into such Hospital under the Authority of such Committee, or by their Officers duly authorized, and not otherwise; and the Medical Officer or Officers appointed under the Provisions of the said recited Act of last Session, or under this Act, shall be the Medical Officer of the Relief Committee for the Purposes of the said Act and this Act.

Lord Lieutenant may assign Districts to Medical Officers.

VI. Provided also, and be it enacted, That it shall and may be lawful for the Lord Lieutenant, if he shall so think fit, to assign to any Medical Officer or Officers who shall have been or who may hereafter be appointed under the first herein-before recited Act or this Act a special or particular District within which the Duties of the said Medical Officers shall be discharged.

Patients to be removed to Hospital.

VII. And be it enacted, That on Application made on behalf of any Person affected with Fever or other epidemic Disease an Order shall be given by such Relief Committee, or by their Officer duly authorized, for the immediate Admission of such Person into such Hospital, and no Medical Attendance, Medical Appliances, or Nutriment shall, save as herein-after mentioned, be given under this Act to such Person at his or her own House or Residence.

On Medical Certificate that their Removal would be dangerous, Medical Relief to be given at their own Houses.

VIII. 'And whereas it may in some Cases be inexpedient or dangerous to remove such Person so 'affected with Fever or other epidemic Disease from his or her own House or Residence to such Hospital;' be it enacted, That upon Production of a Certificate of any Medical Practitioner that the Removal of such Person to any such Hospital would endanger his or her Life, it shall be lawful for such Relief Committee and they are hereby required to order Medical Attendance and Appliances and Nutriment (when necessary) to be afforded to such Person at his or her own House or Residence so long as the same shall be necessary; and such Order, and the Cause of giving the same, shall be put in Writing and signed by the Chairman for the Time being of such Relief Committee, and shall be entered as a special Case on the Books or Proceedings of the Relief Committee.

Powers of Relief Committee.

IX. And be it enacted, That it shall be lawful for such Relief Committee to give all such Directions as shall seem to them necessary and expedient for performing all Things necessary for preventing the communicating of Fever or other epidemic Disease within their respective Electoral Divisions or Districts, and for that Purpose to direct that all Streets, Lanes, and Courts, and all Houses and all Rooms therein, and all Yards, Gardens, or Places belonging to such Houses, shall be cleansed and purified, and that all Nuisances prejudicial to Health shall be removed therefrom, and that all Houses in which any sick Person shall be or shall have been shall be ventilated, fumigated, and whitewashed, the Windows and Doors thereof opened, and all Beds, Bedsteads, Bedding, and Furniture therein be exposed to the Air, and be washed and cleansed, and if absolutely necessary be burned or destroyed, and all other Measures which to such Relief Committee shall seem requisite for the Purposes aforesaid.

Power to remove infected Persons to Hospitals.

X. And be it enacted, That in all Cases in which Hospitals or other Places for the Reception of poor Persons affected with Fever or other infectious or epidemic Diseases shall have been or may hereafter be established under this or the said herein-before first-recited Act in any Electoral Division or District, it shall and may be lawful for the Relief Committee, upon the Certificate of the Medical Officer so appointed under the said recited Act of the last Session, that any Person is infected with such Fever or other infectious or epidemic Disease, and that such Person so infected is not under proper Medical Care, and is not placed in such Circumstances and under such Precautions as may most probably tend to prevent the Communication of Disease, to direct, by Warrant under their Hands and Seals, after due Inquiry into the Circumstances of the Case, that such Person shall be forthwith removed into such Hospital,

Hospital, or such other Place as shall have been established for the Reception of such Patients, and such infected Person shall be removed thereto accordingly: Provided always, that the said Relief Committee shall in all Cases of such compulsory Removal of any Person into such Fever Hospital, make a special Report thereof to the said Relief Commissioners within Two Days after such Removal shall take place.

Penalty on Persons resisting the Execution of this Act.

XI. And be it enacted, That if any Person shall resist or oppose any Person employed by or under the Orders of the said Relief Committee in the Execution of the Powers of the said Relief Committee under this Act, every such Person, on being duly convicted thereof before any Two Magistrates within their Jurisdiction, shall incur such Penalty, not exceeding Five Pounds, as such Magistrates shall in their Discretion think proper; and in default of Payment such Offender may be committed to the Common Gaol or House of Correction for any Time not exceeding One Calendar Month; and no such Conviction shall be quashed for Informality, nor shall be removed or removable by Certiorari or otherwise, nor be subject to any Appeal whatever.

General Issue may be pleaded, and Costs awarded to the Defendant.

XII. And be it enacted, That if any Action shall be brought against any such Relief Committee, or any Member of the same, or any Person employed by such Relief Committee, in execution of this Act, for any thing done in the Execution of any of the Powers or Duties by this Act given or required, the Defendant may in every such Suit plead the general Issue, and give this Act and the special Matter in Evidence, any thing in any former Act to the contrary notwithstanding; and in every Case where the Plaintiff in such Suit shall fail, the Court in which such Suit shall be carried on shall award Costs to the Defendant.

Expences under the Act to be paid out of Funds in the Hands of the Relief Commissioners under 10 & 11 Vict. c. 7.

XIII. And be it enacted, That the necessary Expences incurred by any Relief Committee in carrying any Order of the said Relief Commissioners into effect, and in the Execution of the other Purposes of this Act, and also in Payment of the Salaries of the Medical Officers appointed or to be appointed by the Lord Lieutenant of *Ireland*, under the Provisions of the said first-recited Act of the last Session of Parliament, shall be defrayed, in such Manner as the Commissioners of the Treasury may direct, out of the Funds which shall from Time to Time be placed at the Disposal of the said Relief Commissioners, under the Provisions of the said recited Act passed in this Session of Parliament, provided such Expences and Salaries shall be in conformity with any Regulations which may from Time to Time be issued by the said Commissioners of the Treasury with respect to the Rent or other Expenditure to be allowed for procuring or fitting Houses or Buildings, other than the Workhouses of Unions to be used as Hospitals, as may be required by the Commissioners of Health, or with regard to the Amount of the Salaries of Medical Officers who may have been appointed by the Lord Lieutenant, and of the Salaries of the Nurses and Attendants required by the Commissioners of Health, and the Quantities and Prices to be allowed for Nourishment, Bedding, Medicines, Medical Appliances, and other Necessaries considered requisite for the due Care and Treatment of the Sick.

After the Expiration of 10 & 11 Vict. c. 7. Relief Committees continued when necessary.

XIV. 'And whereas by the said recited Act passed in this Session of Parliament it is enacted, that no 'Relief Committee constituted under the said Act shall be continued after the First Day of *November* in 'this Year, unless for the Purpose of settling or closing their Accounts: And whereas it may be expe- 'dient, notwithstanding the said Provision, to continue such Relief Committees solely for the Purposes 'of the said recited Act of the last Session and of this Act for a further Period:' Be it therefore enacted, That in any Case in which, previously to the First Day of *November* in this Year, any Relief Committee as aforesaid shall have received any Order of the said Relief Commissioners for executing the Provisions of the said recited Act of last Session in any Electoral Division or District, such Relief Committee, and also the Finance Committee for the Union, shall continue for the Purposes of the said recited Act of last Session and of this Act, during the Continuance of this Act, or until the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall, by any Order to be published in the "*Dublin* Gazette," dissolve such Relief Committee or Finance Committee.

In the Case of Certificates issued by the Board of Health after the 1st of Nov. in this Year.

XV. And be it enacted, That in any Case in which any Certificate as herein-before mentioned shall, after the First Day of *November* in this Year, be signed and transmitted by the said Commissioners of Health to the said Relief Commissioners, if any Relief Committee theretofore constituted for any Electoral Division or District mentioned in such Certificate shall have expired or been discontinued, it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors, for the said last-mentioned Purposes only, to revive such Relief Committee and also the Finance Committee for the Union, or to constitute a new Relief Committee for such Electoral Division or District, or a Part thereof, and a new Finance Committee for the Union in manner in the said recited Act of this Session directed, or in case there shall not have been any such Relief Committee theretofore constituted for such Electoral Division or District, or no such Finance Committee, then a Relief Committee shall and may in like Manner be constituted for such Electoral Division or District, and a Finance Committee for the Union, for such Purposes only as last aforesaid, and the Relief Commissioners shall issue such Order to the Relief Committee as herein-before provided; and in any of such Cases in this or the immediately preceding Clause mentioned, every such Relief Committee shall make Estimates of the several Matters needed for the Purposes of the said recited Act of last Session and of this Act, and of the Expences of the same, which Estimates shall be examined, revised, and amended by the Finance Committee, and shall be substituted in lieu of the Lists and Estimates in the said recited Act of this Session directed; and such Relief Committee shall carry into effect the Purposes of the said recited Act of the last Session and of this Act as herein-before mentioned; and the Costs and Expences of carrying the same into execution, after the Disbursement of the Funds in the Hands of the Finance Committee and Relief Committee on the First Day of *October* in this Year,

shall be paid and provided by the Board of Guardians of the Union in like Manner as in the said recited Act of last Session provided for the Expences incurred for the Purposes of the said Act.

Relief Committees may provide for the Burial of destitute Persons dying of Fever, &c.

XVI. 'And whereas it is expedient to provide for the proper and decent Interment of the deceased 'destitute Persons who shall die of Fever or other epidemic Disease in any Electoral Division or District 'for which any Relief Committee shall have been constituted as aforesaid:' Be it enacted, That it shall be lawful for any Relief Committee to provide for the proper and decent Interment of such destitute Persons as may die in such Electoral Division or District as aforesaid of Fever or other epidemic Disease, or while receiving Relief, and to defray the Charge of the same out of the Funds which may be at the Disposal of such Relief Committee for the Purposes and under the Provisions of the said recited Act of this Session or of this Act.

Continuance of Act.

XVII. And be it enacted, That this Act shall be in force until the First Day of *November* One thousand eight hundred and forty-seven, and from thence until the End of the then next Session of Parliament.

Act may be amended, &c.

XVIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. XXIII.

An Act to alter certain Duties of Customs. [11th *May* 1847.]

9 & 10 Vict. c. 102.

'WHEREAS by an Act passed in a Session of Parliament holden in the Ninth and Tenth Years of 'the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to amend the Laws relating 'to the Customs*, the several Duties of Customs are imposed upon Goods, Wares, and Merchandize 'imported into the United Kingdom as the same are respectively inserted, described, and set forth in the 'Table to that Act annexed: And whereas it is expedient to make certain Alterations and Amendments 'therein:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, in lieu and instead of the Duties now payable by Law upon the Goods, Wares, and Merchandize mentioned in the Table to this Act annexed when imported into the United Kingdom, there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, upon the said Goods, Wares, and Merchandize, when imported into the United Kingdom, the several Duties of Customs as the same are respectively inserted, described, and set forth in Figures in the Table to this Act annexed.

After the passing of this Act the Duties named in Schedule shall be levied instead of those previously paid.

Duties to be under the Management of the Commissioners of Customs.

II. And be it enacted, That the Duties imposed by this Act shall be under the Management of the Commissioners of Her Majesty's Customs, and shall be ascertained, raised, levied, collected, paid, and recovered, and allowed and applied or appropriated, under the Provisions of any Act or Acts now in force or hereafter to be made relating to the Customs.

No Spirits imported shall be removed from Ireland to Scotland or England, or from Scotland to England, or vice versâ, except duly warehoused, &c.

III. And be it enacted, That no Spirits which shall have been imported into the United Kingdom from Parts beyond the Sea shall be removed or sent from *England* to either *Scotland* or *Ireland*, *Scotland* into *England* or *Ireland*, or from *Ireland* into *England* or *Scotland*, except such as shall have been duly warehoused upon the first Importation thereof according to the Laws in force for the warehousing of Goods, and which shall be in the Warehouse at the Time of such intended Removal, and which shall be removed from one warehousing Port to another warehousing Port according to the Regulations required by Law; and that all such Spirits when so removed shall be liable to the Duty payable thereon in that Part of the United Kingdom into which they shall have been so removed if they be entered for Home Consumption therein.

Removal from Scotland, &c.

IV. And be it enacted, That no such Spirits shall be removed from *Scotland* to *England*, or from *England* to *Scotland*, except by Sea.

Such Spirits not to be removed except in Vessels of Sixty Tons Burden, &c.

V. And be it enacted, That no such Spirits shall be removed as aforesaid unless in Ships of Sixty Tons Burden or upwards, and unless in Casks or other Vessels capable of containing Liquids, each of such Casks or other Vessels being of the Size or Content of Twenty Gallons at the least, or in Glass or Stone Bottles not exceeding the Size of Quart Bottles, being really Part of the Cargo of the Ship in which such Spirits are removed, and entered in the Cargo Book of the same.

Spirits removed contrary to Act forfeited.

Penalty on Persons concerned.

VI. And be it enacted, That all Spirits removed contrary to the Provisions of this Act shall be forfeited, and may be seized by any Officer of Customs or Excise; and that all Persons concerned in such removing, or knowingly receiving or harbouring any Spirits so removed, shall forfeit the Penalty of One hundred Pounds, or Treble the Value of the said Spirits, at the Election of the Commissioners of Customs or Excise.

As to Removal of Spirits which have paid Duty in Ireland or Scotland.

VII. And be it enacted, That no Spirits whereupon the Duty imposed by this Act shall have been paid in *Ireland* shall be brought or carried from *Ireland* into *Scotland* or *England;* and that no Spirits whereupon such Duty shall have been paid in *Scotland* shall be brought or carried from *Scotland* into *England;* and that all such Spirits so brought shall be forfeited, and shall and may be seized by any Officer of Excise or Customs; and that all Persons concerned in such bringing or carrying such Spirits, or receiving such Spirits knowing them to have been so brought or carried, shall forfeit One hundred Pounds, or Treble the Value of such Spirits, at the Election of the Commissioners of Customs or Excise.

Act may be amended, &c.

VIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

TABLE

TABLE to which the foregoing Act refers.

	£	s.	d.
Spirits, or Strong Waters, for every Gallon of such Spirits, or Strong Waters, of any Strength not exceeding the Strength of Proof by Sykes's Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon; viz.—			
Spirits, or Strong Waters, the Produce of any British Possession in America, not being sweetened Spirits, or Spirits mixed with any Articles, so that the Degree of Strength thereof cannot be exactly ascertained by such Hydrometer,			
If imported into England, the Gallon - - - - - -	0	8	7
— Scotland — - - - - - -	0	4	5
— Ireland — - - - - - -	0	3	5
——— Rum, the Produce of any British Possession within the Limits of the East India Company's Charter, not being sweetened Spirits, or Spirits so mixed as aforesaid, in regard to which the Conditions of the Act 4 Vict. c. 8. have or shall have been fulfilled,			
If imported into England, the Gallon - - - - - -	0	8	7
— Scotland — - - - - -	0	4	5
— Ireland — - - - - - -	0	3	5
——— Rum Shrub, however sweetened, the Produce of and imported from such Possessions, in regard to which the Conditions of the Act 4 Vict. c. 8. have or shall have been fulfilled, or the Produce of and imported from any British Possession in America,			
If imported into England, the Gallon - - - - - -	0	8	7
— Scotland — - - - - - -	0	4	5
— Ireland — - - - - - -	0	3	5

CAP. XXIV.

An Act to empower the Commissioners of Her Majesty's Woods to purchase Land for the Purposes of a Harbour of Refuge and Breakwater in the *Isle of Portland* in the County of *Dorset*. [11th *May* 1847.]

'WHEREAS by an Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act to apply the Sum of Eight millions three hundred and fifty-six thousand one hundred and seventy-three Pounds Seventeen Shillings and Eleven-pence out of the Consolidated Fund and Monies in the Exchequer to the Service of the Year One thousand eight hundred and forty-six, and to appropriate the Supplies granted in this Session of Parliament*, the Sum of Thirty thousand Pounds was directed to be issued and applied for Harbours of Refuge: And whereas the Lands mentioned in the Schedule hereunto annexed are required for the Purposes of a proposed Harbour of Refuge and Breakwater, intended to be constructed on or near the North-east Side of the *Isle of Portland*: And whereas the Queen's most Excellent Majesty in right of Her Crown is or claims to be Lady of the Manor of *Portland*, and certain Portions of the Lands mentioned in the Schedule hereto annexed are Part of the common and commonable Lands of the said Manor, and the Tenants and also the Inhabitants of and within the said Manor claim to be entitled to certain Estates, Rights, and Interests in, upon, and over the said common and commonable Lands, according to Usage or otherwise; and for the Purchase and Extinguishment of such Estates, Rights, and Interests, and for acquiring the other Lands mentioned in the said Schedule for the Purposes aforesaid, it is expedient that such Provision should be made as is herein-after contained:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being, on behalf of Her Majesty, and they are hereby authorized and empowered, by and out of any Monies which have been or may hereafter be granted by Parliament for Harbours of Refuge, to purchase the Lands and Hereditaments mentioned in the said Schedule hereunto annexed; and such Lands and Hereditaments, when purchased, shall be conveyed and assured to Her Majesty, Her Heirs and Successors, for the Purposes of the said Harbour and Breakwater.

9 & 10 Vict. c. 116.

Commissioners of Woods, &c. may apply Money granted for Harbours of Refuge in Purchase of Lands mentioned in Schedule to this Act.

II. And be it enacted, That the Maps or Plans already made describing the said Lands, after the same shall have been authenticated in Duplicate by the Signatures of the Lords of the Admiralty for the Time being, shall be deposited in the Office of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and in the Office of the Lords of the Admiralty, and the Maps and Plans so authenticated and deposited shall remain in such Offices, to the end that all Persons may at all seasonable Times inspect the same at their Will and Pleasure, on paying the Sum of One Shilling for each such Inspection.

Maps or Plans after being authenticated by the Admiralty, to be deposited, and be open to Inspection.

III. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being, and they are hereby authorized and empowered, to

Power to Commissioners of Woods, &c.

to take Lands and Houses after Notice.

to take and use or cause to be taken and used any Lands, Tenements, or Hereditaments, and pull down and remove or cause to be pulled down and removed any Houses, Buildings, or Erections which they may deem necessary and expedient to take, use, or pull down and remove for the Purposes of this Act, at any Time at the Expiration of Six Calendar Months after Notice in Writing from the said Commissioners, or their Agent duly authorized, of the Intention to take or use the same, shall either be given to the principal Officer of the Body Politic, Corporate, or Collegiate, or to the Person or Persons who shall be the Owners and Occupiers of such Tenements or Hereditaments, or, in case he, she, or they cannot be found or ascertained, left at the usual or last Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of the same Tenements or Hereditaments, or shall be fixed upon the same Premises; and for the Purposes of this Act the Owner shall be any Person hereby capacitated to sell.

No House, &c. to be taken without Consent unless mentioned in Schedule.

IV. And be it enacted, That no Lands, Hereditaments, Houses, or Buildings shall be taken or made use of for the Purposes of this Act, except such as are mentioned in the Schedule hereunto annexed, without the Consent in Writing of the Owner or Owners thereof being first had and obtained for that Purpose.

Houses and Lands may be taken notwithstanding Errors in the Schedule.

V. And be it enacted, That it shall be lawful for the said Commissioners to purchase, take down, and use for the Purposes of this Act any of the Houses, Buildings, Lands, and other Hereditaments described in the said Maps or Plans to be deposited as aforesaid as intended to be taken for the Purposes of this Act, although the same Houses, Buildings, Lands, and other Hereditaments, or the Name or Names of the Owner or Owners, Occupier or Occupiers thereof, may happen to be erroneously stated or omitted in the Schedule hereunto annexed, in case it shall appear to any Two or more Justices of the Peace for the County of *Dorset*, and be certified under their Hands, that such Error or Omission proceeded from Mistake or erroneous Information.

Power to enter and survey Houses and Lands upon giving Notice.

VI. And be it enacted, That it shall be lawful for the said Commissioners, and for their Surveyors, Officers, and Workmen, from Time to Time, and at all seasonable Times in the Daytime, upon giving for the first Time Twenty-four Hours, and afterwards from Time to Time Twelve Hours, previous Notice in Writing, to enter into and upon all or any of the said Lands, Tenements, and Hereditaments authorized to be taken and used as aforesaid, or any of them, for the Purpose of surveying or valuing the said Premises, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment on account of entering or continuing upon any Part or Parts of the said Lands, Tenements, or Hereditaments for the Damages that shall be thereby occasioned.

Commissioners empowered to treat for the Purchase of Lands.

VII. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby empowered to treat and agree for the Purchase of any Lands, Tenements, and Hereditaments which they may deem necessary for the Purposes of this Act to be taken and used by them, and of any subsisting Leases, Terms, Shares, Estates, and Interests therein and Charges thereon, or such of them, or such Part or Parts thereof respectively, as the said Commissioners shall think proper, and for that Purpose to enter into any Contract or Contracts which they think fit.

Bodies Politic and Trustees empowered to sell and convey Lands, &c.

VIII. And be it enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, and for all Trustees and Feoffees in Trust for charitable and other Purposes, and all acting Executors and Administrators, not only for and on behalf of themselves, their Successors, Heirs, Executors, and Administrators respectively, but also for and on behalf of their respective Cestuique Trusts, whether Infants, Femes Coverts, Idiots, Lunatics, or Persons not born or not ascertained, or any other Person or Persons whomsoever, and to and for all Tenants for Life or for Years, absolute or determinable, or any Life or Lives, and all Persons having any other partial or qualified Estate or Interest, not only for and on behalf of themselves, their Heirs, Executors, Administrators, and Issue, but also for and on behalf of the Person or Persons entitled in remainder, reversion, expectancy, or contingency, or for any other future Estate or Interest, where such Person or any of such Persons, whether entitled to the next or any subsequent Estate or Interest, or any Part thereof, shall not be ascertained, or shall be incapable of contracting for, selling, and conveying the same, and for all Guardians on behalf of their respective Wards, Husbands on behalf of their respective Wives, Committees on behalf of the Persons of whose Estates they shall be Committees, and the Heirs, Executors, and Administrators, and Issue, of such Wards, Wives, or Persons respectively, and to and for all Femes Covert entitled in their own Right to any such Lands, Tenements, or Hereditaments, or to Dower or other Interest therein, on behalf not only of themselves, but also of their respective Heirs, Executors, Administrators, and Issue, and also where such Wards, Wives, Persons, or Femes Covert respectively shall be Tenants for Life or in Tail or for Years, or have any other partial or qualified Estate or Interest, to and for such Guardians, Husbands, Committees, and Femes Covert, on behalf of the Person or Persons on behalf of whom such Wards, Wives, Persons, or Femes Covert respectively (if of full Age), unmarried and of sound Mind, might have contracted for, sold, and conveyed the same Lands, Tenements, or Hereditaments, and to and for all and every other Person or Persons whomsoever who are or shall be seised or possessed of or interested in any Lands, Tenements, or Hereditaments which by the said Commissioners shall be thought necessary for any of the Purposes of this Act, to contract for, sell, and convey the same and every or any Part thereof to the Queen's most Excellent Majesty, Her Heirs and Successors, or to such Person or Persons, as a Trustee or Trustees on behalf of Her Majesty, Her Heirs and Successors, as the said Commissioners, or any Two of them, shall direct; and all Contracts, Agreements, Bargains, Sales, Conveyances, and Assurances, Acts, and Deeds which shall be made by such Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons as aforesaid, shall

shall be valid and effectual in Law; and all Bodies Politic, Corporate, or Collegiate, and all Persons whomsoever, contracting or conveying as aforesaid, are hereby indemnified for or in respect of any such Sale which they or she or any of them shall respectively make by virtue or in pursuance of this Act.

Bodies Politic, &c. may accept and receive Satisfaction for Lands taken.

IX. And be it enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, and other Person and Persons herein-before capacitated to contract for, sell, and convey any such Lands, Tenements, or Hereditaments as aforesaid, and any other Owner or Owners of any such Lands, Tenements, or Hereditaments, or any Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, may accept and receive such Satisfaction and Recompence for the Value thereof, and such Body or Bodies, Trustee or Trustees, Person or Persons, Owner or Owners, and also any Tenant or Tenants, or other Occupier or Occupiers of any such Premises entitled to Compensation for any Injury or Damage which shall be sustained on account of the Execution of this Act, or in anywise relating thereto, may accept and receive such Sum of Money in respect thereof as shall be agreed upon between them respectively and the said Commissioners; and in case the said Commissioners and the said Parties interested in such Lands, Tenements, or Hereditaments, or sustaining any Injury or Damage, cannot or do not agree as to the Amount or Value of such Satisfaction, Recompence, or Compensation, the same respectively shall be ascertained and settled by a Jury in manner herein-after directed.

Parties to deliver Statements of their Claims within One Month after Notice.

X. And be it enacted, That on or before the Expiration of One Calendar Month next after Notice in Writing from the said Commissioners, or any Two of them, or their Agent duly authorized, of the Intention to take or use any Lands, Tenements, or Hereditaments, or any Part thereof for the Purposes of this Act, shall have been given, left, or affixed as herein-before is mentioned, all and every Body and Bodies Politic, Corporate, and Collegiate, Trustee and Trustees, and other Person and Persons seised, possessed of, or interested in or authorized by this Act to accept and receive Satisfaction or Recompence for the Value of the same, or any Estate, Share, or Interest therein, or Charge thereon, having or claiming to be entitled to any Compensation for any Injury or Damage sustained on account of the Execution of this Act, shall deliver or cause to be delivered to the said last-named Commissioners for the Time being, by leaving the same at their Office, a Statement in Writing of the Particulars of the Estate, Share, Interest, or Charge which he, she, or they claim to be entitled to, or to be authorized to receive Satisfaction or Recompence for, and of the Injury or Damage (if any) sustained by him, her, or them, and of the Amount of the Sum or Sums of Money which he, she, or they may expect and be willing to receive in satisfaction or discharge for the Value of such Estate, Share, Interest, or Charge, and also the Amount of the Sum or Sums of Money which he, she, or they may expect and be willing to receive as Compensation for Injury or Damage respectively.

If Parties refuse to treat or shall not agree, a Jury to be summoned to settle the Difference.

XI. And be it enacted, That if any Owners or Proprietors, Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Trustees, Femes Covert, or any other Person or Persons seised, possessed of, or interested in any Lands, Tenements, or Hereditaments, or in any Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, which the said Commissioners are hereby empowered to purchase, take, and use for the Purposes aforesaid, shall neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence or Disability shall be prevented from treating with the said Commissioners, or with the Person or Persons authorized by them, for the Sale and Disposal of their respective Estates and Interests therein, or cannot be found or known, or shall not produce and evince a clear Title to the Premises they may be in possession of or to the Interest they shall claim therein, to the Satisfaction of the said Commissioners, then and in every or any such Case the Sheriff of the County of *Dorset*, or his Under-Sheriff, or in case such Sheriff or Under-Sheriff shall be in anywise interested in the Matter in question, then some one of the Coroners of the said County not interested therein, shall, upon the Warrant of the said Commissioners, in manner herein-after mentioned, and he or they is and are hereby required and authorized to cause it to be inquired into and ascertained, upon the Oaths of a Jury of Twelve indifferent Men of the said County (which Oaths the said Sheriff, Under-Sheriff, or Coroner is and are hereby empowered and required to administer), what Recompence and Satisfaction shall be made to such Owners, Occupiers, or other Person or Persons interested for the Value of such Lands, Tenements, or Hereditaments, and of the proportionable Value of the respective Estates and Interests of every Person or Persons seised or possessed thereof, or interested therein, or of or in any Part thereof, and assess or award the Sum or Sums of Money to be paid to such Person or Persons, Party or Parties respectively, for the Purchase of such Lands, Tenements, or Hereditaments, and of such respective Estates and Interests therein, and also for any Injury or Damage whatsoever that may affect any such Person or Persons, Party or Parties, provided such Compensation shall be estimated by what in the Opinion of such Jury the Premises would have been worth in case the proposed Harbour of Refuge and Breakwater had not been in contemplation; but no Sum of Money shall be awarded for or in respect of any Building or Improvement which in the Opinion of such Jury shall have been constructed or made with a view to obtaining Compensation under this Act beyond the actual Cost of building and the Materials used; and the said Jury in estimating such Recompence and Satisfaction shall take into their Consideration the Increase in Value, if any, of the Residue of any contiguous Property of which such Lands, Tenements, or Hereditaments shall form Part, and in order thereto the said Sheriff or Coroner is and are hereby empowered and required, from Time to Time as Occasion shall require, to summon and call before the said Jury, and examine upon Oath, all and every Person or Persons whomsoever who shall be thought necessary and proper to be examined as a Witness or Witnesses touching or concerning the Premises (which Oath the said Sheriff, Under-Sheriff, or Coroner is and are hereby empowered to administer); and such Sheriff, Under-

Under-Sheriff, or Coroner respectively shall order and cause the Jury to view the Places in question, if there be Occasion, and use all other lawful Ways and Means, as well for his and their own as for the Jury's better Information in the Premises, as the said Sheriff, Under-Sheriff, or Coroner shall think fit; and after the said Jury shall have inquired of and ascertained and settled such Damage, Recompence, and Satisfaction, the said Sheriff, Under-Sheriff, or Coroner shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said Commissioners to the said Owners or Occupiers of or other Persons interested therein, according to such Verdict or Inquisition of the said Jury, which said Verdict or Inquisition and Order so had and made shall be final, binding, and conclusive to all Intents and Purposes upon and against all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Parties and Persons whomsoever; and for the summoning and returning of such Jury or Juries the said Commissioners are hereby empowered to issue their Warrant or Warrants to the said Sheriff, Under-Sheriff, or Coroner to summon, impannel, and return at some convenient Place in the said County a Jury of not less than Thirty-six nor more than Forty-eight honest and indifferent Men, qualified according to Law to be returned for Trials of Issues in Her Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff, Under-Sheriff, or Coroner at such Time and Place as in such Warrant shall be appointed; and Fourteen Days Notice at the least in Writing under the Hands of the said Commissioners, or any Two of them, of the Time and Place at which such Jury are so required to be returned shall be given to such Owners, Proprietors, Occupiers, Corporations, Trustees, or any other Person or Persons interested in the Premises, before the Time of meeting of the said Jury, by leaving such Notice at the Dwelling House of such Person or Persons, or of the Head Officer of such Body or Bodies Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises respectively intended to be valued; and the said Sheriff, Under-Sheriff, or Coroner is and are hereby empowered and required to impannel, summon, and return such Number accordingly, and out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Sheriff, Under-Sheriff, or Coroner shall swear or cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen, the said Sheriff, Under-Sheriff, or Coroner shall return other honest and indifferent Men of Standers-by or that can be speedily procured to attend that Service (being qualified as last aforesaid) to the Number of Twelve; and it shall be lawful for all Persons concerned, by themselves, their Counsel, Solicitors, and Agents, to attend and be heard, and to adduce Evidence before the Sheriff, Under-Sheriff, or Coroner respectively, and such Persons shall also have their lawful Challenge against any of the said Jurymen when they come to be sworn, but shall not challenge the Array.

Where Part of an Estate is taken the Remainder to be valued.

XII. And be it enacted, That if the Owner, Lessee, or Occupier of any Lands, Tenements, or Hereditaments authorized to be taken by virtue of this Act shall not be inclined to sell or part with the whole thereof, or his or her Interest in the whole thereof, and it shall not be found necessary to take the whole for the Purposes of this Act, and the said Parties cannot agree as to the Sum of Money to be paid for the Part which the said Commissioners, or any Person or Persons authorized by them, shall think it necessary to purchase, then and in such Case the Jury which shall be summoned to value the said Premises shall assess the Value of the whole Premises according to the Condition in which they are at the Time of taking the View, and also the Value of that Part of the Premises which will remain after the said Commissioners, or the Person or Persons authorized by them, have taken away so much as they shall think necessary for the Purposes of this Act; and in such last Valuation the said Jury shall take into their Consideration the Improvements or Depreciation which the Remainder of the Premises is likely to receive or sustain from the Alteration intended to be made; and the Jury having made these Two Valuations, the Difference between them shall be the Price to be paid by the said Commissioners on behalf of Her Majesty for that Part which they shall have Occasion for, and such Price shall be recorded as the Verdict of the Jury for the Value of the same.

Notice to be given of Compensation claimed.

XIII. And be it enacted, That no Jury to be summoned by virtue of this Act shall be allowed to assess or award any Sum or Sums of Money to any Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, by way of Compensation for any Injury or Damage alleged to have been sustained by him or them by reason or means of this Act, or any thing which shall or may be done in the Execution hereof, unless such a Statement as herein-before is mentioned of the Particulars of every such Claim, and how and in what Manner the Amount thereof is made out and computed, shall have been given to the said Commissioners, or left at their Office as aforesaid, by and on behalf of such Person or Persons Ten Days at the least before the Time of the meeting of such Jury.

Penalty on Sheriff, Jury, and Witnesses for Neglect of Duty.

XIV. And be it enacted, That if the Sheriff, Under-Sheriff, or Coroner, so directed to summon and return a Jury as aforesaid, shall make default in the Premises, he shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds to the Party who shall be prejudiced or injured thereby, to be recovered, with full Costs of Suit, by Action of Debt or on the Case, in any of Her Majesty's Courts of Record at *Westminster;* and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any Person so summoned as a Witness shall not appear, or appearing refuse to be examined or to give Evidence, any Person so offending, having no reasonable Excuse to be allowed by the Justices hereinafter mentioned, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, which several and respective Penalties shall and may be levied by virtue of any Warrant under the Hand and Seal of One of Her Majesty's Justices of the Peace for the said County, by Distress and Sale of the Goods and Chattels of the Person so offending, the Person making such Distress and Sale rendering to him

him or her the Overplus of the Money thereby produced (if any), after such Penalty and the Charges of such Distress and Sale shall be deducted; and all such Fines shall be paid to the said Commissioners, to be applied for the Purposes of this Act.

Jury shall, if required, assess Value of Fee Simple, and then apportion the Values of respective Interests therein.

XV. And be it enacted, That in all Cases in which a Verdict shall be given for the Value of any Lands, Tenements, or Hereditaments, or Share or Shares therein, the Jury shall, if required so to do by or on behalf of the said Commissioners, inquire of, assess, and ascertain the Value of the Fee Simple of the Entirety of the said Premises, and shall afterwards apportion and divide the Value so ascertained between and among all the different Shares and Charges which shall be claimed, and also between different Parts of the said Lands, Tenements, or Hereditaments alleged to be held under different Titles: Provided always, that the Verdict of any Jury shall not defeat or prejudice any Contract or Sale which shall have been previously made of any Share or Charge, although the Value of the same may be ascertained to be different from the Amount of the Price, Recompence, or Satisfaction agreed to be paid for the same.

Value of Lands and Damages to be awarded separately.

XVI. And be it enacted, That the Jury and Juries so to be summoned as aforesaid shall award all Determinations, Judgments, and Verdicts which they shall make and give in execution of the Powers hereby vested in them concerning the Value of the Lands, Tenements, or Hereditaments, or of any Share or Shares, Estate or Estates, Interest or Interests therein, or any Charge or Charges thereon, separately and distinctly from the Consideration of any Loss or Damage to be sustained by any Person or Persons in consequence of the Execution of any of the Powers of this Act, and shall distinguish the Value set upon the Hereditaments, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charges thereon, and the Money assessed or adjudged for such Loss or Damage as aforesaid, separately and apart from each other; and when any Money shall be assessed or adjudged for such Loss or Damage as aforesaid, the Jury shall, if required by the said Commissioners, award and declare whether the Statement delivered by the Claimant or Claimants of the Manner in which any Amount of the Money which shall have been demanded as a Compensation for the same has been computed and made up gave sufficient Particulars to enable the said Commissioners to make a proper Offer.

As to the Costs and Expences of Juries summoned to assess Compensation for Lands, &c.

XVII. And be it enacted, That in case any Jury to be summoned and sworn pursuant to the Authority of this Act shall give in a Verdict or Assessment for more Money as a Recompence, Compensation, or Satisfaction for the Rights, Interests, or Property of the Person or Persons in any such Lands, Tenements, or Hereditaments, or for any such Injury or Damage as aforesaid, than shall have been agreed to be given and offered for the same in the aggregate by the said Commissioners before the summoning and returning of such Jury, or where by reason of Absence in Foreign Countries, or other Incapacity or Disability as aforesaid, there shall not be found any Person or Persons legally capacitated to enter into any Contract with the said Commissioners, then and in every such Case all the reasonable Costs, Charges, and Expences of causing and procuring such Recompence, Compensation, or Satisfaction to be assessed by a Jury shall be settled by the Sheriff, Under-Sheriff, or Coroner before whom such Claim shall have been tried, and shall be paid by the said Commissioners; but in every Case in which any Jury so summoned and sworn as aforesaid shall be of opinion that the Statement delivered by the Claimant or Claimants of the Manner in which any Amount of Money which shall have been demanded as a Compensation has been computed and made up did not give sufficient Particulars to enable the said Commissioners to make a proper Offer, and in every other Case in which any such Jury shall give in a Verdict or Assessment for no more or for less Money as such Recompence, Compensation, or Satisfaction as aforesaid than shall have been agreed to and offered by the said Commissioners in the aggregate for the same before the summoning and returning of the said Jury, or in case no Damages shall have been given by the Verdict, where the Dispute is for Damages only, or where the causing or procuring such Jury to be summoned shall have arisen from a Refusal to treat or agree with the said Commissioners by any Body or Bodies Politic, Corporate, or Collegiate, or by any Person or Persons whomsoever, who is or are by the Provisions of this Act, or otherwise, legally empowered to treat, then (except where by reason of Absence such Person shall be prevented from treating with the said Commissioners) all such Costs, Charges, and Expences to be settled by such Sheriff, Under-Sheriff, or Coroner in manner aforesaid shall be paid to the said Commissioners by the said Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons so claiming such Compensation, or refusing to treat and agree as before mentioned respectively (save only and except where or by reason of Absence or other like Cause any Person shall have been prevented from treating or agreeing as aforesaid, in which Case no Costs, Charges, or Expences shall be allowed to either Party as against the other); and all Costs, Charges, and Expences hereby directed to be paid to the said Commissioners shall and may be deducted and retained by them out of the Money so adjudged or assessed to be paid by them as so much Money advanced to or for the Use of the Person and Persons entitled to such Money so adjudged; and Payment or Tender of the Remainder of such Money shall be deemed and taken to be a Payment or Tender of the whole Sum or Sums so adjudged or assessed, or in case no Money or no sufficient Sum of Money shall be awarded or assessed to be paid by the said Commissioners whereout such Costs, Charges, and Expences can be deducted, then the same shall and may be recovered by the said Commissioners by virtue of any Warrant under the Hand and Seal of One of Her Majesty's Justices of the Peace for the said County, by Distress and Sale of the Goods and Chattels of the Person or Persons liable to the Payment of the same, the Party making such Distress and Sale rendering to such Person or Persons as aforesaid the Overplus of the Money thereby produced (if any) after such Costs, Charges, and Expences, and the Charges of such Distress and Sale, shall be deducted.

Judgments and Verdicts to be recorded.

XVIII. And be it enacted, That all the said Judgments and Verdicts shall be recorded in the Office of the Queen's Remembrancer of the Court of Exchequer, and a Minute or Docquet thereof respectively entered in the Office of the said Commissioners, and all such Judgments and Verdicts shall be afterwards deposited with the Clerk of the Peace of the said County, to be kept and preserved by him amongst the Records of the Quarter Sessions of the said County, and shall be deemed to be Records to all Intents and Purposes whatsoever, and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever, and all Persons shall have Liberty to inspect the same, paying for each such Inspection the Sum of One Shilling, and to take Copies thereof, paying for every Copy the Sum of Sixpence for every Seventy-two Words, and so in proportion for any less Number of Words.

If Parties are unwilling to sell Part of Premises Commissioners to purchase the whole.

XIX. And be it enacted, That if in any Case the Owner or Owners of any House or Building, or of any Yard or Curtilage occupied therewith, Part only of which Premises shall at any Time be required by the said Commissioners to be applied for the Purposes aforesaid, shall be unwilling to sell or dispose of such Part only of such House, Building, Yard, or Curtilage as shall be required by the said Commissioners, it shall be lawful for the said Commissioners and they are hereby required, at the Option of any Owner or Owners of any such House, Building, Yard, or Curtilage, to purchase of and from the said Owner or Owners the whole or such Part thereof, over and above such Part thereof as may be wanted for the Purposes of this Act, as such Owner or Owners shall think fit, and to apply so much and such Part thereof as they the said Commissioners shall see fit for the Purposes aforesaid; and that if such Owner or Owners shall not or cannot agree with the said Commissioners for the Price to be paid for the Purchase of the whole or such Part as aforesaid of such House, Building, Yard, or Curtilage, then the Value thereof shall be settled and ascertained by a Jury, in such Manner as the Price for any Premises to be taken in pursuance of this Act is directed to be settled and ascertained, and all such other Proceedings shall take place respecting the said Premises as are herein-before mentioned and directed with respect to the Premises the Value of which shall be ascertained by a Jury in the Manner aforesaid.

Persons holding Under-leases to produce the same.

XX. And be it enacted, That in all Cases in which any Person or Persons shall claim any Satisfaction or Compensation for or in respect of any unexpired Term or Interest which he, she, or they shall claim to be possessed of or entitled unto, in any Lands, Tenements, or Hereditaments intended to be taken or used under the Authority of this Act, under or by virtue of any Demise or Lease or Agreement for Demise or Lease, or Grant thereof, the said Commissioners are hereby authorized to require such Person or Persons to produce or show the Demise or Lease or Agreement for Demise or Lease, or Grant, in respect of which such Claim to Satisfaction or Compensation shall be made, or the best Evidence thereof in his, her, or their Power; and if such Demise or Lease or Agreement for Demise, or Lease, or Grant, or such best Evidence thereof as aforesaid, shall not be produced or shown within Twenty-one Days after Demand made by the said Commissioners or any Person by them authorized, the Person or Persons claiming such Satisfaction or Compensation shall be considered and treated as holding only from Year to Year.

For settling Disputes as to Damages of small Amount.

XXI. And be it enacted, That in case any Difference shall arise between the said Commissioners and any of the Owners or Occupiers of the Property to be taken or used for the Purposes of this Act as to the Amount or Value of the Damage done by the said Commissioners, their Agents or Workmen, to such Property, in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted and settled between the Parties, the same shall, in case the Amount of Damages claimed does not exceed the Sum of Fifty Pounds, be ascertained and determined by some Two or more Justices of the Peace of the said County, and who, upon Application made to them by both or either of the said Parties, shall examine into the Matter in dispute, and shall determine and settle the Amount of Compensation which shall be payable by the said Commissioners; and such Magistrates may examine Witnesses and administer Oaths in all respects, and with the same Consequences as to false Swearing, as if the same were a judicial Matter brought before them on which they were by Law entitled to adjudicate.

Commissioners not to take possession till Purchase Money is paid or tendered.

XXII. And be it enacted, That all Sums of Money or other Consideration, Recompence, or Satisfaction to be made or paid pursuant to any such Agreement or Verdict as aforesaid shall be paid or tendered to the Party or Parties entitled to the same, or into the Bank of *England* as herein mentioned, before the said Commissioners, or any Person or Persons authorized by them, shall proceed to take possession of on behalf of Her Majesty, or to pull down any House or Houses or other Erections or Buildings comprised in or affected by such Agreement or Verdict respectively, or to use the Ground for any of the Purposes of this Act.

Commissioners may take possession on Payment of Purchase Money into the Bank of England.

XXIII. And be it enacted, That if any Body or Bodies, Person or Persons, seised or possessed of or interested in any such Lands, Tenements, or Hereditaments, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon as aforesaid, cannot be found, or shall not be known or ascertained, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, or shall refuse to execute a Conveyance or Conveyances thereof, then and in any of such Cases, upon Payment of such Sum or Sums of Money as shall have been contracted and agreed, or shall have been assessed and awarded by any Referee or Referees, or by any Jury or Juries in manner aforesaid, to be paid for the Purchase of or for the Value of the same Premises into the Bank of *England*, as herein-after directed (in case the same shall be requisite), for the Use of such Person or Persons so interested in or entitled as aforesaid, such Lands, Tenements, or Hereditaments, or Parts, Shares, Estates, Interests, or Charges, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand in Law and in Equity of the Body or Bodies, Person or Persons, or unknown Person or Persons to whose Credit such Money

Money shall be paid, in, to, and out of the Lands, Tenements, Hereditaments, and Premises to be purchased as aforesaid, shall from thenceforth vest in the Queen's most Excellent Majesty, Her Heirs and Successors, who shall be deemed in Law to be in the actual Seisin and Possession thereof to all Intents and Purposes, freed and discharged from all former and other Estates, Rights, Titles, Interests, Liens, Claims, and Demands, as fully and effectually as if every Body or Person having any Estate in the Premises had actually conveyed the same by Grant, Bargain, and Sale enrolled, or Feoffment or any other Conveyance or Assurance whatsoever, and with the Assent of any Protector of the Settlement whose Assent might be necessary; and such Payments shall not only bar all Right, Title, Interest, Claim, and Demand of the Body or Bodies, Person or Persons, or unknown Person or Persons, of, in, and to the same Premises to whose Credit such Payment or Tender shall have been made, but also shall extend to and be deemed and construed to bar the Dower and Dowers of the Wife and Wives of such Person or Persons, and all Estates Tail and other Estates in possession, reversion, remainder, expectancy, or contingency, and the Issue and Issues of such Person or Persons, and every other Person whomsoever; and the same Premises shall and may thereupon be pulled down, made use of, and employed for the Purposes aforesaid, according to the Direction of the said Commissioners.

Application of Purchase Money when amounting to 200*l.*

XXIV. And be it enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or for any other Right, Matter, or Interest, of what Nature or Kind soever, purchased, taken, or used by virtue of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Feme Covert, Infant, Lunatic, or other Person or Persons under any Disability or Incapacity, or not legally entitled absolutely to dispose of the Premises by the Sale of which such Money shall be produced, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed, be paid unto the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there *ex parte* the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, pursuant to the Method prescribed by an Act passed in the Twelfth Year of the Reign of His late Majesty King *George* the First, intituled *An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of* East India *Bonds and Endorsements thereon, and likewise Endorsements on* South Sea *Bonds*, and pursuant to the general Rules and Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act to empower the High Court of Chancery to lay out on proper Securities any Monies, not exceeding a Sum therein limited, out of the common and general Cash in the Bank of* England *belonging to the Suitors of the said Court, for the Ease of the said Suitors, by applying the Interest arising therefrom for answering the Charges of the Office of Accountant General of the said Court;* and such Money shall remain so deposited until the same be applied under the Direction of the said Court, to be signified by an Order made upon Petition to be preferred in a summary Way by the Body or Bodies, Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance or Settlement shall be existing and undetermined, and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so hereby directed to be purchased in case such Purchase or Settlement were made.

12 G. 1. c. 32.

12 G. 2. c. 24.

When less than 200*l.* and amounting to 20*l.*

XXV. And be it enacted, That if any Lands, Tenements, or Hereditaments, or any Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, purchased, taken, or used for the Purposes aforesaid, belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, Person or Persons, for the Time being entitled to the Rents and Profits of the Hereditaments, or Parts, Shares, Estates, Interests, or Charges so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Chancery, and to be placed to his Account

as aforesaid in order to be applied in manner herein-before directed, or otherwise the same shall be paid, at the like Option, to Two or more Trustees, to be nominated by the Body or Bodies, Person or Persons making such Option, and approved of by the said Commissioners, such Nomination and Approbation to be signified in Writing under the Hands and Seals of the nominating and approving Parties, in order that such Principal Money, and the Dividends arising thereon, may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

Where less than 20*l*.

XXVI. Provided always, and be it enacted, That where such Money so agreed or assessed to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the Hereditaments, Parts, Shares, Estates, Interests, and Charges so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners shall think fit, or in case of the Infancy or Lunacy of such Person or Persons, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles.

XXVII. And be it enacted, That in case the Body or Bodies, Person or Persons, to whom any Sum or Sums of Money shall be agreed to be paid, or shall be awarded by any Referee or Referees or Umpire, or by any Jury or Juries, for the Purchase of any Lands, Tenements, or Hereditaments, or any Parts, Shares, Estates, or Interests therein, or Charge thereon, to be purchased, taken, or used by virtue of this Act, shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, or shall refuse to execute a Conveyance or Assignment thereof, or in case the Person or Persons to whom such Sum or Sums of Money shall be so agreed or awarded to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges be not known or discovered, then and in every such Case it shall be lawful for the said Commissioners to pay the said Sum or Sums of Money so awarded or agreed to be paid as aforesaid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Chancery, to be placed to his Account to the Credit of the Party or Parties, if known, who shall be interested in the said Lands, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges (describing such Tenements or Hereditaments), but if such Party or Parties shall not be known, then to the Credit of the said Commissioners, subject to the Order, Control, or Disposition of the said Court, which said Court, on the Application of any Body or Bodies, Person or Persons, making Claim to any such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and the same is hereby empowered in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title, or Interest of the Body or Bodies, Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Persons in possession shall be deemed entitled until the contrary be shown.

XXVIII. And be it enacted, That where any Question shall arise touching the Title of any Body or Bodies, Person or Persons to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or Part or Parts thereof, or of any Estate, Right, Title, Charge, or Interest in, to, or upon any Lands, Tenements, or Hereditaments to be purchased or taken in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends of any such Bank Annuities, the Body or Bodies, Person or Persons, who shall have been in possession of such Lands, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges, at the Time of such Purchase, and all Body or Bodies, Person or Persons, claiming under such Body or Bodies, Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, and Hereditaments, Parts, Shares, Estates, Interest, or Charges, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or Part or Parts thereof, or to some Estate or Interest therein or Charge thereon.

Court may order Expences of Purchases to be paid by the Commissioners.

XXIX. And be it enacted, That where, by reason of any Disability or Incapacity of the Body or Bodies, Trustee or Trustees, Corporation, or other Person or Persons entitled to any Lands, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, to be purchased or taken under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order so much of the Expences of any Purchase to be made in pursuance of this Act as the said Court shall deem reasonable to be paid by the said Commissioners, who shall pay the same out of the Monies applicable to the Purposes of this Act as the said Court shall direct.

XXX. And

Where the Title is defective by reason of the Lands required for the Act being subject with other Lands to any Rent, the Money paid into the Bank to be laid out in the Purchase of other Lands, which shall be subject to the Rent in lieu of the Lands required for the Act.

XXX. And be it enacted, That where the Money awarded to be paid for any Lands, Tenements, or Hereditaments which shall be taken for the Purposes of this Act shall be paid into the Bank of *England* in the Manner herein-before directed in consequence of a good Title not having been made to such Lands, Tenements, or Hereditaments to the Satisfaction of the said Commissioners by reason of the same Lands, Tenements, or Hereditaments respectively being subject, together with other Hereditaments not required for the Purposes of this Act, to a Rent payable to some Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, unable or unwilling to release therefrom the Lands, Tenements, or Hereditaments so to be taken, then and in every or any such Case the Lands, Tenements, or Hereditaments for the Value of which the Money to be paid into the Bank, together with the Money (if any) to be retained for Costs and Charges under the Authority of this Act, shall be assessed and be awarded to be paid, shall be and are hereby released and for ever discharged from such Rent and all Claims and Demands in respect thereof; and the Money to be paid into the Bank of *England* shall be laid out and invested under the Direction and with the Approbation of the Court of Chancery, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Body or Bodies, Person or Persons who would have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments for the Value of which such Monies respectively shall have been paid as aforesaid, in the Purchase of other Lands, Tenements, or Hereditaments which shall be conveyed and settled (subject, together with such other Lands, Tenements, or Hereditaments, to such Rent,) to the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, or Hereditaments so to be taken as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application thereto, be invested by the Accountant General of the said Court in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments hereby directed to be purchased in case such Purchase and Settlement were made; and the Lands, Tenements, or Hereditaments so to be purchased and settled shall be subject to the Rent to which the same shall be declared as aforesaid in the Conveyance and Settlement thereof to be subject, in the same Manner to all Intents and Purposes as the Lands, Tenements, or Hereditaments taken or to be taken for the Purposes of this Act as aforesaid were subject thereto; and the Body or Bodies, Person or Persons to whom such Rent shall be payable shall have such and the same Powers and Remedies for enforcing the Payment thereof, or any Part thereof, out of or upon the Lands, Tenements, or Hereditaments to be comprised in such Conveyance and Settlement, and declared to be subject thereto, as they, he, or she would have been entitled to if such Rent had originally been reserved out of or charged upon the same, instead of the Lands, Tenements, or Hereditaments to be taken for the Purposes of this Act, and in the same Manner to all Intents and Purposes as such Rent was reserved out of or charged upon such last-mentioned Lands, Tenements, or Hereditaments, together with the other Lands, Tenements, or Hereditaments subject thereto; and in the meantime, and until such Purchase shall be made, it shall be lawful for the said Court, if the said Court shall think proper, upon Application thereto, to order any Part of the Dividends and annual Produce of the Bank Annuities in which the said last-mentioned Money shall be invested to be paid from Time to Time to the Body or Bodies, Person or Persons for the Time being entitled to the said Rent in discharge thereof, or Part thereof, as the Case may be.

Power to purchase Release of Incumbrances, or to apportion the same.

XXXI. And be it enacted, That where any Lands, Tenements, or Hereditaments purchased or wanted or intended to be purchased by the said Commissioners shall be subject solely, or jointly with other Lands, Tenements, or Hereditaments not intended or wanted to be purchased, to or with any Rent-service, Rent-charge, or Chief Rent, or other Rent-payment or Incumbrance, it shall be lawful for the said Commissioners to agree for the Release of the Lands, Tenements, or Hereditaments so purchased or wanted, or intended to be purchased, from such Rent-payment or Incumbrance, and also, where necessary or convenient, for an Apportionment of such Rent-payment or Incumbrances, for such gross Sum as shall be agreed upon between the said Commissioners and the Party who under the Provisions of this Act shall agree to sell or apportion the same, and which Agreement may be entered into by all Persons and Corporations by this Act authorized and empowered to sell or convey Lands; and the Monies to be paid shall be paid and applied in manner herein-before directed with regard to the Purchase Monies on the Sale of Lands; and in case any Difference shall arise respecting the Value of such Rent-payment or Incumbrance, or respecting the Apportionment thereof, the same shall be determined by a Jury, if required, in like Manner as the Price of Lands is by this Act directed to be settled in case of Dispute as to the Value thereof, which Jury shall assess and determine the Value of the Rent-payment or Incumbrance affecting the Lands, Tenements, or Hereditaments purchased or wanted or intended to be purchased, and shall also (where necessary or convenient) apportion the Rent-payment or Incumbrance affecting the Lands, Tenements, or Hereditaments jointly subject to Rent-payment or Incumbrance as herein-before mentioned according to the respective Values of the Lands, Tenements, or Hereditaments purchased or wanted or intended to be purchased, and of the Lands, Tenements, or Hereditaments not purchased or wanted or intended to be purchased by the said Commissioners; and all Contracts which shall be made by and between the said Commissioners and any such Party as aforesaid respecting such Releases

Releases shall be valid and effectual in the Law, and all Conveyances and Assurances which shall be made to Her Majesty, Her Heirs and Successors, respecting such Releases shall extinguish the whole or a proportionate Part of such Rent-payment or Incumbrance (as the Case may be): Provided always, that when the Party entitled to such Rent-payment or Incumbrance shall consider the remaining Part of the Lands, Tenements, or Hereditaments so jointly subject to be sufficient Security for such Rent-payment or Incumbrance, and shall be willing to release the Lands, Tenements, or Hereditaments so purchased by the said Commissioners therefrom, then and in such Case it shall be lawful for the Party entitled, or by this Act capacitated as aforesaid, to apportion such Rent-payment or Incumbrance, or to release the Lands, Tenements, or Hereditaments so purchased (with the Consent of the Owner of the Lands so purchased) from the Rent-payment or Incumbrance so affecting the same as aforesaid jointly with other Lands, Tenements, or Hereditaments, on condition or in consideration of such other Lands, Tenements, or Hereditaments continuing or remaining wholly and exclusively subject to the whole of such Rent-payment or Incumbrance, and thereupon such other Lands, Tenements, or Hereditaments shall in all respects continue wholly and exclusively subject to the whole of such Rent-payment or Incumbrance, and the Release of Part of the Hereditaments theretofore charged or subject shall not operate to release the remaining Parts of such Hereditaments, or to prejudice the Title to such Rent-payment or Incumbrance, or the Remedies for Recovery thereof, wholly and exclusively out of such remaining Parts: Provided also, that when any of the Lands, Tenements, or Hereditaments purchased by the said Commissioners shall be released from a Part only of any Rent-payment or Incumbrance affecting the same jointly with other Lands, Tenements, or Hereditaments not purchased by the said Commissioners, such last-mentioned Lands, Tenements, or Hereditaments shall be charged only with the Remainder of such Rent-payment or Incumbrance, and such Apportionment shall not prejudice the Title to the remaining Rent, or the Remedies for such Remainder, but the same shall at all Times thereafter remain as effectual as if the Lands not so purchased had been originally charged with that Amount only: Provided also, that when a Part of any Rent-payment or Incumbrance shall be released, it shall be lawful for the said Commissioners, on Tender for that Purpose of any Deed or Instrument creating or transferring such Rent-payment or Incumbrance, to endorse a Memorandum on such Deed or Instrument declaring what Part of the Lands, Tenements, or Hereditaments originally subject to such Rent-payment or Incumbrance shall have been purchased by virtue of this Act, and what Proportion of the said Rent-payment or Incumbrance shall continue payable, and such Memorandum shall be Evidence in all Courts of the Facts therein stated, but shall not exclude any other Evidence of the same Facts.

Rents reserved in Leases to be apportioned.

XXXII. And be it enacted, That in all Cases in which a Part only of any Lands, Tenements, or Hereditaments comprised in any Lease or Agreement for Lease for a Term of Years unexpired, or for a Life or Lives, or for a Term determinable on a Life or Lives, shall be required for the Purposes of this Act, the Rent payable in respect of any Lands, Tenements, or Hereditaments comprised in such Lease or Agreement for Lease shall be apportioned between the Lands, Tenements, or Hereditaments required for the Purposes of this Act and the Residue of such Lands, Tenements, and Hereditaments; and such Apportionment shall, in case the same shall not be settled by Agreement between the Parties, be ascertained and settled by the Verdict of a Jury, if required, in like Manner as the Price of any Lands, Tenements, or Hereditaments to be taken in pursuance of this Act is directed to be settled in case of Dispute as to the Value thereof; and in case such Apportionment shall be settled by Agreement between the Parties, such Agreement shall be made with and not be valid without the Consent and Approbation of the Lessor from whom such Lands, Tenements, or Hereditaments are holden or agreed to be holden; and any Person hereby capacitated to sell, who shall be a Lessor, shall be capacitated to assent and to bind the Property in respect of such Assent; and after such Apportionment the Tenant or Lessee of the Lands, Tenements, or Hereditaments comprised in such Lease or Agreement for Lease shall, as to all future accruing Rent, be liable only to so much of the Rent reserved in such Lease or Agreement for Lease as shall have been apportioned in respect of the Lands, Tenements, or Hereditaments not required for the Purposes of this Act; and the Lessor of the said Lands, Tenements, or Hereditaments shall have all such and the same Remedies for Rent so apportioned in respect of the Lands, Tenements, or Hereditaments not required for the Purposes of this Act as before such Apportionment he had or was entitled to, or in respect to the Rent reserved or agreed to be reserved in such Lease or Agreement for Lease; and such Apportionment shall not prejudice or affect any of the Covenants, Conditions, or Agreements in such Lease or Agreement for Lease contained, so far as the same relate to the Lands, Tenements, or Hereditaments comprised in such Lease or Agreement for Lease, and not required for the Purposes of this Act, but the same shall, as to such last-mentioned Lands, Tenements, or Hereditaments, but not further or otherwise, continue in full Force and Operation.

Persons having Mortgages on Lands, &c. required for the Purposes of this Act shall, on Payment or Tender of Money secured thereon, convey the same to Her Majesty.

XXXIII. And be it enacted, That all Bodies Politic, Corporate, and Collegiate, Trustee and Trustees, and all other Persons having any Mortgage on any Lands, Tenements, or Hereditaments which shall be required to be taken for the Purposes of this Act, (and whether entitled thereto in their own Right or in trust for any other Body or Bodies, Person or Persons, and whether in possession of such Lands, Tenements, or Hereditaments by virtue of such Mortgage or not, and whether such Mortgage shall affect such Lands, Tenements, or Hereditaments solely or jointly with any other Lands, Tenements, or Hereditaments which shall be so required,) shall, on Payment or Tender by the said Commissioners, or by any Person by them authorized, of the Principal Money and Interest due on or secured by such Mortgage, and whether the Principal Monies thereby secured shall, under the Terms of such Mortgage, be then actually payable or not, and the just Costs (if any) then due, together with the Amount of Six Calendar Months

Months Interest on the said Principal Money, (which Tender and Payment the said Commissioners are hereby authorized to make, and to deduct the same from any Sum agreed or directed to be paid for the Estate or Interest of the Party or Parties entitled to the Equity of Redemption of and in the Lands, Tenements, or Hereditaments so mortgaged, in case the same shall be sufficient for the Purpose,) immediately convey, assign, and transfer the respective Interests of such Mortgagees in the Lands, Tenements, or Hereditaments which shall be so required to the Queen's most Excellent Majesty, Her Heirs and Successors, or to such Person as the said Commissioners on behalf of Her Majesty shall appoint; or in case such Mortgagees shall have Notice in Writing from the said Commissioners, or from the Party or Parties entitled to the Equity of Redemption of and in the same Lands, Tenements, or Hereditaments, that they will pay off the Principal Money and Interest which shall be due on or secured by such Mortgage at the End of Six or a less Number of Calendar Months, to be computed from the Day of giving such Notice, then at the End of Six or any less Number of Calendar Months on Payment or Tender by the said Commissioners of the Principal and the Interest which would become due at the End of Six Calendar Months from the Time of giving such Notice, together with any Costs then due, such Mortgagees shall convey, assign, and transfer their respective Interest in the Lands, Tenements, or Hereditaments which shall be so required for the Purposes of this Act to the Queen's most Excellent Majesty, Her Heirs and Successors, or as the said Commissioners shall direct; and in case any such Mortgagee shall refuse to assign or transfer as aforesaid on such Payment or Tender respectively as aforesaid, then on Payment of such Money, Interest, and Costs into the Bank of *England* as herein-after mentioned all Interest on every such Mortgage Debt, and all Claim and Right of every such Mortgagee thereto, shall thenceforth cease and determine: Provided always, that in case any such Mortgagee shall in either of the Cases aforesaid neglect or refuse to convey, assign, or transfer as aforesaid, then upon Payment of the Principal Money and Interest, and the Costs (if any), due on any such Mortgage as aforesaid, into the Bank of *England*, at the End of Six Calendar Months from the Time of giving such Notice as aforesaid, or as soon after as possible, or, in lieu of such Notice, and in addition to the said other Monies, of Six Calendar Months Interest in advance for the Use of such Mortgagee at any Time after Tender of the Principal, Interest, and Costs, and Six Calendar Months Interest in advance as aforesaid, the Cashier of the said Bank shall give a Receipt for the said Money in like Manner as is by this Act directed in Cases of other Payments into the said Bank; and thereupon, or upon such Conveyance, Assignment, or Transfer by any such Mortgagee as aforesaid, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of such Mortgagee, and of all Persons in trust for him or for whom he shall be Trustee, shall vest in the Queen's Majesty, Her Heirs and Successors, who shall be deemed to be in the actual Possession of the Premises and Estate comprised in such Mortgage, or so much thereof as shall be required for the Purposes of this Act, to all Intents and Purposes whatsoever.

As to Cases where the Mortgage Money is more than the Value of the Premises or a Part only of the Premises is taken.

XXXIV. And be it enacted, That in all Cases in which any Lands or Hereditaments subject to any Mortgage shall be required for the Purposes of this Act, which Lands or Hereditaments shall be of less Value than the Principal Monies, Interest, and Costs secured thereon, or in which a Part only of the Lands or Hereditaments subject to any Mortgage shall be required for the Purposes of this Act, and such Part shall be of less Value than the Principal Monies, Interest, and Costs secured on such Lands or Hereditaments, and the Mortgagee or Mortgagees thereof shall not consider the remaining Part of such Lands or Hereditaments to be a sufficient Security for the Monies charged thereon, or shall not be willing to release the Part required for the Purposes of this Act from the Principal or Mortgage Money, and all Interest due and to become due thereon, and all Costs, the Value of such Lands or Hereditaments, or, as the Case may be, of such Part of the said Lands or Hereditaments as shall be so required for the Purposes aforesaid, and also the Compensation (if any) for any Damage done in respect of the Parts so required, shall be settled and agreed upon by and between such Mortgagee or Mortgagees, and the Body or Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, Person or Persons, entitled to the Equity of Redemption of such Lands or Hereditaments, whether absolutely or for such Estate as might capacitate him, her, or them to convey for the Purposes of this Act on the one Part, and the said Commissioners on the other Part; and in case of any Difference between them, then such Value and Compensation shall be determined by the Verdict of a Jury in the same Manner as in other Cases of Difference; and the Amount of such Value and Compensation, being so agreed upon or determined as aforesaid, shall be paid to such Mortgagee or Mortgagees in satisfaction of his, her, or their Claim, so far as the same will extend; and such Mortgagee or Mortgagees shall thereupon convey, assign, and transfer all his, her, or their Interest in such mortgaged Lands or Hereditaments, the Value whereof shall so have been agreed upon or determined as aforesaid; or in case of his, her, or their neglecting or refusing to convey, assign, or transfer as herein-before directed, then the Amount of such Value and Compensation shall be paid into the Bank of *England* to the Credit of the said Mortgagee or Mortgagees as by this Act is provided in Cases of a like Nature; and such Payment to the Mortgagee or Mortgagees, or into the Bank as last aforesaid, shall be accepted in satisfaction of the Claim of such Mortgagee or Mortgagees, so far as the same will extend, and also in full Discharge and Exoneration of such Part of the mortgaged Premises as shall be so taken or used from all Principal and Interest and other Money due or secured thereon, and thereupon such mortgaged Lands or Hereditaments shall become absolutely vested in the Queen's Majesty, Her Heirs and Successors, who shall be deemed to be in the actual Possession thereof to all Intents and Purposes whatsoever: Provided nevertheless, that all Mortgagees shall have the same Powers and Remedies for recovering or compelling Payment of their Mortgage Money, or the Residue thereof, (as the Case may be,) or the Interest thereof respectively upon and out of the Residue of the mortgaged

mortgaged Lands or Hereditaments not required for the Purposes aforesaid, as they would have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Lands or Hereditaments originally comprised in such Mortgage: Provided also, that when a Part only of the Lands or Hereditaments (subject to any Mortgage) shall have been taken for the Purposes of this Act as aforesaid, and the Value of the Lands or Hereditaments so taken shall, on the Assignment or Conveyance thereof to the Queen's Majesty, Her Heirs and Successors, have been paid to the Mortgagee or Mortgagees thereof in part Satisfaction of his, her, or their Mortgage Debt, a Memorandum of what shall have been so paid shall be endorsed on the Deed creating such Mortgage at the Time of executing such Assignment or Conveyance to Her Majesty, and shall be signed by such Mortgagee or Mortgagees; and a Copy of such Memorandum shall at the same Time (if required) be furnished by the said Commissioners to the Person or Persons so entitled as aforesaid to the Equity of Redemption of the Lands or Hereditaments comprised in such Mortgage Deed.

Tenants at Will, or from Year to Year, to quit after Notice.

XXXV. And be it enacted, That every Tenant at Will or Lessee for a Year, or any other Person or Persons in possession of any Lands, Tenements, or Hereditaments, or any Part thereof, which shall be purchased by virtue of this Act, or vested in Her Majesty for the Purposes aforesaid, who shall have no greater Interest in the Premises than as Tenant at Will or Lessee for a Year or from Year to Year, shall at the End of Six Calendar Months next after Notice in Writing signed by the said Commissioners shall have been given to him, her, or them, or left at the Premises which are the Subject of such Notice, and whether such Notice be given with reference to the Time or Times of such Tenants holding or not, quit and relinquish the said Premises unto the said Commissioners, or to such Person or Persons as shall be by them authorized to receive Possession thereof; and in case any such Lessee shall be compelled to quit before the Expiration of his or her Term or Interest in any such Premises, then and in such Case the said Commissioners shall give Satisfaction and Compensation for the Loss or Damage which he or she shall sustain thereby; and in case of any Difference as to the Amount of such Satisfaction or Compensation, the same shall or may be settled and ascertained by a Jury in the same Manner as the Sums of Money to be paid for the Purchase of any Lands, Tenements, or Hereditaments are herein-before directed to be ascertained, or, if the said Commissioners and the other Parties in Difference shall agree, the same may be settled by a Reference to the Award of Arbitrators, to be chosen by the Parties in difference; and that all and every Person or Persons, Bodies Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, in possession of any Lands, Tenements, or Hereditaments which shall or may be purchased in pursuance of this Act by the said Commissioners, or vested in Her Majesty for any of the Purposes aforesaid, shall, upon Tender or Payment as aforesaid of such Recompence or Satisfaction for any of his, her, or their Term, Estate, or Interest in the Premises as shall be mutually agreed upon, or as shall be settled, ascertained, and awarded by any Referee or Referees or Umpire, or by Verdict or Inquisition of a Jury, in manner aforesaid, quit and relinquish the said Premises so in their respective Possessions unto the said Commissioners, or to such Person or Persons as shall be by them authorized to receive Possession of the same, and all the Leases, Demises, Contracts, and Agreements whatsoever, under or by virtue whereof any such Person or Persons shall hold the said Premises, shall at and from the End and Expiration of such Six Calendar Months, or upon such Payment or Tender as aforesaid, be absolutely void and of none Effect as against Her Majesty, Her Heirs and Successors, or the said Commissioners; and if any such Tenant at Will, or Lessee, or other Person or Persons, Bodies Corporate or Collegiate or Ecclesiastical, Corporations Aggregate or Sole as aforesaid, shall refuse or neglect to deliver up the Premises in his, her, or their Possession at the Expiration of such Six Calendar Months, or upon such Payment or Tender as aforesaid, it shall be lawful for any Justice of the Peace for the said County to issue his Precept or Warrant to the Constables of the said County, or any of them, or to any Person or Persons to be by such Justice appointed a Constable or Constables for that especial Purpose, commanding and requiring such Constable or Constables, or any of them, to cause Possession of the said Premises to be taken and afterwards delivered to such Person or Persons as shall in such Precept or Warrant be nominated to receive the same by such Commissioners; and the said Constables, and every of them, are and is thereupon hereby authorized and required to cause such Possession to be taken and delivered accordingly.

Persons authorized to sell may refer to Arbitrators to fix the Price.

XXXVI. And be it enacted, That all Persons hereby capacitated to sell, and all Persons who are herein-before authorized to have their Estates, Rights, Interests, or Damages assessed and ascertained by a Jury in manner aforesaid, and who may not agree with the said Commissioners as to the Price to be paid in respect of such Estates, Rights, Interests, or Damages, may, if they shall think fit, agree with the said Commissioners to refer it to any Person or Persons to ascertain the Amount to be paid; and every such Agreement, and the Awards of any Referee or Referees to be made in Writing in pursuance of any such Agreement, shall be in all respects binding and effectual on all Parties.

For ascertaining the Value of the Common Rights.

Meeting of Persons claiming Estates, &c. to be called.

XXXVII. And be it enacted, That for ascertaining the Value of the Estates, Rights, and Interests claimed by any Person or Persons in the said common or commonable Lands (other than the Crown in right of the Soil or otherwise), and for settling and apportioning the Amount of Compensation to be made for the same, it shall be lawful for the said Commissioners, or any Two of them, to call a Meeting of the Persons claiming any such Estates, Rights, or Interests as aforesaid, at such Time and Place in the said County as the said Commissioners, or any Two of them, shall appoint, by a public Notice thereof in Writing under their Hands, to be affixed at least Twenty-one Days before such Meeting on the principal outer Door of the Parish Church of *Portland*, or in some public and conspicuous Place within the *Isle of Portland*, and to be twice at least, during such Twenty-one Days, inserted in One of the public Newspapers

Newspapers published or generally circulated in the said County; and at such Meeting the Majority of Persons having or claiming any such Estates, Rights, or Interests in, upon, or over the said common or commonable Lands as aforesaid shall elect from among themselves Five Persons, who, within Fourteen Days from the Time of such Meeting, shall name One Person as the Valuer on behalf of the said Claimants, to ascertain the Value of such Estates, Rights, or Interests, and shall, by a Writing under their Hands, or under the Hands of any Three of them, give Notice to the said Commissioners of the Person or Persons so nominated by them as aforesaid.

A Valuer to be appointed on behalf of Claimants.

XXXVIII. And be it enacted, That the said Commissioners shall, within Fourteen Days after receiving such Notice as aforesaid, name One Person to be the Valuer on behalf of Her Majesty, Her Heirs and Successors, of the Estates, Rights, and Interests had or claimed in the said common or commonable Lands, and the said Valuers so respectively appointed as aforesaid shall, within Ten Days after the said last-mentioned Valuer shall have been appointed, by a Writing under their Hands, name a Third Person as Umpire before they proceed upon any Business under the Provisions of this Act; or in case the said Valuers cannot agree in the Choice of an Umpire, then it shall be lawful for "The Inclosure Commissioners for *England* and *Wales*," by some Writing under their Seal, to appoint an Umpire; and the Valuation of the said Valuers and Umpire, or any Two of them, as to the Amount of the Value of the said Rights and Interests, shall, if made in Writing within Thirty Days from the Day of the Date of the Appointment of the said Umpire, and if delivered to the Office of the said Commissioners, be binding on all Parties, and be taken to be the Price to be paid for such Rights and Interests.

Commissioners of Woods, &c. to appoint a Valuer.

Umpire to be appointed.

If Valuers cannot agree as to the Appointment of an Umpire, Inclosure Commissioners to appoint One.

XXXIX. And be it enacted, That in case, for any Reason whatever, the said Five Persons shall not be elected and named at such Meeting as aforesaid, or if they shall neglect or refuse to appoint such Valuer, or if the said Valuers or their Umpire should refuse, decline, or become incapable of making such Valuation, or if by any Reason whatsoever, except by reason of the Default of the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings to comply with the Directions of this Act, the said Valuation shall not be made within Six Calendar Months from the passing of this Act, then it shall be referred to a Person to make such Valuation who shall be appointed by "The Inclosure Commissioners for *England* and *Wales*," and the Award in Writing of such Person, so appointed as last aforesaid, shall be binding on all Parties.

In default of Appointment of Valuer, &c., or Refusal to act, Inclosure Commissioners to appoint.

XL. And be it enacted, That the said Valuers and Umpire shall and may and they are hereby authorized and empowered to call for and compel the Production of any Records, Deeds, or Writings, or any other Proof or Evidence relating to the Nature of the Estates, Rights, or Interests held or claimed in the said common or commonable Lands, and the Value thereof, and also to receive any Evidence on Oath or on Affirmation, in Cases where Affirmation is allowed by Law, instead of Oath, touching the Nature and Value of such Estates, Rights, and Interests, and in like Manner to carry on and prosecute all such other Inquiries and Examinations as in their Opinion may be necessary or expedient for ascertaining the Nature and Value of such Estates, Rights, or Interests; and any Person who, upon receiving due Notice, shall refuse or neglect to appear before the said Valuers and Umpire, or to produce such Records, Deeds, or Writings, or to give such Evidence, without reasonable Excuse for such Refusal or Neglect, shall, on Application to any Justice of the Peace for the said County, forfeit any Sum, not exceeding Ten Pounds nor less than Two Pounds, as such Justice may determine, to be recovered by Distress on the Offender's Goods, to be levied under the Warrant to be issued by such Magistrate.

Valuers and Umpire may require Production of Deeds, &c.

XLI. And be it enacted, That the said Valuation shall include all Costs and Charges which may be necessarily incurred in ascertaining the Nature and Value of the said Estates, Rights, and Interests, including the Allowance to the said Valuers and Umpire: Provided nevertheless, that the Amount of such Costs and Charges shall be approved of and allowed by the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, previously to the Publication of the Valuation as aforesaid.

Valuation to include all Costs incurred.

XLII. And be it enacted, That so soon as such Valuation shall have been so made and published as aforesaid, and upon Payment of the Amount at which the said Estates, Rights, and Interests shall have been so valued (exclusive of the aforesaid Amount of Costs and Expences as aforesaid) into the Bank of *England* to the Account of "The Inclosure Commissioners for *England* and *Wales*," the said common and commonable Lands and Hereditaments shall be absolutely freed and discharged from all such Rights, Estates, and Interests as aforesaid: Provided nevertheless, that no Objection shall be made to any such Valuation as aforesaid by reason that the said Meeting was not duly called, or that any of the Parties present were not so entitled as aforesaid, or that the said Parties, so appointed, did not duly appoint the said Valuer; and as regards the Amount of such Costs and Expences so directed to be ascertained as aforesaid, the same shall be paid by the said Commissioners of Woods, Forests, Land Revenues, Works, and Buildings, as Part of the Purchase Money for the said Estates, Rights, and Interests, to the Persons respectively entitled to receive the same.

As soon as Valuation made, and Amount paid, Commons, &c. to be freed from all Rights, &c.

XLIII. And be it enacted, That, notwithstanding any thing herein-before contained, it shall be lawful for the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings to agree with the said Five Persons so to be named for the Purpose of appointing a Valuer as aforesaid for the Amount or Price to be paid for such Estates, Rights, and Interests, instead of referring the Question of the Value thereof to the said Valuers as aforesaid, and the Amount agreed on shall be paid into the Bank of *England* in manner aforesaid, and shall be binding on all Parties.

Commissioners of Woods may agree for Price instead of referring the Question to Valuers.

XLIV. And be it enacted, That as soon as the said Monies shall have been paid into the Bank as aforesaid the said Inclosure Commissioners for *England* and *Wales*, or any Assistant Commissioner appointed

As soon as the said Monies shall be paid

into the Bank Inclosure Commissioners shall proceed to determine the Names of the Parties entitled.

or to be appointed by them for that Purpose, shall proceed to ascertain, determine, and award the Names of the Parties who were entitled to such Estates, Rights, and Interests in the said common and commonable Lands, and the Amount or Value of their respective Shares, Rights, and Interests therein, and the proportionate Amount of the Price so to be paid as aforesaid for such Estates, Rights, and Interests to which each Party so entitled as aforesaid is entitled in respect of his Share, Right, or Interest as aforesaid; and the Award of the said last-mentioned Commissioners under their Common Seal, or Assistant Commissioner in Writing under his Hand and Seal, shall be binding on all Parties claiming such Estates, Rights, and Interests as aforesaid; and,

Inclosure Commissioners may call Meetings to ascertain Rights, &c. of Parties.

for the Purpose of ascertaining the Rights and Interests of such Parties as aforesaid, it shall be lawful for the said Inclosure Commissioners or Assistant Commissioner to call such Meetings as they or he shall think fit of all Persons having or claiming any such Rights or Interests in the said common and commonable Lands as aforesaid, at such Time and Place as the said Commissioners or Assistant Commissioner shall think fit, so as the same shall be appointed by a public Notice thereof in Writing, to be affixed at least Twelve Days before such Meeting on the principal Outer Door of the Parish Church of *Portland*, or in some public and conspicuous Place within the said *Isle of Portland*, and to be inserted in One of the public Newspapers published or generally circulated in the said County of *Dorset*; and at such Meeting the said Commissioners or Assistant Commissioner do and shall proceed to examine into and ascertain all and every the Claims which shall be made or put forward in respect of any such Rights or Interests as aforesaid, and the relative and proportionate Value of the Estates, Rights, and Interests of any Person or Persons claiming to be entitled thereto, and for that Purpose do and may call for and receive such Records, Deeds, and Writings, and such other Proof or Evidence as the said Commissioners or Assistant Commissioner may think fit, and they and he are and is hereby authorized and required to take the Testimony of any Witnesses upon Oath (which Oath they and he are and is respectively hereby empowered to administer), or to take the Affirmation of such Witnesses in Cases where Affirmation is allowed by Law instead of Oath.

As to the Payment of Costs of Inclosure Commissioners, &c.

XLV. And be it enacted, That all the Costs and Expences of the said Inclosure Commissioners and Assistant Commissioner shall in the first place be paid out of the Monies so to be paid into the Bank of *England*, and that the Residue of the said Monies shall be paid and divided between and amongst the said several Parties to be named in the said Award, and in the Shares and Proportions to be ascertained and set forth in such Award.

Compensation for limited Interests to be paid to Trustees.

XLVI. And be it enacted, That when it shall appear to the said Inclosure Commissioners or Assistant Commissioner that any of the Parties entitled to such Rights or Interests are only entitled thereto for a limited Interest, then it shall be lawful for them or him, by their or his Award, to direct that the Monies to be paid in respect of such Right or Interest shall be paid to Trustees, to be held by them on Trusts similar to the Uses or Trusts to which such Rights or Interests had been immediately before the Payment of such Monies into the Bank subject to, or as near thereto as the said Inclosure Commissioners or Assistant Commissioner can ascertain; and that the Rights or Interests of all Parties to be ascertained in such Award as aforesaid shall, as from the Payment of such Monies as aforesaid into the Bank of *England*, be taken and considered as Personal Estate, and the Receipts of any Trustees to whom any such Monies shall be paid as aforesaid shall be good and sufficient Discharges for the same: Provided always, that the Payment of all such Sums shall from Time to Time be subject to such Rules and Regulations, for the Purpose of ensuring the Payment thereof to the Person or Persons duly entitled to receive the same, as the said Inclosure Commissioners shall by any Order direct.

Power to adjourn Meetings from Time to Time.

XLVII. And be it enacted, That it shall be lawful for any Person or Persons hereby authorized and empowered to call any Meeting for the Purposes of this Act from Time to Time to adjourn any Meeting so called to any future Day, and to any Place within the said Island of *Portland*, as to him or them shall seem meet, without giving any public Notice thereof.

Power to sell and exchange Lands.

XLVIII. And be it enacted, That it shall be lawful for the said Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, notwithstanding any thing herein-before contained, at any Time or Times before the Completion of the said intended Harbour of Refuge, on behalf of Her Majesty, Her Heirs or Successors, to sell and dispose of (either by way of absolute Sale or in Exchange for other Hereditaments to be applied to the Purposes of this Act), and absolutely to grant and convey, any of the Hereditaments which may be purchased or acquired for the Purposes of this Act, and which it shall be found are not required for the Purposes thereof, or which may be advantageously exchanged, subject, nevertheless, to such Conditions and Stipulations as they may think fit, and thereupon the same shall be conveyed and assured by the said Commissioners as they shall think fit; and any Monies to be received in respect of any Sale or Exchange by the said Commissioners shall be paid to and form Part of the Consolidated Fund.

Power to stop up and alter Roads.

XLIX. And be it enacted, That it shall be lawful for the said Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, from Time to Time to stop up, divert, raise, lower, or alter all or any of the Roads, Ways, Paths, Passages, Streams, and Watercourses which now lead into, through, across, or over any Part or Parts of the Lands mentioned in the Schedule to this Act, and to form and make in lieu thereof, or in addition thereto, such other Roads, Ways, Paths, Passages, or Watercourses as to the said Commissioners may seem fit and necessary; and the Ground and Soil of such Roads, Ways, Paths, or Passages as shall be so stopped up, and the Fee Simple and Inheritance thereof, shall thereupon become and be vested in Her Majesty, Her Heirs and Successors, for the Purposes of this Act, freed and discharged from all Claims and Demands in, to, upon, or over the same.

L. And

Penalties on Persons giving false Evidence.

L. And be it enacted, That all Persons who, upon Examination to be taken by virtue of this Act, shall wilfully and corruptly give false Evidence, or otherwise forswear themselves, before any Jury or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in force subject and liable to.

Limitation of Time for purchasing Lands.

LI. And be it enacted, That if the said Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, on behalf of Her Majesty, shall not within the Space of Five Years, to be computed from the passing of this Act, purchase or take the Lands, Tenements, and Hereditaments, or Parts thereof respectively, which they are empowered by this Act to take and use or purchase as aforesaid, then and from thenceforth the Powers hereby granted to them for compulsory Purchase shall cease.

Commissioners exempted from personal Liability.

LII. And be it enacted, That nothing contained in this Act, or to be contained in any Agreement, Contract, Lease, Assignment, Conveyance, or other Instrument entered into, made, taken, or executed by the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any of them, or by any Trustee or Trustees on behalf of Her Majesty, Her Heirs or Successors, in execution of the Powers of this Act, shall extend to charge the Persons or Person of all or any of the Commissioners, Trustee or Trustees executing any such Agreement, Contract, Lease, Assignment, Conveyance, or other Instrument, or the Heirs, Executors, or Administrators of the same Commissioners, Trustee or Trustees, or any of them, or their or any of their own proper Lands, Tenements, Goods, or Chattels, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in the same Agreement, Contract, Lease, Assignment, Conveyance, or other Instrument to be contained on the Part of the same Commissioners, Trustee or Trustees, or any of them; and the same Commissioners shall not be bound to see to the Application, or be answerable for the Misapplication or Nonapplication, of any Monies to be paid by them under the Direction in this Act contained; and the Amount of all Sums, Costs, Charges, Damages, and Expences which shall or may be recovered in any Suit or Suits at Law or in Equity against them the said Commissioners, Trustee or Trustees, or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of any such Agreement, Contract, Lease, Assignment, Conveyance, or other Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages, and Expences which the said Commissioners, Trustee or Trustees, or any of them, or their or any of their Heirs, Executors, or Administrators, shall bear, pay, expend, or be put to or which shall be occasioned to them, for or by reason or means of any such Agreement, Contract, Lease, Assignment, Conveyance, or other Instrument, or any Covenant, Condition, or Agreement therein contained, or any Action or Actions, Suit or Suits to be brought or prosecuted by or against them, or any of them, thereupon, shall respectively be paid and discharged by and out of the Monies for the Time being applicable to the Purposes of this Act.

Receipts of Commissioners to be sufficient Discharges.

LIII. And be it enacted, That the Receipts in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for any Monies payable to them under or by virtue of this Act, or the Powers herein contained, shall be sufficient Discharges for the same to the Person or Body paying the same.

Deeds, &c. not liable to Stamp Duties.

LIV. And be it enacted, That no Lease, Mortgage, Contract, Award, Conveyance, or other Instrument, which shall be made, granted, or executed under any Powers or Authorities herein contained or in pursuance thereof, nor any Contract, Bond, Assignment, Conveyance, or other Deed or Instrument which shall be made, entered into, or executed by any Person or Persons to or with the said last-mentioned Commissioners, or otherwise, for any of the Purposes of this Act, shall be subject or liable to any Stamp Duty whatever imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments be specially subjected and specifically charged in and by such future Act.

Saving the Rights of the Crown.

LV. And be it enacted, That nothing contained in this Act shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by the Queen's most Excellent Majesty, Her Heirs or Successors, in right of Her Crown, or otherwise howsoever.

Public Act.

LVI. And be it enacted, That this Act shall be deemed to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

The SCHEDULE to which the foregoing Act refers.

No. on the Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	A Dwelling House, Courtlage, and Garden.	Charles Augustus Manning, John Spencer Manning.		
2	A Dwelling House, Courtlage, and Garden.	Charles Augustus Manning, John Spencer Manning.		
3	A Dwelling House, Courtlage, and Garden.	Charles Augustus Manning, John Spencer Manning.		

No. on the Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
4	A Dwelling House, Courtlage, and Garden.	Charles Augustus Manning, John Spencer Manning.		
5	A Garden - -	Charles Augustus Manning, John Spencer Manning.	- - - -	Charles Augustus Manning.
6	A Garden - -	William White and Elizabeth White.	- - - -	Thomas Hansford.
6[a]	A Garden - -	William White and Elizabeth White.	- - - -	William White.
7	Commonable Pasture Land	Her Majesty, John Stone, Bailiff, Edward Pearce, the Haywards, and the Commoners.	- - - -	Charles Augustus Manning.
8	Commonable Pasture Land, Wears, Rubble Banks, and Quarries Land.	Her Majesty, John Stone, Bailiff, Edward Pearce, the Haywards, and the Commoners.		
8[a]	Commonable Pasture Land, Stone Quarry, and Rubble Heaps.	Her Majesty, John Stone, Bailiff, Edward Pearce, the Haywards, and the Commoners.	- - - -	William White.
9	Public Roads - -	Surveyors of the Highways.		
9[a]	Public Footway - -	Surveyors of the Highways.		
10	Ruin of the Van Signal Station House and Garden.	Her Majesty - -	- - - -	John Fisher.
11	Beach or Sea Shores -	Her Majesty - -	Count Hompisch - -	Count Hompisch.
12	Beach or Sea Shores -	Her Majesty - -	Count Hompisch - -	Count Hompisch.
13	Beach or Sea Shores -	Her Majesty - -	Count Hompisch - -	Count Hompisch.
14	Beach or Sea Shores -	Her Majesty - -	Count Hompisch - -	Count Hompisch.
15	Pier, called the King's Pier, in ruins.	Her Majesty - -	- - - -	Her Majesty and John William Barrington Browne, Richard Steward Wardell, Messrs. Stewards and Co., and John Foot, Agent for Messrs. Stewards and Co.
16	Shed and Tool-house -	Her Majesty, John Stone, Bailiff, Edward Pearce, the Haywards, and the Commoners.	- - - -	Her Majesty and John William Barrington Browne, Richard Steward Wardell, Mess[rs] Stewards and Co., and John Foot, Agent for Mess[rs] Stewards and Co.
17	Pier - - -	Her Majesty, John Stone, Bailiff, Edward Pearce, the Haywards, the Commoners, and Messrs. Stewards and Co.	- - -	Her Majesty and John William Barrington Browne, Richard Steward Wardell, Messieurs Stewards and Co., and John Foot, Agent for Messieurs Stewards and Co.
17[a]	A Shipping Pier near the Folly Pier.	Her Majesty, John Stone, Bailiff, Edward Pearce, the Haywards, the Commoners, and Samuel Patten.	- - - -	Her Majesty and Samuel Patten.
18	Paths or Tracks -	Her Majesty, John Stone, Bailiff, Edward Pearce, the Haywards, the Commoners, and Henry Stone.		
19	Lime-kiln - -	Her Majesty and John Fuzzard.	- - -	John Fuzzard.
20	Shed in ruins - -	Her Majesty, John Stone, Bailiff, Edward Pearce, the Haywards, and the Commoners.		
21	Shed in ruins - -	Her Majesty, John Stone, Bailiff, Edward Pearce, the Haywards, and the Commoners.		

No. on the Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
22	Building in ruins -	Her Majesty, John Stone, Bailiff, Edward Pearce, the Haywards, and the Commoners.		
23	Pasture Land - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman.
24	Pasture Land - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman.
25	Pasture Land - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman.
26	Ruinous Shed or Tool-house.	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Messieurs Stewards and Co., Susannah Spencer and Edward Pearce Lowman, and John Foot, Agent for Messrs Stewards and Co.
27	A Garden - - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman, and Daniel Andrews, and Elizabeth Sims, Widow.
28	A Garden - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman, and Nicholas Hoskins.
29	A Garden - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman, and Thomas Carter.
30	Arable Land - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman.
31	Arable Land and Rubble Heaps.	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman.
32	Pasture Land - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman.
33	Garden - - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman.
34	Rickyard - - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman.
35	Arable Land - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman.
36	Pasture Land - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman.
36[a]	Public Path - -	Surveyor of Highways.		
37	Pasture Land - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman.
38	A Garden - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman, Richard Benfield and William Cross.
39	A Garden - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman, and Abraham White.
40	Pasture Land with Occupation Road.	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman, and Robert Stone.
42	Stone Quarry - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Messieurs Stewards and Co., John Foot, their Agent.
44	Railways - -	Her Majesty, Messrs. Stewards and Co., Roper Weston, John Stone, Bailiff, Edward Pearce, the Haywards, and the Commoners.	John William Barrington Browne and Richard Steward Wardell.	Messieurs Stewards and Co., John Foot, their Agent, Roper Weston, Susannah Spencer, and Edward Pearce Lowman.

No. on the Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
45	Arable - - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman.
46	A Close of Land - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman.
47	A Close of Land - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman.
48	A Garden - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman, and John Atwooll.
49	Pasture Land - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman.
50	Stone Quarries, Rubble Banks, and quarried Land, with Occupation Road.	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Messieurs Stewards and Co., and Susannah Spencer and Edward Pearce Lowman, John Foot, Agent for Messieurs Stewards and Co.
51	A Garden - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman, Nicholas Hoskins.
52	A Garden - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman, Henry Stone.
53	A Garden - -	Her Majesty, John Stone, Bailiff, Edward Pearce, the Haywards, and the Commoners.	- - - -	Abraham Ellis.
54	A Garden - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman.
55	A Garden - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman, and Robert Stone.
56	A Garden - -	Her Majesty - -	John William Barrington Browne and Richard Steward Wardell.	Susannah Spencer and Edward Pearce Lowman, and William Peters.

CAP. XXV.

An Act to authorize the Inclosure of certain Lands, in pursuance of the Second Report of the Inclosure Commissioners for *England* and *Wales*. [11th *May* 1847.]

8 & 9 Vict. c. 118.

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of an Act passed in the Ninth Year of the Reign of Her present Majesty, intituled *An Act to facilitate the Inclosure and Improvement of Commons and Lands held in common, the Exchange of Lands, and the Division of intermixed Lands; to provide Remedies for defective or incomplete Executions, and for the Non-execution of the Powers of general and local Inclosure Acts; and to provide for the Revival of such Powers in certain Cases*, issued Provisional Orders for and concerning the several proposed Inclosures mentioned in the Schedule to this Act, and have in the annual General Report of their Proceedings, certified their Opinion that such Inclosures would be expedient; but the same cannot be proceeded with without the Authority of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Inclosures mentioned in Schedule may be proceeded with.

II. And be it enacted, That in citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The annual Inclosure Act, 1847."

Short Title.

The SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Welland	Worcester	30th June 1846.
Harden Moor	York	9th July 1846.
Newbold-on-Stour	Worcester	11th July 1846.
Wilburton Open Fields	Cambridge	21st July 1846.
Elmton	Derby	28th July 1846.
East Coanwood	Northumberland	28th July 1846.
Dippenhall	Southampton	29th July 1846.
Evenjobb	Radnor	25th August 1846.
Wentnor	Salop	11th September 1846.
Buckland St. Mary	Somerset	11th September 1846.
Brough and Shatton Common	Derby	11th September 1846.
Whitrigg Marsh	Cumberland	23d September 1846.
Norbury Hill	Salop	25th November 1846.
Wishaw, Upper and Lower Greens	Warwick	3d December 1846.
Bordley Intack	York	10th December 1846.
Netteswell	Essex	10th December 1846.
East Cotham Common	York	10th December 1846.
Whitnash	Warwick	23d December 1846.
Washington Commons	Sussex	8th January 1847.
Goldington	Bedford	8th January 1847.
Tadley	Southampton	23d January 1847.

CAP. XXVI.

An Act for enabling the Commissioners of Public Works in *Ireland* to purchase Land for Prisons in *Ireland*. [11th *May* 1847.]

Commissioners of Public Works to be Commissioners for providing Buildings, &c. necessary for the Establishment of new Prisons in Ireland.

'WHEREAS it is expedient that a new Prison should be established in or near *Dublin* for the 'Custody of convicted criminal Offenders, and it may become necessary to establish similar Prisons 'in other Parts of *Ireland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Commissioners of Public Works in *Ireland* for the Time being shall be Commissioners for the Purpose of purchasing or providing, as herein-after mentioned, any Buildings, Lands, Tenements, or Hereditaments that may be necessary for any such new Prison or Prisons, and the Sites thereof, and the Premises to be occupied therewith, and for erecting thereon suitable Buildings, and for repairing, enlarging, improving, upholding, and furnishing the same from Time to Time.

Commissioners of Public Works to be a Corporation for the Purposes of this Act.

II. And be it enacted, That for the Purposes of this Act the said Commissioners of Public Works in *Ireland* for the Time being, and their Successors shall be a Corporation, by the Name or Style of "The Commissioners of Public Works in *Ireland*," and by that Name, for the Purposes of this Act, shall have perpetual Succession and a Common Seal, to be by them made and from Time to Time altered as they shall think fit, and shall and may sue and be sued, plead or be impleaded, in all Courts, and before all Justices and others, and in that Capacity shall be deemed Promoters of the Undertaking authorized to be executed by this Act.

Power to Commissioners of Public Works to purchase or rent Buildings, Lands, &c. which may be required for such Prisons.

III. And be it enacted, That in order to enable the said Commissioners of Public Works in *Ireland* to purchase and provide the Buildings, Lands, Tenements, and Hereditaments which may be required for any such Prison and the Site thereof, the said Commissioners, with the Approval and under the Direction of the Commissioners of Her Majesty's Treasury, may contract and agree with any Person or Persons, or Body or Bodies Corporate, for the Purchase or renting of any Buildings, Lands, Tenements, or Hereditaments required for any such Prison or the Site thereof, and the Premises to be occupied therewith, and also for the Purchase of any subsisting Leases, Terms, Estates, or Interests therein or Charges thereon; and the Buildings, Lands, Tenements, or Hereditaments so contracted and agreed for shall be conveyed, assigned, or demised to or in trust for Her Majesty, Her Heirs and Successors, in such Manner and Form as the said Commissioners of Her Majesty's Treasury shall direct.

Lands Clauses Consolidation Act, 1845, incorporated with this Act with certain Exceptions.

IV. And be it enacted, That in order to enable the said Commissioners of Public Works to purchase and provide the said Buildings, Lands, Tenements, and Hereditaments, the Lands Clauses Consolidation Act, 1845, except the Clauses with respect to the Purchase and taking of Lands otherwise than by Agreement, shall be incorporated with this Act: Provided always, that all things by the said Act required or authorized to be done by the Promoters of the Undertaking may be done by any Two of the Commissioners of Public Works in *Ireland*, subject to the Approval of the Commissioners of Her Majesty's Treasury in the Cases provided by this Act.

V. And

Commissioners of Public Works to obtain Surveys, Plans, and Specifications, and send the same to the Treasury, for their Approval.

V. And be it enacted, That for the Purpose of building any such Prison the said Commissioners of Public Works, if they shall be so directed by the Commissioners of Her Majesty's Treasury, may employ any competent Surveyor or Architect to make a Survey and Estimate of the proposed Work, and to prepare such Plan, Section, or Specification thereof as may be necessary, and send the same to the Commissioners of Her Majesty's Treasury, for their Approval; and if the said Commissioners of Her Majesty's Treasury shall think fit to authorize the Work specified in any such Plan, Section, or Specification, or any Modification thereof which they may think proper to be undertaken, they shall by their Warrant direct the said Commissioners of Public Works to execute such Work at and for an Amount not exceeding a Sum to be specified in such Warrant; and the said Commissioners of Public Works shall, upon Receipt of such Warrant, cause the Work mentioned therein to be executed.

Commissioners of Public Works to make up Accounts, and send the same to the Treasury as often as required.

VI. And be it enacted, That the said Commissioners of Public Works shall cause Accounts in Writing of the several Sums received by them as such Commissioners for the Purposes of this Act, and the Sums expended by them for such Purposes, and the Manner of such Expenditure, to be made up to the Thirty-first Day of *December* in each Year, or to such other Day as the Commissioners of Her Majesty's Treasury shall direct; and the said Commissioners shall, as often as they shall be required so to do by the Commissioners of Her Majesty's Treasury send the said Accounts to the said Commissioners of the Treasury, who may give such Directions as they shall think proper, defining the Duties of the said Commissioners of Public Works in the Execution of this Act, and the said Commissioners of Public Works shall observe all such Directions as aforesaid which shall from Time to Time be signified to them by the said Commissioners of Her Majesty's Treasury.

Provisions of 1 & 2 W. 4. c. 33. as to Proceedings in Actions by and against the Commissioners of Public Works extended to Actions, &c. under this Act.

VII. And be it enacted, That the several Enactments contained in an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in* Ireland, which affect or relate to any Action or Suit to be commenced against the Commissioners for the Execution of the last-recited Act, or any Person or Persons, for any thing done by virtue of or in pursuance of the last-recited Act, or any Proceedings in any such Action or Suit, or any Limitation of Time for the Commencement thereof, or any Costs thereof, or any Evidence to be given therein, or any Notice of Action or Suit, or Satisfaction or Tender thereof, or any Action or Suit to be commenced by the said Commissioners, or any Proceedings therein, or any Abatement or Discontinuance of any such Action or Suit, or to the Court in which or to the Terms or Conditions on which any such Action or Suit shall be brought against the said Commissioners, collectively or individually, shall, so far as the same are applicable, be held to apply to and extend to any Action or Suit to be commenced against the Commissioners of Public Works in *Ireland*, or any Person or Persons for any thing done by virtue of or in pursuance of or on account of this Act, or to any Proceedings in or relating to any such Action or Suit.

Act may be amended, &c.

VIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. XXVII.

An Act for consolidating in One Act certain Provisions usually contained in Acts authorizing the making and improving of Harbours, Docks, and Piers. [11th *May* 1847.]

'WHEREAS it is expedient to comprise in One Act sundry Provisions usually contained in Acts of 'Parliament authorizing the Construction or improving of Harbours, Docks, and Piers, and that as 'well for avoiding the Necessity of repeating such Provisions in each of the several Acts relating to 'such Undertakings as for ensuring greater Uniformity in the Provisions themselves:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall extend only to such Harbours, Docks, or Piers as shall be authorized by any Act of Parliament hereafter to be passed which shall declare that this Act shall be incorporated therewith; and all the Clauses of this Act, save so far as they shall be expressly varied or excepted by any such Act, shall apply to the Undertaking authorized thereby, so far as they are applicable to such Undertaking, and shall, with the Clauses of every other Act incorporated therewith, form Part of such Act, and be construed therewith as forming One Act.

Extent of Act.

Interpretations in this Act.

And with respect to the Construction of this Act and any Act incorporated therewith, be it enacted as follows:

"special Act:"

"prescribed:"

"the prescribed Limits:"

"the Lands:"

II. The Expression "the special Act" used in this Act shall be construed to mean any Act which shall be hereafter passed authorizing the Construction or improving of an Harbour, Dock, or Pier, and with which this Act shall be incorporated; and the Word "prescribed," used in this Act in reference to any Matter herein stated, shall be construed to refer to such Matter as the same shall be prescribed or provided for in the special Act, and the Sentence in which such Word occurs shall be construed as if, instead of the Word "prescribed," the Expression "prescribed for that Purpose in the special Act" had been used; and the Expression "the prescribed Limits," used with reference to the Harbour, Dock, or Pier, shall mean the Distance measured from the Harbour, Dock, or Pier, or other local Limits (if any) beyond the Harbour, Dock, or Pier, within which the Powers of the Harbour Master, Dock Master, or Pier Master, for the Regulation of the Harbour, Dock, or Pier, shall by the special Act be authorized to be exercised; and the Expression "the Lands" shall mean the Lands which shall by the special Act be authorized

authorized to be taken or used for the Purposes thereof; the Expression "the Harbour, Dock, or Pier" shall mean the Harbour, Dock, or Pier, and the Works connected therewith, by the special Act authorized to be constructed; the Expression "the Harbour Master" shall mean, with reference to any such Harbour the Harbour Master, and with reference to any such Dock the Dock Master, and with reference to any such Pier the Pier Master, respectively appointed by virtue of this or the special Act, and with respect to all Acts authorized or required to be done by such Harbour Master, Dock Master, or Pier Master, shall include the Assistants of every such Harbour Master, Dock Master, or Pier Master; and the Expression "the Undertakers" shall mean the Persons by the special Act authorized to construct the Harbour, Dock, or Pier, or otherwise carry into effect the Purposes of the special Act with reference thereto.

"the Harbour, Dock, or Pier:" "the Harbour Master:" "the Undertakers."

III. The following Words and Expressions, in both this and the special Act and any Act incorporated therewith, shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Interpretations in this and the special Act.

Words importing the Singular Number only shall include the Plural Number, and Words importing the Plural Number only shall include the Singular Number: — Number:

Words importing the Masculine Gender only shall include Females: — Gender:

The Word "Person" shall include Corporation, whether aggregate or sole: — "Person:"

The Word "Lands" shall include Messuages, Lands, Tenements, and Hereditaments, or Heritages of any Tenure: — "Lands:"

The Word "Vessel" shall include Ship, Boat, Lighter, and Craft of every Kind, and whether navigated by Steam or otherwise: — "Vessel:"

The Word "Master," when used in relation to any Vessel, shall be understood to mean the Person having the Command or Charge of the Vessel for the Time being: — "Master:"

The Word "Owner," when used in relation to Goods, shall be understood to include any Consignor, Consignee, Shipper, or Agent for Sale or Custody of such Goods, as well as the Owner thereof: — "Owner:"

The Word "Goods" shall include Wares and Merchandize of every Description, and all Articles in respect of which Rates or Duties are payable under the special Act: — "Goods:"

The Word "Rate" shall mean any Rate or Duty or other Payment in the Nature thereof payable under the special Act: — "Rate:"

The Expression "the Collector of Rates" shall mean the Person appointed by the Undertakers to collect the Rates by the special Act authorized to be levied by them, and shall include the Assistants of such Collector: — "the Collector of Rates:"

The Word "Month" shall mean Calendar Month: — "Month:"

The Expression "Superior Courts," where the Matter submitted to the Cognizance of the Superior Courts arises in *England* or *Ireland*, shall mean Her Majesty's Superior Courts of Record at *Westminster* or *Dublin*, as the Case may require, and shall include the Court of Common Pleas of the County Palatine of *Lancaster*, and the Court of Pleas of the County of *Durham*, and where such Matter arises in *Scotland* shall mean the Court of Session: — "Superior Courts:"

The Word "Oath" shall include Affirmation in the Case of Quakers, and any Declaration lawfully substituted for an Oath in the Case of any other Persons allowed by Law to make a Declaration instead of taking an Oath: — "Oath:"

The Word "County" shall include any Riding or other Division of a County having a separate Commission of the Peace, and in *Scotland* shall include Stewartry, and any Ward or other Division of a County or Stewartry having a separate Sheriff, and shall also include County of a City and County of a Town: — "County:"

The Word "Justice" shall mean Justice of the Peace acting for the Place where the Matter requiring the Cognizance of any such Justice arises, and where such Matter arises in respect of Lands situate not wholly in any one Jurisdiction shall mean a Justice acting for the Place where any Part of such Lands shall be situate; and where any Matter shall be authorized or required to be done by Two Justices, the Expression "Two Justices" shall be understood to mean Two or more Justices met and acting together: — "Justice:"

The Word "Sheriff" shall mean the Sheriff Depute of the County or Ward of a County in *Scotland*, and the Steward Depute of the Stewartry in *Scotland*, in which the Matter submitted to the Cognizance of the Sheriff arises, and shall include the Substitute of such Sheriff Depute and Steward Depute respectively: — "Sheriff:"

The Expression "Quarter Sessions" shall mean Quarter Sessions as defined in the special Act; and if such Expression be not there defined, it shall mean the General or Quarter Sessions of the Peace which shall be held at the Place nearest to the Situation of the Harbour, Dock, or Pier for the County or Place in which the Harbour, Dock, or Pier, or the principal Office thereof, is situate, or for some Division of such County having a separate Commission of the Peace: — "Quarter Sessions:"

The Expression "the Lords of the Admiralty" shall mean the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral. — "Lords of the Admiralty."

And with respect to citing this Act, or any Part thereof, be it enacted as follows: — *Citing the Act.*

IV. In citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The Harbours, Docks, and Piers Clauses Act, 1847." — Short Title of this Act.

Form in which Portions of this Act may be incorporated in other Acts.

V. For the Purpose of incorporating Part only of this Act with any Act hereafter to be passed it shall be enough to describe the Clauses of this Act with respect to any Matter in the Words introductory to the Enactment with respect to such Matter, and to enact that the Clauses so described, or that this Act with the Exception of the Clauses so described, shall be incorporated with such Act, and thereupon all the Clauses of this Act so incorporated shall, save so far as they shall be expressly varied or excepted by such Act, form Part of such Act, and such Act shall be construed as if such Clauses were set forth therein with reference to the Matter to which such Act relates.

Construction of Harbour, Dock, or Pier.

And with respect to the Construction of the Harbour, Dock, or Pier, be it enacted as follows:

Construction of Harbour, Dock, or Pier to be subject to the Provisions of this Act and One of the Lands Clauses Consolidation Acts.

VI. Where by the special Act the Undertakers shall be empowered, for the Purpose of constructing the Harbour, Dock, or Pier, to take or use any Lands otherwise than with the Consent of the Owners and Occupiers thereof, they shall, in exercising the Power so given to them, be subject, if the Harbour, Dock, or Pier be situate in *England* or *Ireland*, to the Provisions and Restrictions contained in this Act and in the Lands Clauses Consolidation Act, 1845, and if the Harbour, Dock, or Pier be situated in *Scotland* to the Provisions and Restrictions contained in this and in the Lands Clauses Consolidation (*Scotland*) Act, 1845; and the Undertakers shall make to the Owners and Occupiers of and all other Parties interested in any Lands taken or used for the Purposes of this or the special Act, or injuriously affected by the Construction of the Works thereby authorized, full Compensation for the Value of the Lands so taken or used, and for all Damage sustained by such Owners, Occupiers, and other Parties by reason of the Exercise as regards such Lands of the Powers vested in the Undertakers by this or the special Act, or any Act incorporated therewith, and, except where otherwise provided by this or the special Act, the Amount of such Compensation shall be ascertained and determined in the Manner provided by the said Lands Clauses Consolidation Acts for determining Questions of Compensation with regard to Lands purchased or taken under the Provisions thereof, and all the Provisions of the last-mentioned Acts shall be applicable to determining the Amount of any such Compensation, and to enforcing the Payment or other Satisfaction thereof.

Errors and Omissions in Plans, &c. may be corrected by Justices, &c. who shall certify the same.

VII. If any Omission, Mis-statement, or wrong Description shall have been made of any Lands, or of the Owners, Lessees, or Occupiers of any Lands, described on the Plans or Books of Reference relating to the Harbour, Dock, or Pier deposited in compliance with the Standing Orders of either House of Parliament, or in the Schedule to the special Act, the Undertakers, after giving Ten Days Notice to the Owners, Lessees, and Occupiers of the Lands affected by such proposed Correction, may apply, in *England* or *Ireland*, to Two Justices, and in *Scotland* to the Sheriff, for the Correction thereof; and if it appear to such Justices or Sheriff that such Omission, Mis-statement or wrong Description arose from Mistake, they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, Mis-statement, or wrong Description; and such Certificate shall, along with the other Documents to which it relates, be deposited, in *England* and *Ireland*, with the Clerk of the Peace of the several Counties in which the Lands affected by such Alteration are situate, and in *Scotland* with the Sheriff Clerk of such Counties and with the Schoolmasters of the several Parishes in which such Lands are situate, and with the Town Clerk if such Lands be situate in a Royal Burgh; and thereupon such Plan, Book of Reference, or Schedule shall be deemed to be corrected according to such Certificate; and the Undertakers may make the Works in accordance with such Certificate, as if such Omission, Mis-statement, or wrong Description had not been made.

Certificate to be deposited.

Works not to be proceeded with until Plans of all Alterations authorized by Parliament have been deposited.

VIII. The Undertakers shall not commence the Execution of the Harbour, Dock, or Pier, unless they shall have previously deposited with the said Clerks of the Peace in *England* and *Ireland*, and with the Sheriff Clerk in *Scotland*, of every County in which the Harbour, Dock, or Pier is situate, a Plan and Section of all such Alterations from the original Plan and Section as shall have been approved of by Parliament, on the same Scale and containing the same Particulars as the original Plan and Section, and shall also have deposited with the Parish Clerks of the several Parishes in *England*, and the Clerks of the Unions of the Parishes in *Ireland*, and the Schoolmasters of the several Parishes and the Town Clerk of any Royal Burgh in *Scotland* in which such Alterations shall have been authorized to be made, Copies or Extracts of or from such Plans and Sections as shall relate to such Parishes and Royal Burghs respectively.

Clerks of the Peace, &c. to receive Plans of Alterations and allow Inspection.

7 W. 4. & 1 Vict. c. 83.

IX. The said Clerks of the Peace, Sheriff Clerks, Parish Clerks, Clerks of Unions, Schoolmasters, and Town Clerks shall receive the said Plans and Sections of Alterations, and Copies and Extracts thereof respectively, and shall retain the same as well as the said original Plans and Sections, and shall permit all Persons interested to inspect any of the Documents aforesaid, and to make Copies and Extracts of and from the same, in the like Manner and upon the like Terms, and under the like Penalty for Default, as is provided in the Case of the original Plans and Sections by an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.*

Copies of Plans, &c. to be Evidence.

X. True Copies of the said Plans and Books of Reference, or of any Alteration or Correction thereof, or Extract therefrom, certified by any such Clerk of the Peace or Sheriff Clerk, which Certificate such Clerk shall give to all Parties interested when required, shall be received in all Courts of Justice or elsewhere as Evidence of the Contents thereof.

No Deviation beyond the

XI. The Undertakers in making the Harbour, Dock, or Pier shall not deviate from the Line of the Works laid down in the said Plans more than the prescribed Number of Yards, and where no Number of Yards

Yards is prescribed not more than Ten Yards, nor in any case to any greater Extent than the Line of lateral Deviation described in the said Plans with respect to such Harbour, Dock, or Pier, nor take or use for the Purpose of such Deviation the Lands of any Person not mentioned in the Books of Reference, without his previous Consent in Writing, unless the Name of such Person have been omitted by Mistake, and the Fact that such Omission proceeded from Mistake have been certified in manner herein-before provided.

Limits defined upon Plans.

XII. The Undertakers shall not construct the Harbour, Dock, or Pier, or any Part thereof, or any Works connected therewith, on any Part of the Shore of the Sea, or of any Creek, Bay, Arm of the Sea, or navigable River communicating therewith, where and so far up the same as the Tide flows and reflows, without the previous Consent of Her Majesty, Her Heirs and Successors, to be signified in Writing under the Hands of Two of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and of the Lords of the Admiralty, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only according to such Plan and under such Restrictions and Regulations as the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and the said Lords of the Admiralty, approve of, such Approval being signified as last aforesaid; and where any such Work shall have been constructed with such Consent as aforesaid, the Undertakers shall not at any Time alter or extend the same, without obtaining, previously to making any such Alteration or Extension, the like Consents or Approvals; and if any such Work shall be commenced or completed without such Consent and Approval, the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or the said Lords of the Admiralty, may abate and remove the same, and restore the Site thereof to its former Condition, at the Costs of the Undertakers, and the Amount of such Costs shall be a Debt due to the Crown, and recoverable against the Undertakers accordingly: Provided always, that if the Conservancy of the navigable River shall legally belong to any Person the like Consent and Approval of such Person shall also be necessary, in addition to the Consents and Approvals herein-before required; and if the Right of Property of or in the Shore shall legally belong to any Person, such Right shall not be prejudiced except so far as Power to purchase the same shall be given by the special Act.

Works on the Shore of the Sea, &c. not to be constructed without the Authority of the Commissioners of Woods, &c. and of the Admiralty.

XIII. If the Undertakers propose to make any Deviations from or Alterations in the Plans of their Works, deposited as aforesaid, they shall, before adopting and carrying such Deviations or Alterations into execution, submit the Plans thereof to the Lords of the Admiralty, and also to the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings; and no Deviations from or Alterations in the deposited Plans shall be adopted by the Undertakers unless approved by the Lords of the Admiralty or the said Commissioners respectively, signified in manner aforesaid, or otherwise, as they shall think proper.

Before Alterations in Plans are executed, to be approved of by the Admiralty, &c.

Accommodation for Custom House Officers.

And with respect to the Construction of Works for the Accommodation of the Officers of Customs, be it enacted as follows:

XIV. The Undertakers, before they shall be entitled to take any Rates in respect of the Harbour, Dock, or Pier, if required so to do by the Commissioners of Her Majesty's Customs, or at any Time thereafter when so required, shall erect on a suitable Spot within or near the Harbour, Dock, or Pier, to be approved of by the said Commissioners, and always thereafter maintain, a Watch-house and Boat-house for the Use of the Tide Surveyors of the Customs and their Crew, of such Size and Materials and in such Manner as shall be approved of by the said Commissioners, and shall also, to the Satisfaction of the said Commissioners, provide from Time to Time a sufficient Number of Huts for the Use of the Officers of Revenue, with all fit and necessary Weighing Materials; and shall at all Times keep such Watch-house, Boat-house, Huts, and Weighing Materials in good and sufficient Repair.

Undertakers to erect Watch-house and Boat-house for Custom House Officers, and keep the same in repair.

XV. If at any Time such Watch-house or Boat-house or such Huts or Weighing Materials shall be out of repair, or not provided as required by the said Commissioners, and Notice thereof be given to the Undertakers, they shall repair or provide the same to the Satisfaction of the said Commissioners within Three Months after such Notice, or in default thereof shall forfeit the Sum of One hundred Pounds for every Month during which such Watch-house, Boat-house, Huts, or Weighing Materials shall continue out of repair or be not provided, such Penalty to be recovered in any of the Superior Courts against the Undertakers as a Debt due to the Crown, and to be sued for by any Officer of Customs, by the Direction of the said Commissioners.

Penalty on Undertakers neglecting to repair Watch-house, &c.

Life-boats.

And with respect to Life-boats, be it enacted as follows:

XVI. Unless it be provided by the special Act that the Undertakers need not provide Life-boats, the Undertakers, before they shall be entitled to take any Rates in respect of the Harbour, Dock, or Pier, shall provide and always thereafter maintain in good Repair an efficient and well-appointed Life-boat, a *Manby*'s Mortar, and a sufficient Supply of *Carte*'s Rockets, or such other Mortar and Rockets as the Lords of the Admiralty, by Writing under the Hand of the Secretary of the Admiralty, shall approve of, with all necessary Tackle, and a competent Crew and proper Persons for the effectual Working thereof for the Assistance and Succour of Vessels in distress; and the Undertakers shall cause such Life-boat, Mortar, and Rockets to be stationed at or upon the most advanced Works of the Harbour, Dock, or Pier, or such other Place as the Lords of the Admiralty shall approve of as aforesaid, and to be used on all necessary Occasions.

Life-boats, &c. to be provided by Undertakers.

Penalty for not providing Life-boat, &c.

XVII. The Undertakers shall be liable to a Penalty not exceeding Two Pounds for every Twenty-four Hours during which the said Life-boat, Mortar, and Rockets, or any of them, or the Tackle belonging thereto, shall not be provided or maintained and stationed as aforesaid.

Tide Gauge, &c.

And with respect to keeping a Tide and Weather Gauge, be it enacted as follows:

A self-registering Tide Gauge and Barometer to be provided by Undertakers.

XVIII. Unless it be provided by the special Act that the Undertakers need not provide a Tide or Weather Gauge, the Undertakers, before they shall be entitled to take any Rates in respect of the Harbour, Dock, or Pier, shall provide, and always thereafter maintain in good Repair and working Order, in a proper Part of the Harbour, Dock, or Pier, and in such Manner as the Lords of the Admiralty shall by Writing under the Hand of the Secretary of the Admiralty approve of, an efficient self-registering Tide Gauge, with a Barometer, and they shall cause the daily Working and Results of the said Tide Gauge and Barometer, and a daily Account of the State of the Wind and Weather, to be regularly and properly kept, and shall cause the full and true Results and Details thereof to be sent monthly to the Secretary of the Admiralty.

Penalty for not providing Tide Gauge, &c.

XIX. The Undertakers shall be liable to a Penalty not exceeding Two Pounds for every Twenty-four Hours during which the said self-registering Tide Gauge and Barometer shall not be provided or maintained, or such Account of the Wind and Weather shall not be kept as aforesaid; and they shall be liable to a Penalty not exceeding Ten Pounds for each Month they shall neglect or refuse to send as aforesaid to the Secretary of the Admiralty a full and true Account of the daily Workings of the said Tide Gauge and Barometer, and of the daily State of the Wind and Weather.

Warehouses and Cranes.

And with respect to the Construction of Warehouses, Wharfs, and other Conveniences, be it enacted as follows:

Power to purchase additional Land required for extraordinary Purposes.

XX. The Undertakers, in addition to the Lands authorized to be compulsorily taken by them under the Powers of the special Act, may contract with any Party willing to sell the same for the Purchase of any Lands adjoining or near to the Undertaking for extraordinary Purposes; (that is to say,)

For making and providing additional Yards, Wharfs, and Places for receiving, depositing, and loading or unloading Goods, and for the Erection of Weighing Machines, Toll Houses, Offices, Warehouses, Sheds, and other Buildings and Conveniences:

For making convenient Roads to the Harbour, Dock, or Pier, or any other Purpose which may be requisite or convenient for the Formation or Use thereof.

Power to construct Warehouses and other Works.

XXI. The Undertakers may, as well upon the said Lands as upon any other Lands acquired by them under the Provisions of this and the special Act, construct such Warehouses, Storehouses, Sheds, and other Buildings and Works as they may deem necessary for the Accommodation of Goods shipped or unshipped within the Harbour, Dock, or Pier, and may erect or provide such Cranes, Weighing and other Machines, Conveniences, Weights, and Measures as they think necessary for loading, unloading, measuring, and weighing such Goods.

Undertakers to hire Persons to work Cranes.

XXII. The Undertakers or their Lessees shall provide proper Servants and Labourers for working such Cranes at all reasonable Times for the Use of the Public.

Power to lease Wharfs, Warehouses, &c.

XXIII. The Undertakers may lease or grant the Use or Occupation of any Warehouses, Buildings, Wharfs, Yards, Cranes, Machines, or other Conveniences provided by them for the Purposes of this or the special Act, at such Rents and upon such Terms and Conditions as shall be agreed upon between the Undertakers and the Persons taking the same, provided that no such Lease be granted for a longer Term than Three Years.

Legal Quays to be approved by the Treasury, &c.

XXIV. And with respect to the Quays, be it enacted, That the Quays of the Harbour, Dock, or Pier shall not be deemed to be legal Quays for the shipping and unshipping of Goods until the same have been approved of by the Commissioners of Her Majesty's Treasury and the Commissioners of Her Majesty's Customs respectively for that Purpose; and such Quays, and the Use thereof, shall be subject to all the same Rules, Regulations, and Restrictions to which legal or lawful Quays are or may be by Law subject.

Rates.

And with respect to the Rates to be taken by the Undertakers, be it enacted as follows:

Rates not to be taken till Works completed.

XXV. Except where it is otherwise provided by the special Act the Undertakers shall not take any Rate until the Harbour, Dock, or Pier in respect of the Use of which the same is payable is completed and fit for the Reception of Vessels, or other the Purpose for which the same is intended.

Certificate of Magistrate to be Evidence of Completion of Harbour, &c.

XXVI. A Certificate under the Hand of the Chairman of the Quarter Sessions in *England* or *Ireland*, and of the Sheriff in *Scotland*, shall be conclusive Evidence that the Harbour, Dock, or Pier is completed and fit for the Reception of Vessels, or other the Purpose intended, and such Chairman or Sheriff shall sign such Certificate on Proof being adduced to him of such Completion and Fitness.

How Tonnage of Vessels to be ascertained.

XXVII. For the Purpose of ascertaining the Tonnage Rates payable upon Vessels under this or the special Act, the Tonnage of *British* Vessels duly registered according to Law shall be ascertained according to the certified Tonnage in the Register of such Vessels, and the Tonnage of all other Vessels shall be ascertained according to the Rules of Admeasurement for the Time being established by Law for regulating the Admeasurement of the Tonnage and Burden of the Merchant Shipping of the United Kingdom.

Exemption of Vessels in Her Majesty's Ser-

XXVIII. Nothing in this or the special Act contained shall extend to charge with Rates or Duties, or to regulate or subject to any Control, any Vessel belonging to or employed in the Service of Her Majesty, Her Heirs and Successors, or any Member of the Royal Family, or in the Service of the Customs or Excise,

Excise, or of the Corporation of *Trinity House* of *Deptford Strond*, or the Commissioners of Northern Lights, using the Harbour, Dock, or Pier, and not conveying Goods for Hire, or any Packet Boat or Post Office Packet, being a Packet Boat or Post Office Packet as defined under the Provisions of any Act relating to the Post Office, or any Post Office Bag of Letters conveyed by any such Packet Boat or Packet or by any other Vessel whatsoever, or any of the Officers or Persons employed in the Service of the Admiralty, Ordnance, Customs, Excise, or Post Office, or their Baggage, or any Vessel or Goods being under Seizure by the Officers of Revenue, or any Naval, Victualling, or Ordnance Stores, or other Stores or Goods for the Service of or being the Property of Her Majesty, or any Troops landed upon or delivered or disembarked from any of the Quays of the Harbour, Dock, or Pier, or their Baggage, but all such Vessels, Officers, or Persons as aforesaid shall have the free Use of the Harbour, Dock, or Pier without any Charge or Rate being made for using the same: Provided always, that if any Person claim and take the Benefit of any such Exemption as aforesaid without being entitled thereto, he shall for every such Offence be liable to a Penalty not exceeding Ten Pounds. vice, &c. from Rates.

XXIX. If any Vessel for which the Rates have been paid be obliged, from Stress of Weather, or other sufficient Cause, after leaving the Harbour, Dock, or Pier, to return with the same Cargo, the Rates so paid shall not again be payable in respect of such Vessel. Vessels returning from Stress of Weather.

XXX. The Undertakers may from Time to Time vary the Rates or any of them respectively in such Manner as they think expedient, by reducing or raising the same, provided that the Rates do not in any Case exceed the Amount authorized by the special Act to be taken, and provided also that the Rates be at all Times charged equally to all Persons in respect of the same Description of Vessel and the same Description of Goods. Power to vary the Rates from Time to Time.

XXXI. Provided always, That the Rates chargeable by this or the special Act upon Vessels not entitled to the Privileges of a *British* Ship, or upon Goods imported or exported in such Vessel, or upon Persons not being *British* Subjects, shall not be applicable to Vessels belonging to Countries with which Treaties of Reciprocity shall have been concluded, so long as such Treaties shall continue in force, nor to the Goods imported or exported therein, nor to the Subjects of such Countries, but during such Period the same Rates shall be levied upon the Vessels of such Countries, and upon the Goods imported or exported therein, and upon the Subjects of such Countries, as may be from Time to Time payable under this or the special Act upon Vessels entitled to the Privileges of *British* Ships, or upon Goods imported or exported in such Vessels, or upon the Subjects of such Countries. As to the Rates on Foreign Vessels where Treaties of Reciprocity exist.

XXXII. The Undertakers may from Time to Time agree with the Proprietors or Masters of Vessels engaged in transporting Passengers, or with any other Persons using the Dock, Harbour, or Pier, either for Purposes of Business or Pleasure, for the Payment of a fixed Sum, payable in advance, as a Composition, by the Year or other shorter Period, for the Rates payable by or in respect of such Passengers or their Luggage, or by such other Persons as aforesaid: Provided always, that if the Undertakers at any Time make any such Agreement by way of Composition as aforesaid, the Proprietors or Masters of all other Vessels engaged in like Manner, and all other Persons using or frequenting the Harbour, Dock, or Pier as aforesaid, may compound for the Rates payable by them respectively upon the like Terms as shall be contained in such Agreement, and the Undertakers shall accept such Composition accordingly, to the Intent that such Rates may not be compounded for partially or in favour of any particular Person or Party whatsoever. Power to compound for Tolls payable in respect of Passenger or Pleasure Vessels.

XXXIII. Upon Payment of the Rates made payable by this and the special Act, and subject to the other Provisions thereof, the Harbour, Dock, and Pier shall be open to all Persons for the shipping and unshipping of Goods and the embarking and landing of Passengers. Harbour, &c. free to Public on Payment of Rate.

And with respect to the Collection and Recovery of Rates, be it enacted as follows: *Collection of Rates.*

XXXIV. The Collector of Rates may, either alone or with any other Persons, enter into any Vessel within the Limits of the Harbour, Dock, or Pier, in order to ascertain the Rates payable in respect of such Vessel, or of any Goods therein. Collector may ascertain Rates.

XXXV. Within Twenty-four Hours after the Arrival within the Limits of the Harbour, Dock, or Pier of any Vessel liable to Rates, the Master of such Vessel shall report such Arrival to the Harbour Master, and if he fail to make such Report within the Time aforesaid he shall be liable to a Penalty not exceeding Ten Pounds. Master to report Arrival. Penalty for Neglect.

XXXVI. The Master of every registered Vessel shall, on Demand, produce the Certificate of the Registry of such Vessel to the Collector of Rates, and if any such Master refuse or neglect to make such Production, on Demand, he shall be liable to a Penalty not exceeding Twenty Pounds. Master to produce Certificate of Registry.

XXXVII. When any Goods are intended to be unshipped within the Limits of the Harbour, Dock, or Pier, the Master of the Vessel containing such Goods shall, within Twelve Hours after the Arrival of such Vessel within the Limits of the Harbour, Dock, or Pier, deliver to the Collector of Rates the Name of the Consignee of the Goods intended to be unshipped, or other Person to whom the same are to be delivered, and, if the whole Cargo be intended to be unshipped, a Copy of the Bill of Lading or Manifest of the Cargo, or, if Part only of the Cargo be intended to be unshipped, the best Account in Writing in his Power of the Kinds, Weights, and Quantities of the several Goods intended to be unshipped; and every such Master shall, if required so to do by the Collector of Rates, give to him Twelve Hours Notice of the Time at which the Cargo of such Vessel, or any Part of the same, is intended to be unshipped. Masters of Vessels to give Accounts of Goods intended to be unshipped within the Limits, &c.

XXXVIII. Every

Penalty on Masters giving no Account, or a false Account, &c.

XXXVIII. Every Master of a Vessel of which the Cargo or Part of the Cargo shall be unshipped within the Limits of the Harbour, Dock, or Pier, who shall have failed to deliver or to give any of the Particulars in regard to the Cargo or the Notice in regard to the Unshipment thereof herein-before required to be delivered or given by such Master, or who shall deliver or give any false Particulars or Notice, shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Shippers to give an Account of Goods intended to be shipped.

XXXIX. Before any Person shall ship any Goods on board of any Vessel lying within the Limits of the Harbour, Dock, or Pier, he shall give to the Collector of Rates a true Account, signed by him, of the Kinds, Quantities, and Weights of such Goods; and every Person who shall ship any Goods in any such Vessel without having given such Accounts, or who shall give or sign a false Account of such Goods, shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

In case of Dispute between Collector and Master, &c.

XL. If any Difference arise between the Collector of the Rates and the Master of any Vessel or the Owner of any Goods, concerning the Weight or Quantities of the Goods in respect of which any Rates are payable, such Collector may cause all such Goods to be weighed or measured, and, if necessary, may detain the Vessel containing such Goods until they have been weighed or measured.

As to the Expences of weighing or measuring Goods.

XLI. If the Weight or Quantity of such Goods be greater than that shown by the Manifest, Bill of Lading, Account, or Statement delivered by the Master of the Vessel or by the Owner of the Goods, the Expences of such weighing or measuring shall be paid to the Undertakers, and shall be recoverable by the same Means as are herein or in the special Act provided for the Recovery of Rates; but if the Weight or Quantity of such Goods be the same or less than that shown by the Manifest, Bill of Lading, Account, or Statement so delivered, the Undertakers shall pay all the Expences of such weighing or measuring, and shall also pay to the Master of the Vessel or to the Owner of the Goods all the Expences occasioned by such weighing or measuring, or by the Detention of the Vessel for that Purpose.

Rates on Goods when payable.

XLII. The Rates payable to the Undertakers in respect of any Goods shipped or unshipped within the Limits of the Harbour, Dock, or Pier shall be paid as follows; (that is to say,) if such Goods are to be shipped they shall be paid before the Shipment, or if such Goods are to be unshipped they shall be paid before the Removal of the Goods from the Premises of the Undertakers, and before the Expiration of Two Months next after they were unshipped.

Penalty on evading Payment of Rates.

XLIII. If the Master of any Vessel or the Owner of any Goods evade the Payment of the Rates payable to the Undertakers in respect of such Vessel or Goods, or any Part thereof, he shall pay to them Three Times the Amount of the Rates of which he shall so have evaded the Payment, and the same shall be recovered from such Master or Owner respectively in the same Manner as Penalties imposed by this Act are directed to be recovered, or by Action in any Court of competent Jurisdiction.

Recovery of Tonnage Rates by Distraint of Ship and Tackle.

XLIV. If the Master of any Vessel in respect of which any Rate is payable to the Undertakers refuse or neglect to pay the same, or any Part thereof, the Collector of Rates may, with such Assistance as he may deem necessary, go on board of such Vessel and demand such Rates, and on Nonpayment thereof, or of any Part thereof, take, distrain, or arrest, of his own Authority, such Vessel, and the Tackle, Apparel, and Furniture belonging thereto, or any Part thereof, and detain the Matters so distrained or arrested until the Rates are paid; and in case any of the said Rates shall remain unpaid for the Space of Seven Days next after any Distress or Arrestment so made, the said Collector may cause the Matters so distrained or arrested to be appraised by Two or more sworn Appraisers, and afterwards cause the Matters distrained or arrested, or any Part thereof, to be sold, and with the Proceeds of such Sale may satisfy the Rates so unpaid, and the Expences of taking, keeping, appraising, and selling the Matters so distrained or arrested, rendering the Overplus (if any) to the Master of such Vessel upon Demand.

Recovery of Rates on Goods.

XLV. If Default be made in the Payment of the Rates payable in respect of any such Goods, the Collector of Rates may distrain or arrest, of his own Authority, such Goods, and for that Purpose may enter any Vessel within the Limits of the Harbour, Dock, or Pier in which the Goods may be, with such Assistance as he shall deem necessary, or if the said Goods have been removed without Payment of such Rates he may distrain or arrest any other Goods within the Limits of the Harbour, Dock, or Pier, or the Premises of the Undertakers, belonging to the Person liable to pay such Rates, and may sell the Goods so distrained or arrested, and out of the Proceeds of such Sale pay the Rates due to the Undertakers, rendering the Overplus, if any, to the Owner of such Goods, on Demand; or the Undertakers may recover such Rates by Action in any Court having competent Jurisdiction: Provided always, that the Collector of Rates shall, before making any such Distress or Arrestment as aforesaid, pay all Duties which may be payable to Her Majesty in respect of the Goods so distrained or arrested, and he may retain the Amount of Duties so paid out of the Proceeds arising from the Sale of such Goods.

Disputes concerning Rates or Charges occasioned by Distress how to be settled.

XLVI. If any Dispute arise concerning the Amount of any Rates due, or the Charges occasioned by any Distress or Arrestment, by virtue of this or the special Act, the Person making such Distress or using such Arrestment may detain the Goods distrained or arrested until the Amount of the Rates due or the Charges of such Distress or Arrestment be ascertained by a Justice, if in *England* or *Ireland*, and by the Sheriff if in *Scotland*, who, upon Application made to him for that Purpose, shall determine the same, and award such Costs to be paid by either of the Parties to the other of them as he shall think reasonable, and such Costs, if not paid on Demand shall be levied by Distress or Pounding and Sale, and such Justice or Sheriff shall issue his Warrant accordingly.

List of Rates to be set up in large and legible Characters.

XLVII. The Undertakers shall from Time to Time cause to be painted on Boards, or to be printed and attached to Boards, in large and legible Characters, a List of the several Rates for the Time being payable, and shall cause such Boards containing such Lists to be fixed in front of the principal Office of Business of the Undertakers, and on some conspicuous Part of the Quays of the Harbour, Dock, or Pier;

Collection of Rates.

Pier; and no Rate shall be payable during such Time as such List is not so affixed, nor shall any Rate not specified in such List be payable: Provided always, that if any such List be destroyed, injured, or obliterated, the Rates shall continue payable during such Time as may be reasonably required for the Restoration or Reparation of such List, in the same Manner as if such List had continued affixed and in the State required by this Act.

Collector of Customs may withhold a Clearance to any Vessel until the Rates paid.

XLVIII. The Collector or other proper Officer of Her Majesty's Customs for the District within which the Harbour, Dock, or Pier is situate may, with the Consent of the Commissioners of Her Majesty's Customs, refuse to receive any Entry or give any Cocquet, Discharge, or Clearance, or to take any Report inwards or outwards of any Vessel liable to the Payment of any of the Rates imposed by the special Act, until the Master of such Vessel produces to such Collector or Officer a Certificate, under the Hand of the Collector of Rates, that the Rates payable in respect of such Vessel, and any Goods imported or exported by such Vessel, have been paid, or, if there be any Dispute as to the Rates payable, until such Collector or Officer shall be satisfied that sufficient Security has been given for the Payment of such Rates when ascertained, together with the Expences arising from the Nonpayment thereof.

Account of Rates.

And with respect to the Accounts to be kept of the Rates, and of the Vessels in respect of which they are payable, be it enacted as follows:

Undertakers to keep Account of Rates and Vessels, &c.

XLIX. The Undertakers shall keep Books of Account, in which shall be entered the several Sums received by or payable to them for Rates in respect of Vessels, the Tonnage of each Vessel for which such Rates are received or payable, the Name of the Master thereof, the Port to which such Vessel belongs, the Place from which on each Occasion such Vessel arrived, and the Place to which on each Occasion such Vessel is bound, and also the several Sums received by or payable to them in respect of the Goods landed from or taken on board every Vessel within the Limits of the Harbour, Dock, or Pier.

Annual Account to be prepared and *transmitted to the Clerk of the Peace in England or Ireland,* or to the Sheriff in Scotland.

L. The Undertakers shall every Year cause an annual Account in abstract to be prepared, showing the total Receipt and Expenditure of all Monies levied by virtue of this or the special Act, for the Year ending the Thirty-first Day of *December* or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account duly audited and certified by the Clerk or Secretary for the Time being of the Undertakers, and shall send a Copy of the said Account, free of Charge, to the Clerk of the Peace in *England* and *Ireland*, and the Sheriff Clerk in *Scotland*, for the County or of the Counties respectively, if more than One, in which the Harbour, Dock, or Pier is situate, on or before the Expiration of One Month from the Day on which such Account shall end, which Accounts shall be open to the Inspection of the Public at all seasonable Hours, on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the Undertakers omit to prepare and send such Accounts as aforesaid, they shall forfeit for every such Omission the Sum of Twenty Pounds.

Harbour, Dock, and Pier Master.

And with respect to the Appointment of Harbour Masters, Dock Masters, and Pier Masters, and their Duties, be it enacted as follows:

Appointment of Harbour, Dock, or Pier Master.

LI. The Undertakers may appoint such Harbour Masters as they think necessary (including in such Expression Dock Masters and Pier Masters, as herein-before defined), and from Time to Time, as often as they think fit, may remove any such Harbour Master.

Powers of Harbour, Dock, or Pier Master.

LII. The Harbour Master may give Directions for all or any of the following Purposes; (that is to say,)

For regulating the Time at which and the Manner in which any Vessel shall enter into, go out of, or lie in or at the Harbour, Dock, or Pier, and within the prescribed Limits, if any, and its Position, mooring or unmooring, placing and removing, whilst therein:

For regulating the Position in which any Vessel shall take in or discharge its Cargo or any Part thereof, or shall take in or land its Passengers, or shall take in or deliver Ballast within or on the Harbour, Dock, or Pier:

For regulating the Manner in which any Vessel entering the Harbour or Dock or coming to the Pier shall be dismantled, as well for the Safety of such Vessel as for preventing Injury to other Vessels and to the Harbour, Dock, or Pier, and the Moorings thereof:

For removing unserviceable Vessels and other Obstructions from the Harbour, Dock, or Pier, and keeping the same clear:

For regulating the Quantity of Ballast or dead Weight in the Hold which each Vessel in or at the Harbour, Dock, or Pier shall have during the Delivery of her Cargo, or after having discharged the same:

Provided always, that nothing in this or the special Act contained shall authorize the Harbour Master to do or cause to be done any Act in any way repugnant to or inconsistent with any Law relating to the Customs, or any Regulation of the Commissioners of Her Majesty's Customs.

Penalty on Shipmasters not complying with Directions of the Harbour Master.

LIII. The Master of every Vessel within the Harbour or Dock, or at or near the Pier, or within the prescribed Limits, if any, shall regulate such Vessel according to the Directions of the Harbour Master, made in conformity with this and the special Act; and any Master of a Vessel, who, after Notice of any such Direction by the Harbour Master served upon him, shall not forthwith regulate such Vessel according to such Direction, shall be liable to a Penalty not exceeding Twenty Pounds.

Penalty on Harbour Mas-

LIV. If any Harbour Master, or any of his Assistants, without reasonable Cause, or in an unreasonable or unfair Manner, exercise any of the Powers or Authorities vested in the Harbour Master by this or the special

ter for Misbehaviour.

special Act, the Person so offending shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty on offering Bribes to Dock Officers, and on Officers taking Bribes.

LV. If any Person give or offer any Sum of Money, or any thing whatsoever, by way of Reward or Bribe to any Harbour Master or any Officer employed in or about the Harbour, Dock, or Pier, for the Purpose of gaining an undue Preference in the Execution of his Office, or for the Purpose of inducing such Harbour Master or other Officer to do or omit to do any thing relating to his Office, or if such Harbour Master or other Officer receive any such Reward or Bribe as aforesaid, every Person so offending shall be liable for every such Offence to a Penalty of Twenty Pounds.

Harbour Master may remove Wrecks, &c.

LVI. The Harbour Master may remove any Wreck or other Obstruction to the Harbour, Dock, or Pier, or the Approaches to the same, and also any floating Timber which impedes the Navigation thereof, and the Expence of removing any such Wreck, Obstruction, or floating Timber shall be repaid by the Owner of the same, and the Harbour Master may detain such Wreck or floating Timber for securing the Expences, and on Nonpayment of such Expences, on Demand, may sell such Wreck or floating Timber, and out of the Proceeds of such Sale pay such Expences, rendering the Overplus, if any, to the Owner on Demand.

Unserviceable Vessels to be altogether removed from Harbour.

LVII. No Vessel which shall be laid by or neglected as unfit for Sea Service shall be permitted to lie within the Limits of the Harbour, Dock, or Pier, but the Harbour Master may cause every such Vessel to be, at the Expence of the Owner thereof, removed from the Harbour, Dock, or Pier, and laid on any Part of the Strand or Sea Shore, or other Place where the same may, without Injury to any Person, be placed; and the Charges of removing or placing such Vessel may be recovered from the Owner of such Vessel by summary Complaint, in *England* or *Ireland*, before any Justice of the Peace, and in *Scotland* before the Sheriff; and in case of Refusal or Neglect of Payment of such Charges for the Space of Seven Days after having been awarded by such Justice or Sheriff, the Harbour Master may levy such Charges by Distress and Sale or Poinding and Sale of such Vessel, or of the Tackle, Apparel, or Furniture thereof, or any Part thereof, and the Justice or Sheriff shall issue his Warrant accordingly.

Harbour Master may remove Vessels within Docks, &c.

LVIII. If the Master of any Vessel in or at the Harbour, Dock, or Pier, or within the prescribed Limits, if any, shall not moor, unmoor, place, or remove the same according to the Directions of the Harbour Master, or if there be no Person on board of any such Vessel to attend to such Directions, the Harbour Master may cause such Vessel to be moored, unmoored, placed, or removed as he shall think fit, within or at the Harbour, Dock, or Pier, or within the prescribed Limits, and for that Purpose the Harbour Master may cast off, unloose, or cut the Rope, or unshackle or break the Chain by which any such Vessel is moored or fastened; and all Expences attending the mooring, unmooring, placing, or removing of such Vessel shall be paid to the Undertakers by the Master of such Vessel: Provided always, that before the Harbour Master shall unloose or cut any Rope or unshackle or break any Chain by which any Vessel, without any Person on board to protect the same, shall be moored or fastened, he shall cause a sufficient Number of Persons to be put on board of such Vessel for the Protection of the same.

Vessels entering Harbour or Dock to be dismantled as Harbour Master shall direct.

LIX. Before any Vessel shall enter the Harbour or Dock or approach the Pier the Master thereof shall cause her to be dismantled as directed by the Harbour Master; and if any Vessel shall enter the Harbour or Dock or approach the Pier without being dismantled in the Manner required by the Harbour Master, after Notice shall have been given to the Master of such Vessel so to dismantle the same, such Master shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Vessels to lower their Sails before entering Dock.

LX. Before any Vessel shall enter into the Dock the Master of such Vessel shall cause her Sails to be lowered or furled; and if the Master of any Vessel shall navigate the same under Sail into or in the Dock he shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Vessels to have Hawsers, &c. fixed to Moorings.

LXI. Every Vessel in the Harbour or Dock or at or near the Pier shall have substantial Hawsers, Towlines, and Fasts fixed to the Dolphins, Booms, Buoys, or Mooring Posts, when required by the Harbour Master; and if any Vessel shall be in the Harbour or Dock or at or near the Pier without substantial Hawsers, Towlines, or Fasts fixed as aforesaid, after Notice from the Harbour Master to the Master of such Vessel to furnish or fix the same, such Master shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Penalty for wilfully cutting Moorings.

LXII. Every Person other than the Harbour Master who shall wilfully cut, break, or destroy the Mooring or Fastening of any Vessel lying in the Harbour or Dock or at or near the Pier shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty on Vessels lying near the Entrance of Harbour or Dock without Permission.

LXIII. As soon as the Harbour or Dock shall be so far completed as to admit Vessels to enter therein, no Vessel, except with the Permission of the Harbour Master, shall lie or be moored in the Entrance of the Harbour or Dock, or within the prescribed Limits, and if the Master of any Vessel either place it or suffer it to remain in the Entrance of the Harbour or Dock, or within the prescribed Limits, without such Permission, and do not, on being required so to do by the Harbour Master forthwith proceed to remove such Vessel, he shall be liable to a Penalty not exceeding Five Pounds, and a further Sum of Twenty Shillings for every Hour that such Vessel shall remain within the Limits aforesaid, after a reasonable Time for removing the same has expired after such Requisition.

Vessels may be removed for the Purpose of repairing Harbour or Dock.

LXIV. Whenever the Undertakers shall deem it necessary, for the Purpose of repairing, scouring, or cleansing the Harbour, Dock, or Pier, that any Vessel lying therein or thereat shall be removed therefrom, the Master of such Vessel shall, within Three Days after Notice in Writing signed by the Harbour Master has been given to him, remove such Vessel according to such Notice; and in case of his neglecting so to do, such Master shall be liable to a Penalty not exceeding Ten Pounds.

LXV. If

LXV. If the Master of such Vessel cannot be found, or if he neglect or refuse to remove the same, as required by the said Notice, the Harbour Master may remove such Vessel to such Station as he shall select, and the Expences of such Removal shall be paid to the Undertakers by the Owner of the said Vessel or the Master thereof: Provided always, that previous to the Repair of Harbour, Dock, or Pier which shall require the Removal of the Vessels therefrom, the Harbour Master shall give Three Days Notice of such Repair, and of the Necessity for such Removal to the Collector and Comptroller of the Customs of the District within which the Harbour, Dock, or Pier is situate, or which shall be specified for that Purpose in the special Act, and cause a like Notice to be affixed on some conspicuous Part of such Custom House and of the Office of the Undertakers.

Harbour Master may remove such Vessel if the Master thereof neglect or refuse so to do.

And with respect to the discharging of Vessels and the Removal of the Goods, be it enacted as follows:

Discharge of Cargoes and Removal of Goods.

LXVI. The Master of every Vessel which shall go into the Harbour or Dock for the Purpose of being discharged of her Cargo shall cause her to be so discharged as soon as conveniently may be after entering therein, and shall cause her, after being so discharged, to be removed, without Loss of Time, into such Part of the Harbour or Dock as shall be set apart for light Vessels, and the Harbour Master shall cause a Part of the Harbour or Dock to be set apart for light Vessels accordingly; and if the Master of any such Vessel shall not cause it to be so removed within Twenty-four Hours, after being required so to do by Notice in Writing signed by the Harbour Master, he shall be liable to a Penalty not exceeding Ten Pounds, and the Harbour Master may cause such Vessel to be so removed, and the Expences of such Removal shall be paid to the Undertakers by the Master of such Vessel.

Delivery of Cargoes and placing of discharged Vessels.

LXVII. If any Wharfinger or other Servant of the Undertakers, or any of their Lessees, or the Servants of such Lessees, shall give any undue Preference, or show any Partiality in loading or unloading any Goods on any of the Quays, Wharfs, or other Works belonging to the Undertakers, the Person so offending shall be liable to a Penalty not exceeding Five Pounds.

Penalty on Wharfingers giving undue Preference.

LXVIII. No Goods shall be allowed to remain upon any of the Piers or Quays or in the Approaches thereto for a longer Time than shall be allowed by the Bye Laws of the Undertakers; and if any Goods shall so remain without the Consent of the Undertakers the Harbour Master, or any Person appointed by the Undertakers for that Purpose, may remove the same to any of the Premises of the Undertakers or other convenient Place, and keep the same until Payment to the Undertakers of the Expences of such Removal, and of the keeping of the Goods; and if such Expences be not paid within Seven Days after Demand thereof made upon the Owner, or if no such Owner can be found, the Harbour Master may sell such Goods, and out of the Proceeds of such Sale pay such Expences, rendering the Overplus, if any, to the Owner on Demand.

Goods may be removed from the Quays, &c. after lying there longer than allowed by Bye Laws.

And with respect to the Protection of the Harbour, Dock, and Pier, and the Vessels therein, from Fire or other Injury, be it enacted as follows:

Protection of Harbour, Dock, and Pier.

LXIX. Every Person being the Owner of or having the Charge of any Tar, Pitch, Resin, spirituous Liquors, Turpentine, Oil, or other combustible Thing which shall be upon any Quay, Dock, or Wharf belonging to the Undertakers, or on the Deck of any Vessel within the Harbour or Dock or at or near the Pier, shall cause the same to be removed to a Place of Safety within Two Hours after being required so to do by Notice in Writing, signed by the Harbour Master, and if he fail so to do shall forfeit a Sum not exceeding Forty Shillings for every Hour such combustible Thing shall remain in any such Place as aforesaid after the Expiration of Two Hours from the Service of the said Notice.

Combustible Matter on Quays, &c. to be removed.

LXX. If any such combustible Thing as aforesaid shall remain on any Part of the Quays or Works connected with the Harbour, Dock, or Pier, or on the Deck of any Vessel within the Harbour or Dock or at or near the Pier, after Sunset, the Owner or Person having the Charge of the same, or on his Default the Harbour Master, at the Expence of such Owner, shall provide a sufficient Number of Persons to guard the same from Half an Hour before Sunset to Half an Hour after Sunrise; and such Expence, if not paid by the said Owner to the Undertakers, on Demand, shall be ascertained and recovered in the same Manner as Damages for the Recovery of which no special Provision is made are by this Act directed to be ascertained and recovered.

Combustibles to be guarded during the Night.

LXXI. Every Person who shall commit any of the Acts following shall be deemed guilty of an Offence, and shall for every such Offence be liable to a Penalty not exceeding Ten Pounds; (that is to say,)

Penalties against Offences herein named:

1. Every Person who shall boil or heat any Pitch, Tar, Resin, Turpentine, Oil, or other combustible Matter in any Vessel lying within the Harbour or Dock or near the Pier, or in any Place within the Limits of the Harbour, Dock, or Pier, except in such Place and in such Manner as shall be specially appointed by the Undertakers for that Purpose:

Boiling or heating Pitch, &c.

2. Every Person who shall have or cause to be had any Fire or lighted Candle or Lamp in any Vessel within the Harbour or Dock or at or near the Pier, except with the Permission of the Harbour Master:

Fires in Vessels.

3. Every Person who shall have or cause to be had any Fire, Candle, or Lamp lighted within any of the Docks or the Works belonging to the same, except at such Times and in such Manner as shall be permitted by the Bye Laws of the Undertakers:

Fires within Docks.

4. Every Person who shall bring any loaded Gun on the Quays or Works of the Harbour or Dock or on the Pier, or shall have or suffer to remain any loaded Gun in any Vessel in the Harbour or Dock or at or near the Pier:

Loaded Guns.

Gunpowder.

5. Every Person who shall, without the Permission of the Undertakers, bring or suffer to remain any Gunpowder on the Quays or Works of the Harbour or within the Dock, or on the Pier or in any Vessel within the Harbour or Dock or at or near the Pier.

Power to enter Ship and search for and extinguish Fires or Lights.

LXXII. The Harbour Master may enter into any Vessel within the Harbour or Dock or at or near the Pier, to search for any Fire or Light in or suspected to be in such Vessel, contrary to the Provisions of this or the special Act, or of any Bye Law made in pursuance thereof, and may extinguish the same; and any Person who shall obstruct the Harbour Master in the Execution of such Duty shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Penalty for throwing Ballast, &c., into Harbour or Dock.

LXXIII. Every Person who shall throw or put any Ballast, Earth, Ashes, Stones, or other Thing into the Harbour or Dock shall for every such Offence be liable to a Penalty not exceeding Five Pounds: Provided always, that nothing in this Act contained shall prejudice or prevent any Person from adopting any Measures which but for the passing of this Act he would be lawfully entitled to adopt for recovering any Land which shall at any Time have been lost to him, or severed from Land belonging to him, by reason of the Overflowing or Washing of any navigable River, or for protecting his Land from future Loss or Damage by the Overflowing or Washing of such navigable River.

Owner of Vessel answerable for Damage to Works.

LXXIV. The Owner of every Vessel or Float of Timber shall be answerable to the Undertakers for any Damage done by such Vessel or Float of Timber, or by any Person employed about the same, to the Harbour, Dock, or Pier, or the Quays or Works connected therewith, and the Master or Person having the Charge of such Vessel or Float of Timber through whose wilful Act or Negligence any such Damage is done shall also be liable to make good the same; and the Undertaker may detain any such Vessel or Float of Timber until sufficient Security has been given for the Amount of Damage done by the same: Provided always, that nothing herein contained shall extend to impose any Liability for any such Damage upon the Owner of any Vessel where such Vessel shall at the Time when such Damage is caused be in charge of a duly licensed Pilot, whom such Owner or Master is bound by Law to employ and put his Vessel in charge of.

As to the Recovery of Amount of Damage to Quays, &c.

LXXV. If the Amount claimed in respect of any such Damage as aforesaid do not exceed Fifty Pounds, such Damage shall be ascertained, and the Amount thereof shall, in *England* or *Ireland*, be recovered before Two Justices, and in *Scotland* before the Sheriff; and in addition to the Remedies hereby provided for the Recovery of the same, the Justices or Sheriff before whom the same are recovered may cause the Vessel or Float of Timber causing such Damage, and any Tackle and Furniture thereof, to be distrained and kept until the Amount of Damages and Costs awarded by them is paid, and if the same be not paid within Seven Days after such Distress or Keeping may cause the Property so distrained or kept, or any Part thereof, to be sold, and out of the Proceeds of such Sale may pay the Amount of Damages and Costs awarded by such Justices or Sheriff, and all the Charges incurred by the Distress, keeping, and Sale of such Property.

Owner may recover Damage from his Servants.

LXXVI. If the Owner of any Vessel or Float of Timber make Satisfaction for any such Damage as aforesaid, wilfully or negligently done by the Master or Person having charge of such Vessel or Float of Timber, or if the Owner of any Vessel or Goods in any other Case have been compelled to pay any Penalty or Costs by reason of any Act or Omission of any other Person, the Person who actually did such Damage or who committed such Offence shall repay to the Owner of such Vessel or such Goods the Amount of the Damage or Penalty and Costs, together with the Costs of the Proceedings to enforce such Repayment; and if such Damage or Penalty respectively do not exceed Fifty Pounds the Sum may, in *England* or *Ireland*, be recovered before Two or more Justices, and in *Scotland* before the Sheriff.

Lighthouses, Beacons, and Buoys.

And with respect to Buoys, Lighthouses, and Beacons, be it enacted as follows:

Power to erect Lighthouses and lay down Buoys, &c.

LXXVII. The Undertakers shall lay down Buoys for the Guidance of Vessels in such Situations within the Limits of the Harbour, Dock, or Pier, and of such Character, as shall from Time to Time be directed by the Corporation of *Trinity House*, *Deptford Strond*, the Corporation for preserving and improving the Port of *Dublin*, or the Commissioners of the Northern Lights respectively, according as the Harbour, Dock, or Pier is situated in *England*, *Ireland*, or *Scotland*.

Lights, Beacons, or Sea-marks not to be exhibited or altered without Sanction of Trinity House.

LXXVIII. The Undertakers shall not erect any Lighthouse or Beacon, or exhibit or allow to be exhibited any Light, Beacon, or Sea-mark, without the Sanction in Writing of the said Corporation of *Trinity House*, of the said Corporation for preserving and improving the Port of *Dublin*, or of the said Commissioners of Northern Lights respectively, according as the Harbour, Dock, or Pier is situated in *England*, *Ireland*, or *Scotland*, first having been obtained in that Behalf; and if any such Light, Beacon, or Sea-mark be exhibited with such Sanction as aforesaid, the same shall not be afterwards altered without the like Sanction; and every such Light, Beacon, and Sea-mark shall be of such Power and Description, and shall be from Time to Time discontinued or altered, as the said Corporation or Commissioners respectively shall from Time to Time direct.

Harbour and Dock Police.

And with respect to the Police of the Harbour, Dock, or Pier, be it enacted as follows:

Justices to appoint special Constables named by the Undertakers.

LXXIX. Any Two Justices may appoint such Persons as shall be nominated for that Purpose by the Undertakers to be special Constables within the Limits of the Harbour, Dock, Pier, and Premises of the Undertakers, and within One Mile of the same; and every Person so appointed shall be sworn in by any such Justices duly to execute the Office of a Constable within the Limits aforesaid, and when so sworn in shall have the same Powers, Protections, and Privileges within the Limits aforesaid, and shall be subject to the same Liabilities, as Constables have or are subject to by the Laws of the Realm.

LXXX. Any

LXXX. Any Two Justices may dismiss any such Constable from his Office, and upon such Dismissal all Powers, Protections, and Privileges vested in such Constable shall cease. Dismissal of Constables.

Meters and Weighers.

And with respect to the Appointment of Meters and Weighers, and their Duties, be it enacted as follows:

LXXXI. Where under the special Act the Undertakers shall have the Appointment of Meters and Weighers, the Undertakers may appoint and license a sufficient Number of Persons to be Meters and Weighers within the Limits of the Harbour, Dock, and Pier, and remove any such Persons at their Pleasure, and may make Regulations for their Government, and fix reasonable Rates to be paid, or other Remuneration to be made to them for weighing and measuring Goods. Power to appoint Meters and Weighers.

LXXXII. When a sufficient Number of Meters and Weighers have been appointed by the Undertakers, under the Powers of this and the special Act, the Master of any Vessel, or the Owner of any Goods shipped, unshipped, or delivered within or upon the Harbour or Dock or Pier, shall not employ any Person other than a Weigher or Meter licensed by the Undertakers, or appointed by the Commissioners of Her Majesty's Customs, to weigh or measure the same; and if in such Case any Person other than a Meter or Weigher licensed by the Undertakers, or a Meter or Weigher appointed by the Commissioners of Her Majesty's Customs, shall weigh or measure any such Goods as aforesaid, such Person, as well as the Person by whom he shall be employed, shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and the weighing or Measurement of any such Goods by any such Person shall be deemed illegal. Licensed Meters and Weighers only to be employed. Penalty on other than licensed Meters, &c. weighing Goods.

Bye Laws.

And with respect to the Bye Laws to be made by the Undertakers, be it enacted as follows:

LXXXIII. The Undertakers may from Time to Time make such Bye Laws as they shall think fit for all or any of the following Purposes; (that is to say,) Bye Laws may be made for all or any of the Purposes herein named.

For regulating the Use of the Harbour, Dock, or Pier:

For regulating the Exercise of the several Powers vested in the Harbour Master:

For regulating the Admission of Vessels into or near the Harbour, Dock, or Pier, and their Removal out of and from the same, and for the good Order and Government of such Vessels whilst within the Harbour or Dock, or at or near the Pier:

For regulating the shipping and unshipping, landing, warehousing, stowing, depositing, and removing of all Goods within the Limits of the Harbour, Dock, or Pier, and the Premises of the Undertakers:

For regulating (with the Consent of the Commissioners of Her Majesty's Customs) the Hours during which the Gates or Entrances or Outlets to the Harbour, Dock, or Pier shall be open:

For regulating the Duties and Conduct of all Persons, as well the Servants of the Undertakers as others, not being Officers of Customs or Excise, who shall be employed in the Harbour, Dock, or Pier, and the Premises of the Undertakers:

For regulating the Use of Fires and Lights within the Harbour, Dock, or Pier, and the Premises belonging thereto, and within any Vessel being within the Harbour or Dock, or at or near the Pier, or within the prescribed Limits (if any):

For preventing Damage or Injury to any Vessel or Goods within the Harbour or Dock, or at or near the Pier, or on the Premises of the Undertakers:

For regulating the Use of the Cranes, Weighing Machines, Weights, and Measures belonging to the Undertakers, and the Duties and Conduct of all Weighers and Meters employed by them:

For regulating the Duties and Conduct of the Porters and Carriers employed on the Premises of the Undertakers, and fixing the Rates to be paid to them for carrying any Goods, Articles, or Things from or to the same:

And the Undertakers may from Time to Time, as they shall think fit, repeal or alter any such Bye Laws: Provided always, that such Bye Laws shall not be repugnant to the Laws of that Part of the United Kingdom where the same are to have Effect, or the Provisions of this or the special Act; and such Bye Laws shall be reduced into Writing, and have affixed thereto the Common Seal of the Undertakers if they be a Body Corporate, or the Signatures of the Undertakers or Two of them if they be not a Body Corporate, and if affecting other Persons than the Officers or Servants of the Undertakers shall be confirmed and published as herein provided. Bye Laws may be repealed or altered from Time to Time.

LXXXIV. The Undertakers may, by the Bye Laws so to be made by them, impose such reasonable Penalties as they shall think fit, not exceeding Five Pounds for each Breach of such Bye Laws: Provided always, that such Bye Laws shall be so framed as to allow the Justices or Sheriff before whom any Penalty imposed thereby shall be sought to be recovered to order the whole or Part only of such Penalty to be paid. Bye Laws may be enforced by Imposition of Penalties.

LXXXV. No Bye Laws made under the Authority of this or the special Act, except such as relate solely to the Undertakers or their Officers or Servants, shall come into operation until the same be confirmed in the prescribed Manner, and if no Manner of Confirmation be prescribed then not until they be allowed by some Judge of One of the Superior Courts, or in *England* or *Ireland* by the Justices at the Quarter Sessions, or in *Scotland* by the Sheriff; and it shall be incumbent on such Justices or Sheriff, on the Request of the Undertakers, to inquire into any Bye Laws tendered to them for that Purpose, and to allow or disallow of the same, as they shall think meet. No Bye Laws to come into operation until allowed in the Manner prescribed, &c.

LXXXVI. Provided always, That no such Bye Laws shall be confirmed unless Notice of the Intention to apply for a Confirmation of the same have been given in One or more Newspapers of the County in Notice of Allowance of Bye Laws to be

given in One or more Newspapers.

which the Harbour, Dock, or Pier, or the principal Office thereof, is situate, One Month at least before the hearing of such Application; and any Person desiring to object to any such Bye Law, on giving to the Undertakers Notice of the Nature of his Objection Ten Days before the hearing of the Application for the Allowance thereof, may, by himself or his Counsel, Attorney, or Agent, be heard thereon, but not so as to allow more than One objecting Party to be heard on the same Matter of Objection.

A Copy of proposed Bye Laws to be open to Inspection.

LXXXVII. For One Month at least before any such Application for Confirmation of any Bye Laws, a Copy of the proposed Bye Laws shall be kept at the principal Office of the Undertakers; and all Persons may, at all reasonable Times, inspect such Copy without Fee or Reward, and the Undertakers shall furnish every Person who shall apply for the same with a Copy thereof, or of any Part thereof, on Payment of Sixpence for every One hundred Words so to be copied.

Publication of Bye Laws.

LXXXVIII. The said Bye Laws when confirmed shall be published in the prescribed Manner, and when no Manner of Publication is prescribed they shall be printed; and the Clerk to the Undertakers shall deliver a printed Copy thereof to every Person applying for the same without Charge, and a Copy thereof shall be painted or placed on Boards, and put up in some conspicuous Part of the Office of the Undertakers, and also on some conspicuous Part of the Harbour, Dock, or Pier, and such Boards, with the Bye Laws thereon, shall be renewed from Time to Time, as Occasion shall require, and shall be open to Inspection without Fee or Reward, and in case the said Clerk shall not permit the same to be inspected at all reasonable Times he shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Bye Laws to be binding on all Parties.

LXXXIX. All Bye Laws made and confirmed according to the Provisions of this and the special Act, when so published and put up, shall be binding upon and be observed by all Parties, and shall be sufficient to justify all Persons acting under the same.

Proof of Publication of Bye Laws.

XC. The Production of a written or printed Copy of the Bye Laws requiring Confirmation by a Judge of the Superior Courts or the Court of Quarter Sessions or the Sheriff, authenticated by the Signature of the Judge or of the Chairman of the Court or the Sheriff who shall have approved of the same, and a written or printed Copy of the Bye Laws not requiring such Confirmation, authenticated by the Common Seal of the Undertakers if incorporated, or under the Hands of the Undertakers if not incorporated, or any Two of them, shall be Evidence of the Existence and due making of such Bye Laws in all Cases of Prosecution under the same, without Proof of the Signature of such Judge or Chairman or Sheriff, or the Common Seal or Signature of the Undertakers; and with respect to the Proof of the Publication of any such Bye Laws, it shall be sufficient to prove that a Board containing a Copy thereof was put up and continued in manner by this Act directed, and in case of its afterwards being displaced or damaged that such Board was replaced or restored as soon as conveniently might be, unless Proof be adduced by the Party complained against that such painted Board did not contain a Copy of such Bye Laws, or was not duly put up or continued as directed by this Act.

Tender of Amends.

XCI. And with respect to the Tender of Amends, be it enacted, That if any Party shall have committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this or the special Act, or any Act incorporated therewith, or by virtue of any Power or Authority thereby given, and if, before Action brought in respect thereof, such Party make Tender of sufficient Amends to the Party injured, such last-mentioned Party shall not recover in any such Action; and if no such Tender have been made the Defendant may, by Leave of the Court where such Action is pending, at any Time before Issue joined, pay into Court such Sum of Money as he thinks fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Recovery of Damages and Penalties.

And with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices or the Sheriff, be it enacted as follows:

Railways Clauses Consolidation Acts, 1845, as to Damages, &c. to be incorporated with this and the special Act.

XCII. If the Harbour, Dock, or Pier be in *England* or *Ireland* the Clauses of the Railways Clauses Consolidation Act, 1845, with respect to the Recovery of Damages not specially provided for, and Penalties, and to the Determination of any other Matter referred to Justices, shall be incorporated with this and the special Act; and if the Harbour, Dock, or Pier be in *Scotland*, the Clauses of the Railways Clauses Consolidation Act (*Scotland*) 1845, with respect to the Recovery of Damages not specially provided for, and to the Determination of any other Matter referred to the Sheriff or to Justices, shall be incorporated with this and the special Act, and such Clauses shall apply to the Harbour, Dock, or Pier, and to the Undertakers respectively, and shall be construed as if the Word "Undertakers" had been inserted therein instead of the Word "Company."

In Ireland Part of Penalties to be paid to Guardians of Unions.

XCIII. Provided always, That in *Ireland*, in the Case of any Penalty imposed by Justices, where the Application is not otherwise provided for, such Justices may award not more than One Half of such Penalty to the Informer, and shall award the Remainder to the Guardians of the Poor of the Union within which the Offence shall have been committed, to be applied in aid of the Poor Rates of such Union.

One Magistrate in England or Ireland, and the Sheriff in Scotland, may act for Two Justices.

XCIV. All Things herein or in the special Act, or any Act incorporated therewith, authorized or required to be done by Two Justices may and shall be done, in *England* and *Ireland*, by any One Magistrate, having by Law Authority to act alone for any Purpose with the Powers of Two or more Justices, and in *Scotland* by the Sheriff or Steward of any County, Stewartry, or Ward, or his Substitute.

Penalties, &c. imposed in

XCV. Every Penalty or Forfeiture imposed by this or the special Act, or any Act incorporated therewith, or by any Bye Law in pursuance thereof, in respect of any Offence which shall take place within the

the Metropolitan Police District, shall be recovered, enforced, accounted for, and, except where the Application thereof is otherwise specially provided for, shall be paid to the Receiver of the Metropolitan Police District, and shall be applied in the same Manner as Penalties or Forfeitures other than Fines upon drunken Persons, or upon Constables for Misconduct, or for Assaults upon Police Constables, are directed to be recovered, enforced, accounted for, paid, and applied by an Act passed in the Third Year of the Reign of Her present Majesty, intituled *An Act for regulating the Police Courts in the Metropolis;* and every Order or Conviction of any of the Police Magistrates in respect of any such Forfeiture or Penalty shall be subject to the like Appeal, and upon the same Terms, as is provided in respect of any Order or Conviction of any of the said Police Magistrates by the said last-mentioned Act; and every Magistrate by whom any Order or Conviction shall have been made shall have the same Power of binding over the Witnesses who shall have been examined; and such Witnesses shall be entitled to the same Allowance of Expences as they would have had or been entitled to in case the Order, Conviction, and Appeal had been made in pursuance of the Provisions of the said last-mentioned Act.

respect of any Offence committed within Metropolitan Police District to be paid to Receiver. 2 & 3 Vict. c. 71.

XCVI. Every Person who, upon any Examination upon Oath under the Provisions of this or the special Act, or any Act incorporated therewith, shall wilfully and corruptly give false Evidence shall be liable to the Penalties of wilful and corrupt Perjury.

Penalty on false Evidence.

And with respect to Access to the special Act, be it enacted as follows:

Access to special Act.

XCVII. The Undertakers shall at all Times, after the Expiration of Six Months after the passing of the special Act, keep in their principal Office of Business a Copy of the special Act, printed by the Printers to Her Majesty or some of them, and shall also within the Space of such Six Months deposit in the Office of the Clerk of the Peace in *England* or *Ireland*, and of the Sheriff Clerk in *Scotland*, of the County in which the Harbour, Dock, or Pier, or any Part thereof, is situate, a Copy of such special Act so printed as aforesaid; and the said Clerk of the Peace and Sheriff Clerk shall receive, and they and the Undertakers respectively shall keep the said Copies of the special Act, and shall allow all Persons interested to inspect the same, and make Extracts or Copies therefrom, in the like Manner and upon the like Terms and under the like Penalty for Default as is provided in the Case of certain Plans and Sections by an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.*

Copies of special Act to be kept by Undertakers at their Office, and deposited with the Clerks of the Peace, &c. 7 W. 4. & 1 Vict. c. 83.

XCVIII. If the Undertakers fail to keep or deposit, as herein-before mentioned, any of the said Copies of the special Act, they shall forfeit Twenty Pounds for every such Offence, and also Five Pounds for every Day afterwards during which such Copy shall be not so kept or deposited.

Penalty on failing so to do.

And with respect to the saving of Rights, be it enacted as follows:

Saving of Rights.

XCIX. Nothing in this or the special Act, or any Act incorporated therewith, contained shall extend to alienate, defeat, vary, lessen, abrogate, or prejudice any Estate, Right, Title, Interest, Prerogative, Royalty, Jurisdiction, or Authority, of or appertaining to the Queen's most Excellent Majesty, Her Heirs or Successors, nor to abridge, vary, or abrogate any of the Powers or Authorities by Law vested in the Lords of the Admiralty, or in the Commissioners of Her Majesty's Customs, or in the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, in relation to the Possessions and Land Revenues of Her Majesty in right of Her Crown, or otherwise howsoever;

Nothing in this or the special Act to affect the Rights of the Crown;

C. Nothing in this or the special Act shall be deemed to extend to or affect any Act of Parliament relating to Her Majesty's Duties of Customs or Excise, or any other Revenue of the Crown, or to extend to or affect any Claim of Her Majesty in right of Her Crown, or otherwise howsoever, or any Proceedings at Law or in Equity by or on behalf of Her Majesty, in any Part of the United Kingdom of *Great Britain* and *Ireland*;

nor the Rights of the Crown as to Revenue, &c.;

CI. Nothing in this Act or the special Act contained shall prejudice or derogate from the Estates, Rights, Liberties, Interests, Privileges, Franchises, or Authority of the Mayor and Commonalty and Citizens of the City of *London*, or their Successors, or the Lord Mayor of the said City for the Time being.

nor the Rights of the City of London;

CII. Nothing in this or the special Act contained shall prejudice or derogate from any of the Rights or Privileges, Jurisdiction or Authority of the Corporation of the *Trinity House* of *Deptford Strond*, the Corporation for preserving and improving the Port of *Dublin*, or the Commissioners of Northern Lights, or any Lord of the Manor within the Limits of the Harbour or Dock.

nor the Rights of Trinity House, &c.

CIII. And be it enacted, That nothing herein or in the special Act contained shall be deemed to exempt the Undertakers from the Provisions, Regulations, and Conditions which may be contained in any general Act relating to Harbours, Docks, or Piers, or to Ports, Harbours, or tidal Waters, which may be passed in the same Session in which the special Act is passed, or any future Session of Parliament.

Act not to exempt Undertakers from Provisions of general Act.

CIV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

CAP. XXVIII.

An Act to amend the Acts relating to County Buildings. [8th *June* 1847.]

7 G. 4. c. 63. 7 W. 4. & 1 Vict. c. 24.

'WHEREAS by an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to provide for repairing, improving, and rebuilding Shire Halls, County Halls, and other Buildings for holding the Assizes and Grand Sessions, and also Judges Lodgings, throughout* England *and* Wales, certain Powers and Authorities were given to the Justices of the Peace of any County, Riding, or Division in *England* and *Wales*, assembled at General or Quarter Sessions, and certain Provisions were made relative to the altering and repairing of any Shire Hall or County Hall accustomably made use of for holding the Assizes or Sessions of the Peace for any County, Riding, or Division, and to the building of a Shire Hall or County Hall, and to the purchasing any Houses, Lands, Tenements, or Hereditaments for that Purpose, and to the conveying the same to Trustees, and to the defraying the Expences thereby incurred, and to raising Money for the same: And whereas it was by the said Act declared, that the Powers therein contained should not extend to any Halls or other Buildings not being the Property of Counties, Ridings, or Divisions of Counties, or holden in trust for them: And whereas by an Act passed in the First Year of the Reign of Her present Majesty, for explaining and amending the first-recited Act, it was enacted that the said Powers, Authorities, and Provisions should authorize the building, altering, and repairing of any Shire Hall or County Hall or other Building used partly as a Shire Hall and partly as a Town Hall, in those Cases in which such Assizes and Sessions as aforesaid had been usually holden in some Town Hall or other Building not belonging exclusively to such County, Riding, or Division: And whereas Doubts have been entertained whether the Justices at General or Quarter Sessions of the Peace for any County, Riding, or Division have Power, under the said Acts or either of them, to build any Shire or County Hall, or to purchase Land for the Erection of the same, or to raise Money for that Purpose, where the Assizes or Sessions for such County, Riding, or Division have heretofore been usually holden in the Town Hall of some City or Town not being the Property of the County or Riding for which such Assizes or Sessions are holden:' Be it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Powers, Authorities, and Provisions in the said Acts contained relative to the building of any new Shire Hall or County Hall, and to the purchasing of any Houses, Lands, Tenements, or Hereditaments for that Purpose, and to defraying the Expence of such building and Purchase, and to raising Money for the same, shall be deemed to apply to and to authorize and to have authorized the building of any new Shire Hall or County Hall, and the purchasing of any Houses, Lands, Tenements, and Hereditaments for that Purpose, and the defraying the Expence of such building and Purchase, and the raising of Money for the same, although the Assizes or Sessions of the Peace for the County, Riding, or Division have theretofore been usually holden in the Town Hall of some City or Town not being the Property of the County, Riding, or Division, and whether such Town Hall shall or shall not be pulled down; and the Houses, Lands, Tenements, and Hereditaments so purchased shall be conveyed to such Persons as the said Justices shall from Time to Time think fit to direct, in trust for the County, Riding, or Division; and such Houses, Lands, Tenements, and Hereditaments, and such new Shire Hall or County Hall, shall be and be held for the exclusive Use of the County, Riding, or Division.

Powers of recited Act and 7 W. 4. & 1 Vict. c. 24. relative to the Building of any new Shire Hall, &c. deemed to apply to the Building, &c., although Assizes, &c. have heretofore been held in some Place not being the Property of the County.

Act may be amended, &c.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. XXIX.

An Act to limit the Hours of Labour of young Persons and Females in Factories. [8th *June* 1847.]

3&4 W. 4. c. 103. 7&8 Vict. c. 15.

'WHEREAS an Act was passed in the Fourth Year of the Reign of His late Majesty, intituled *An Act to regulate the Labour of Children and young Persons in the Mills and Factories of the United Kingdom;* and another Act was passed in the Session of Parliament held in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to amend the Laws relating to Labour in Factories;* and by the said first-mentioned Act it was provided, that no Person under the Age of Eighteen Years should be employed in any such Mill or Factory as in the said Act is mentioned, in any such Description of Work as therein-before specified, more than Twelve Hours in any One Day, nor more than Sixty-nine Hours in any One Week, except as therein-after is provided; and by the said last-mentioned Act it was provided, that no Female above the Age of Eighteen Years should be employed in any Factory as defined by the said Act, save for the same Time and in the same Manner as young Persons (by the said Act defined to be Persons of the Age of Thirteen Years and under the Age of Eighteen Years) might be employed in Factories: And whereas it is expedient to alter the said Acts for the Purpose of further restricting the Hours of Labour of young Persons and Females in Factories:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, notwithstanding any thing in the said Acts contained, from the First Day of *July* One thousand eight hundred and forty-seven no Person under the Age of Eighteen Years

Limiting the Hours during

Years shall be employed in any such Mill or Factory, in such Description of Work as in the said first-mentioned Act is specified, for more than Eleven Hours in any One Day, nor for more than Sixty-three Hours in any One Week, except as in the said Act is provided; and that from the said First Day of *July* One thousand eight hundred and forty-seven the said Two Acts before mentioned shall in all respects be construed as if the Provision in the Provision in the said first-mentioned Act contained, as to Persons under the Age of Eighteen Years working in Mills and Factories, had been confined to Eleven Hours instead of Twelve Hours in any One Day, and to Sixty-three Hours in any One Week instead of Sixty-nine Hours. *which Persons are to be employed in Mills and Factories.*

II. And be it enacted, That from the First Day of *May* One thousand eight hundred and forty-eight no Person under the Age of Eighteen Years shall be employed in any such Mill or Factory, in such Description of Work as in the said first-mentioned Act is specified, for more than Ten Hours in any One Day nor more than Fifty-eight Hours in any One Week, except as in the said Act is provided; and that from the First Day of *May* One thousand eight hundred and forty-eight the said Two Acts shall in all respects be construed as if the Provision in the said first-mentioned Act contained, as to Persons under the Age of Eighteen Years working in Mills and Factories, had been confined to Ten Hours instead of Twelve Hours in any One Day, and Fifty-eight Hours in any One Week instead of Sixty-nine Hours. *Limiting the Number of Hours for which Persons under Eighteen Years of Age are to be employed.*

III. And be it enacted, That the Restrictions respectively by this Act imposed as regards the working of Persons under the Age of Eighteen Years shall extend to Females above the Age of Eighteen Years. *Act extended to Females above Eighteen.*

IV. And be it enacted, That the said Two herein-before mentioned Acts as amended by this Act, and this Act, shall be construed together as One Act. *Construction of Act.*

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament. *Act may be amended, &c.*

CAP. XXX.

An Act for extending the Period of Service of Boys in Her Majesty's Navy. [8th *June* 1847.]

'WHEREAS by an Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Encouragement of the voluntary Enlistment of Seamen, and to make Regulations for more effectually manning His Majesty's Navy*, it was enacted, that no Person shall be liable to be detained against his Consent in the Naval Service of His Majesty for a longer Period than Five Years, to be computed from the Day of his being entered into the same, unless he shall have voluntarily entered for a longer Term, and except as therein-after provided: And whereas it is expedient that Boys who enter into the Naval Service of Her Majesty when under the Age of Sixteen Years shall, if not previously discharged, remain in such Service in all Cases for the Period of Seven Years:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Boy who, when under the Age of Sixteen Years, shall enter the Service of Her Majesty's Navy shall be liable to be detained in the said Service, either with or against his Consent, for any Period not exceeding Seven Years, to be computed from the Day of his being entered into the same; and at the Expiration of such Seven Years he shall, upon his Application for that Purpose, be entitled to be discharged, unless the Admiral or Commanding Officer of the Fleet, Division, or Squadron under whose Command he shall be shall, in consequence of any special Emergency, deem it advisable not to discharge him, in which Case such Admiral or Commanding Officer shall have Power to detain him in the said Service for a further Period of Six Calendar Months, or until such Emergency shall have ceased, and then the Person so detained shall be entitled to receive for such extra Service One Fourth, in addition to the Pay or Wages of his Rating: Provided always, that if any such Person shall be under Arrest or Imprisonment at the Period at which he shall be entitled to his Discharge, then his Discharge shall not take place until such Arrest or Imprisonment shall have ceased, or in case he shall have been put under Arrest in order to be brought to Trial for any Offence, his Discharge shall not take place until he have been tried for such Offence, and have undergone the Punishment to which he may be adjudged for the same by Sentence of Court-martial; and every Person entitled to his Discharge shall not be exempt from Performance of the Duties of his Station, but be amenable and subject to the Discipline of the Navy, and to the several Laws, Regulations, and Provisions in force for the Time being for the Government and Regulation thereof, until he be actually discharged. *5 & 6 W. 4. c. 24.* *Boys entering the Navy under Sixteen Years of Age may be detained Seven Years in the Service, and upon any special Emergency may be detained for a further Period.* *Persons under Arrest not entitled to Discharge until Arrest, &c. shall have ceased.*

II. And be it enacted, That every Person who shall have entered the Naval Service of Her Majesty when under the Age of Sixteen Years shall be entitled to the same Privileges upon his Discharge as other Seamen are upon their Discharge, but he shall not be entitled to the Addition of One Fourth to the Pay or Wages of his Rating until the Expiration of the said Seven Years, and when serving in the Fleet without having ever been discharged he shall not be entitled to any Bounty which shall, by any Order in Council or Proclamation of Her Majesty then in force, be offered to Seamen to volunteer to enter into the said Service unless such Order in Council or Proclamation be in force when his Service for Seven Years shall expire; and he shall, previous to the Expiration of such Service, signify to his Commanding Officer his Desire to continue in the said Service for a further Period of Five Years, to be computed from the Expiration of his Service of Seven Years, and shall be allowed to re-enter accordingly, in which Case he shall, upon such re-entering, be entitled to be paid the single Bounty offered by Her Majesty's Proclamation to Volunteers of the Class and Rating for which he is suited; and every such Volunteer *Persons entering the Navy under the Age of 16 entitled to certain Privileges on Discharge.* *Persons allowed to re-enter and receive Bounty at the Expiration of Seven Years, and shall*

serve a further Period of Five Years.

Volunteer shall, at the Expiration of such further Period of Five Years, be entitled to his Discharge, under and subject to the like Regulations and Restrictions as Volunteers are entitled to their Discharge after Five Years continuous Service.

Statement made as to Age to be Evidence.

III. And be it enacted, That the Statement by any Boy of his Age at the Time of his Entry into the Service of Her Majesty's Navy shall be conclusive Evidence of his being that Age at the Time of his Entry, for the Purposes of this Act.

Not to diminish Authority of Admiralty to discharge Seamen.

IV. And be it enacted, That nothing in this Act contained shall extend to control or diminish the Authority vested in the Lord High Admiral, and also in the Commissioners for executing the Office of Lord High Admiral, to discharge as he or they shall think fit, or to authorize the Discharge of any Seaman or Boy from Her Majesty's Naval Service.

Act may be amended, &c.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

CAP. XXXI.

An Act to make further Provision for the Relief of the destitute Poor in *Ireland*. [8th *June* 1847.]

1 & 2 Vict. c. 56.

'WHEREAS by an Act passed in the Second Year of the Reign of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in* Ireland, and by subsequent Acts 'amending the same, Provision has been made for the Relief of the Poor in Workhouses by the Guar- 'dians of the Poor in the several Unions in *Ireland:* And whereas the Powers of the said Guardians of 'the Poor have not been found sufficient for the due Relief of the destitute Poor, and it is expedient to 'make further Provision in that Behalf:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present

Relief of destitute Persons.

Parliament assembled, and by the Authority of the same, That the Guardians of the Poor of every Union in *Ireland* shall make Provision for the due Relief of all such destitute poor Persons as are permanently disabled from Labour by reason of old Age, Infirmity, or bodily or mental Defect, and of such destitute poor Persons as, being disabled from Labour by reason of severe Sickness or serious Accident, are thereby deprived of the Means of earning a Subsistence for themselves and their Families, whom they are liable by Law to maintain, and of destitute poor Widows having Two or more legitimate Children dependent upon them; and it shall be lawful for the said Guardians to relieve such poor Persons, being destitute as aforesaid, either in the Workhouse or out of the Workhouse, as to them shall appear fitting and expedient in each individual Case; and the said Guardians shall take order for relieving and setting to work in the Workhouse of the Union, at all Times when there shall be sufficient Room in the Workhouse of the Union to enable them so to do, such other Persons as the said Guardians shall deem to be destitute Poor, and unable to support themselves by their own Industry or by other lawful Means.

Out-door Relief may be authorized.

II. And be it enacted, That if at any Time it shall be shown to the Satisfaction of the Poor Law Commissioners that by reason of the Want of Room in the Workhouse of any Union, or in such additional Workhouse or Workhouses as may have been or may be provided for the Reception and Maintenance of the Poor of such Union, adequate Relief cannot be afforded therein to destitute poor Persons not being Persons permanently disabled, or destitute poor Persons disabled by Sickness or Accident as aforesaid, or such destitute poor Widows as aforesaid, or that the Workhouse or Workhouses of any Union, as the Case may be, by reason of Fever or infectious Disease, is or are unfit for the Reception of poor Persons, it shall be lawful for the said Commissioners from Time to Time, by Order under their Seal, to authorize and empower the Guardians of such Union to administer Relief out of the Workhouse to such destitute poor Persons for any Time not exceeding Two Calendar Months from the Date of such Order, and at any Time after the making of such Order to revoke the same by an Order under their Seal for that Purpose, and on the Receipt by the Guardians of any Union of any such Order authorizing Relief out of the Workhouse as aforesaid they shall make Provision for the Relief of the destitute poor Persons of the said Union accordingly, for such Time as shall be specified in the said Order, or until the said Order shall be revoked: Provided always, that all Relief given out of the Workhouse to able-bodied Persons under the Authority of any such Order shall be given in Food only, save as herein-after provided in any Case of sudden and urgent Necessity.

Regulations as to Application for Relief, &c.

III. And be it enacted, That the Poor Law Commissioners, from Time to Time as they shall see fit, shall regulate and determine the Manner of Application for all Relief to be given under the Provisions of this Act, and the Manner of inquiring into the Circumstances of the Applicants for Relief, and the Kind of Relief to be afforded out of the Workhouse, when not directly specified by this Act, and the Manner of granting, ordering, and giving such Relief, and keeping the Accounts thereof, and of making and keeping Lists of the Persons so applying and of the Persons so relieved; and the Guardians of the Union and their Officers shall administer such Relief, subject to the Rules and Regulations so to be made by the said Commissioners as aforesaid.

Relieving Officers to be appointed.

IV. And be it enacted, That the Poor Law Commissioners shall direct the Guardians of each Union in *Ireland* to appoint so many Relieving Officers as the said Commissioners may deem requisite to assist in the Administration of Relief under this Act, and under the Acts now in force for the Relief of the destitute Poor in *Ireland*, and the said Guardians, on receiving such Authority and Direction, shall appoint such Relieving Officers accordingly, subject to the Approval of the said Commissioners.

V. And

Medical Officers may be appointed.

V. And be it enacted, That in any Case in which it shall appear to the Poor Law Commissioners that the Appointment of a Medical Officer or Medical Officers for affording Medical Relief out of the Workhouse in any Union is necessary and expedient, it shall be lawful for the Commissioners to direct the Guardians of the Union to appoint a Medical Officer or Medical Officers, and the Guardians, on the Receipt of such Authority and Direction, shall appoint a Medical Officer or Medical Officers accordingly, subject to the Approval of the said Commissioners.

If Electoral Division be further than Six Miles from Place of Meeting, it may be formed into a District, &c.

VI. And be it enacted, That whenever the whole of any Electoral Division or Divisions is situated at a greater Distance than Six Miles from the Place of Meeting of the Board of Guardians of the Union of which such Electoral Division or Divisions may form Part, it shall be lawful for the Commissioners, on the Application of the Board of Guardians, to form such Electoral Division or Divisions into a District, and to direct the said Guardians from Time to Time to appoint a Committee of their Members to receive Applications of poor Persons requiring Relief in such District, to examine into the Cases of such poor Persons, and to report to the said Guardians thereon.

Relieving Officers may give provisional Relief until the next Meeting of the Guardians.

VII. And be it enacted, That every Relieving Officer so appointed as aforesaid shall have Power to give provisional Relief in any Case of sudden and urgent Necessity, either by an Order of Admission to the Workhouse or Fever Hospital of the Union, provided there be Room therein respectively, and by conveying any destitute poor Person thereto if necessary, or by affording such poor Person immediate and temporary Relief in Food, Lodging, Medicine, or Medical Attendance, until the next Ordinary Meeting of the Board of Guardians, at which Meeting he shall report the Case, and the Nature and Cost of the Relief so afforded, in such Form and Manner as the Poor Law Commissioners shall prescribe, and after such Report shall give no further Relief, otherwise than by Direction of the Board of Guardians in the Case so reported; and the Guardians of the Union shall furnish the Relieving Officers with the necessary Funds for affording Relief in manner aforesaid, and for the Relief of those destitute poor Persons to whom Relief shall be granted by the Board of Guardians, at such Times and in such Manner as the Poor Law Commissioners shall determine and direct.

Relief to Wife or Child to be Relief to Husband or Parent, as the Case may be.

VIII. And be it enacted, That all Relief given under this Act to a Wife or Child shall be considered as given to the Person who under the Provisions of the first-recited Act shall be liable to maintain such Wife or Child; and the Child of any poor Person relieved under this Act shall be subject to the same Liability in respect of such Relief as in respect of any Relief granted under the above-recited Act passed in the Second Year of the Reign of Her present Majesty.

No Relief out of Union.

IX. And be it enacted, That no Relief given under the Authority of this Act shall be given from the Poor Rates of any Union to any Person not being within the Union when so relieved.

Occupiers of more than a Quarter of an Acre not deemed to be destitute.

X. And be it enacted, That from and after the First Day of *November* next after the passing of this Act no Person who shall be in the Occupation of any Land of greater Extent than the Quarter of a Statute Acre shall be deemed and taken to be a destitute poor Person under the Provisions of the first-recited Act, or of the Acts amending the same, or of this Act; and if any Person so occupying more than the Quarter of a Statute Acre shall apply for Relief, or if any Person on his Behalf shall apply for Relief, it shall not be lawful for any Board of Guardians to grant such Relief, within or out of the Workhouse, to any such Person.

How Cost of Out-door Relief shall be charged.

XI. And be it enacted, That, for the Purpose of charging the Relief afforded out of the Workhouse under the Provisions of this Act, the Poor Law Commissioners shall cause to be printed, and shall furnish to every Clerk of an Union in *Ireland*, a Register Book, to be called "The Out-door Relief Register," in a Form similar to the Workhouse Register prescribed by the first-recited Act, in which the Clerk of the Union shall register, together with the other Particulars in the said Form required, the Name of the Electoral Division in which every Person relieved under this Act, out of the Workhouse, shall have been resident at the Time of his beginning to receive such Relief; and all the Provisions of the said Acts now in force for the Relief of the destitute Poor in *Ireland*, which determine the Circumstances under which any Person shall be deemed to have been resident in an Electoral Division, and the Manner of charging the Expence of the Relief of Persons stated in the Register to have been so resident in some Electoral Division, and of Persons not stated in the Register to have been so resident, and all the Provisions of the said Acts which relate to the Production of the Register at every Meeting of Guardians for their Approval, Examination, and Correction, and the signing and countersigning of the same, and all Provisions of the said Acts which relate to the Power of appealing against the Decision of the Board of Guardians, touching the Description of the Residence of any Person in the said Register, and to the Costs which may be incurred in such Appeal, shall extend and apply to the Out-door Relief Register to be kept as aforesaid under the Provisions of this Act, and to the Persons relieved under this Act out of the Workhouse, and to the Manner of charging the Expence of the Relief so afforded to such Persons under this Act, and to the Decisions of the Board of Guardians, touching the Description of the Residence of any Person in the Out-door Relief Register.

What to constitute Residence in Electoral Division.

XII. And be it enacted, That for the Purpose of charging the Expence of Relief to any Electoral Division no Person shall after the passing of this Act be deemed to have been resident in such Electoral Division, unless during the Three Years before his Application for Relief he had occupied some Tenement within such Division for Thirty Calendar Months, or, if he had not so occupied some Tenement, had usually slept within such Division for the Period of Thirty Calendar Months.

Assistance to Emigration.

XIII. And be it enacted, That if it shall be proved to the Satisfaction of the Board of Guardians at any Time that any Occupier of Land within such Union, rated at a net annual Value not exceeding Five Pounds, shall be willing to give up to his Landlord his Right and Title, and the actual Possession of the

said Land, whether held under Lease or as Tenant at Will, and to emigrate together with all Persons who may be dependent upon him for their Support and Maintenance, and that such Occupier shall have been approved by Her Majesty's Principal Secretary of State for the Colonies, or such Person as he may appoint for that Purpose, as a fit and proper Person to be admitted as an Emigrant, and that the immediate Lessor of such Occupier is willing, upon the Emigration of such Occupier and his Family, and upon the Surrender of the Land occupied by him, to forego any Claim for Rent which he may have upon the said Occupier, and also to provide Two Thirds of such fair and reasonable Sum as shall be required for the Emigration of such Occupier and his Family, then and in such Case it shall be lawful for the Board of Guardians of such Union, if they shall think fit, upon Payment to them of such last-mentioned Sum, to charge upon the Rates of the Electoral Division in which such Person shall be resident, and to pay, in addition to such Sum, in such Manner as shall be directed by the Poor Law Commissioners, in aid of the Emigration of such Occupier and his Family, any Sum not exceeding One Half of the Sum contributed and paid by such immediate Lessors as aforesaid, notwithstanding that any Sum or Sums so charged and paid may exceed in any One Year One Shilling in the Pound on the Rates of such Electoral Division, and notwithstanding that such Occupier and his Family may not be or have been Inmates of the Workhouse of such Union.

Extension of 6&7 Vict. c. 92.

XIV. 'And whereas by an Act passed in the Seventh Year of the Reign of Her present Majesty, 'intituled *An Act for the further Amendment of an Act for the more effectual Relief of the destitute 'Poor in* Ireland, Provision is made for assisting any poor Person who is and has been for Three Months 'an Inmate of the Workhouse of any Union to emigrate, and it is expedient to extend the said Enactment 'to Persons not being and not having been Inmates of any Workhouse for the Period of Three Months;' be it therefore enacted, That all the Provisions in the said Act which relate to the Emigration of poor Persons who are and have been for Three Months Inmates of any Workhouse shall also extend and apply to destitute poor Persons not being or not having been Inmates of any Workhouse, and to Persons having been Inmates of a Workhouse for a less Period than Three Months; provided that all Persons so assisted to emigrate shall have been approved as fit and proper Emigrants by Her Majesty's Principal Secretary of State for the Colonies, or such Person as he may appoint for that Purpose.

Expences of Emigration how to be charged.

XV. Provided always, and be it enacted, That all Expences incurred in aid of the Emigration of any Occupier and his Family, under the Provisions of this Act, shall be charged to the Electoral Division in which the Land occupied by such Occupier is situated; and no Expences incurred in aid of the Emigration of any Occupier and his Family, or any destitute poor Person, under the Provisions of this Act or any of the Acts for the Relief of the destitute Poor in *Ireland*, shall be deemed to be Expences incurred for the Relief of the Poor.

Ex-officio Guardians not to exceed the Number of elective Guardians.

XVI. 'And whereas it is expedient to increase the Number of qualified Justices which, according to 'the Provisions of the said first-recited Act, may be appointed to act as *ex-officio* Guardians of any 'Union;' be it enacted, That so much of the said Act as provides that the Number of *ex-officio* Guardians of any Union shall in no Case exceed One Third of the Number of Guardians to be elected by the Rate-payers of such Union shall be repealed; and from and after the passing of this Act every Justice of the Peace resident in an Union in *Ireland*, and acting for the County in which he resides, who shall be qualified under the Provisions of the said first-recited Act to be or to be appointed an *ex-officio* Guardian of the Union, shall be an *ex-officio* Guardian thereof, unless the Number of Justices so qualified shall exceed the Number of Guardians to be elected by the Rate-payers of such Union; and in every Case in which the Number of Justices so qualified as aforesaid shall exceed the Number of Guardians to be elected by the Rate-payers, so many only of the qualified Justices who shall be rated on the highest Amount of rateable Property in the Rate Books of any Electoral Division in such Union as shall be equal to the Number of elective Guardians shall be entitled to act as *ex-officio* Guardians: Provided always, that each of such highest rated Justices shall have previously declared, in Writing, to the Clerk of the Union his Willingness to act as such *ex-officio* Guardian: Provided always, that whenever the Number of Justices qualified as aforesaid to act as *ex-officio* Guardians in any Union shall, by Death, Removal, Disqualification to act, or from any other Cause, be reduced to or below the Number of the elective Guardians, then and so long as the Number shall not exceed the Number of elective Guardians the whole of the Justices so qualified shall be entitled to act as *ex-officio* Guardians.

Unions may be altered without Consent of Guardians.

XVII. 'And whereas by the said first-recited Act it is provided that no Dissolution or Alteration of a 'Union shall take place or be made unless a Majority of the Guardians of the Union affected by such 'Change shall consent thereto in Writing, and it is expedient to amend the said Enactment as herein-'after is provided;' be it enacted, That it shall be lawful for the Poor Law Commissioners, as and when they shall see fit, to dissolve or alter any Union or Unions in *Ireland*, and from the Townlands comprised in such Unions to form such other Union or Unions as to them shall appear fitting and expedient, and that so much of the said Act as requires the Consent of a Majority of the Guardians of a Union to any Dissolution or Alteration thereof shall be repealed: Provided nevertheless, that all the other Provisions of the said Act which relate to the Dissolution or Alteration of Unions, and to the Adjustment of the Sums thereupon to be paid or received by any Union or Townland affected by such Alteration, shall extend and apply to the Case of any Union which shall be dissolved or altered, or formed anew under the Provisions of this Act.

The Poor Law Commissioners may dissolve a Board of Guar-

XVIII. 'And whereas by the first-recited Act it is provided, that in case regular Meetings of the 'Board of Guardians of any Union shall not be holden at the Times enjoined by the Orders of the Poor 'Law Commissioners, or in case through the Default of the Guardians the Duties of such Board of

'Guardians

'Guardians shall not be duly and effectually discharged according to the Intention of the said first-recited 'Act, the Commissioners shall declare such Board of Guardians to be dissolved, and shall order a fresh 'Election of the Guardians of such Union; and in case the Guardians elected at such fresh Election 'shall not hold regular Meetings at the Times enjoined by the Orders of the Commissioners, or in case 'through the Default of such Guardians the Duties of such Board of Guardians shall not be duly and 'effectually discharged according to the Intention of the said first-recited Act, then the Commissioners 'may appoint such and so many paid Officers as they may think fit to carry into execution the Provi-'sions of the said Act, and from Time to Time revoke and determine such Appointments: And whereas 'it is expedient for the more prompt and effectual Execution of the Acts now in force for the Relief of 'the destitute Poor in *Ireland*, and of this Act, to amend the above-recited Provision as herein-after 'is provided;' be it enacted, That from and after the passing of this Act, in case regular Meetings of the Board of Guardians of any Union shall not be holden at the Times enjoined by the said Commissioners, or in case through the Default of the Guardians the Duties of such Board of Guardians shall not be duly and effectually discharged according to the Intention of the several Acts which now are or hereafter shall be in force for the Relief of the destitute Poor in *Ireland* and of this Act, it shall be lawful for the Poor Law Commissioners to dissolve the said Board of Guardians, and the said Commissioners shall thereupon at once, and without ordering such fresh Election of the Guardians as in the said Act is provided, appoint such and so many paid Officers as they may think fit to carry into execution the Provisions of the said Acts and of this Act; and all the Provisions of the first-recited Act which relate to the Powers, Duties, and Salaries of such paid Officers appointed by the Commissioners after a fresh Election of the Board of Guardians as aforesaid, and to the Security to be given by such paid Officers, and to their Continuance in Office, shall extend and apply to the Powers, Duties, and Salaries of such paid Officers as shall be appointed by the said Commissioners under this Act, without ordering a fresh Election of the Board of Guardians, and to the Security to be given by such Officers, and to their Continuance in Office respectively.

dians, on Default, without any intermediate Election.

XIX. 'And whereas by the said first-recited Act it is provided, that the Poor Law Commissioners 'shall take Order for the due Performance of Religious Service in Workhouses in *Ireland*, and for 'appointing fit Persons to be Chaplains for that Purpose;' be it enacted, That it shall be lawful for the said Commissioners, if they shall think fit, to provide a Chapel, or to direct that a suitable Apartment of the Workhouse shall be specially appropriated for the Religious Worship of any Denomination of Christians being Inmates of the Workhouse, and to make such Orders and Regulations for securing and regulating the Use of such Chapel or Apartment for such Purpose as they shall deem expedient.

As to the Performance of Religious Service in Workhouses.

XX. 'And whereas by the said first-recited Act the Poor Law Commissioners are empowered to 'purchase or hire Land, not exceeding Twelve Acres Imperial Measure, to be occupied with the Work-'house of any Union in *Ireland*;' be it enacted, That it shall be lawful for the Poor Law Commissioners to purchase or hire, in addition to such Twelve Acres, Land not exceeding Three Statute Acres, to be occupied by the Guardians of any Union, any Portion of the said last-mentioned Land so to be occupied being either contiguous to or detached from the Site on which any Workhouse stands, as shall be found most convenient in each Case; and it shall be lawful for such last-mentioned Land to be used for the Site of a Fever Ward, or as a Cemetery for the Burial of deceased Inmates of the Workhouse, or for any other Purpose which the said Commissioners shall approve; and the Poor Law Commissioners are hereby empowered to erect such Fever Ward on such Land to be so purchased or hired as last aforesaid.

Commissioners empowered to purchase or hire additional Land to be occupied with Workhouses;

XXI. 'And whereas Provision is now made in each of the Unions called the *North Dublin* Union and '*South Dublin* Union respectively for the Maintenance and Education of destitute poor Children, and it is 'expedient that the Guardians of the Poor of the said Unions should be enabled to join in the Occu-'pation of a School for the Maintenance and Education of the Children receiving Relief in the Work-'houses of the said Unions;' be it enacted, That the Poor Law Commissioners be empowered to hire or purchase Land not exceeding Twenty-five Statute Acres, and to erect thereon a suitable Building, according to a Plan approved by them, and sealed with their Seal, to be used and occupied as a School for the Reception, Maintenance, and Education of Children not above the Age of Fifteen Years, being Inmates of one or other of the Workhouses of the *North Dublin* and *South Dublin* Unions, and the Guardians of each of the said Unions shall contribute to the Cost of hiring or purchasing such Lands, and of erecting such Building, and of upholding, repairing, or altering the same, in the Proportion which the net annual Value of the one Union bears to the net annual Value of the other, and shall contribute in the same Proportion to defray the Expences of furnishing and fitting up the said School, and providing all Articles, Implements, and Requisites, for the common Use of the Inmates thereof; but the Maintenance of the Children belonging to each Union which the Guardians of such Union shall direct and send to be educated in such School shall be at the separate Cost of the Union, and the Proportion of the Cost of Maintenance to be charged on each Union shall be calculated, and shall be defrayed by the Guardians of the Union, in such Manner as the Poor Law Commissioners shall direct: Provided that the Guardians of each Union shall not be entitled to send to be maintained and educated in such School a Number of Children exceeding that Proportion of the whole Number to be at one Time maintained in the said School which agrees with the Proportion borne by the net annual Value of the Union to the net annual Value of both Unions, except with the Consent of the Poor Law Commissioners in that Behalf first had and obtained; provided also, that the Quantity of Land to be purchased or hired for the Purpose aforesaid shall not be greater than the Quantity which, under the Provisions of the said first-

and also for the Erection of a School for certain Children in the North and South Dublin Unions.

Quantity of Land to be purchased limited.

first-recited Act and this Act, may be purchased or hired and occupied together with the Workhouses of the said Two Unions, and that the Expenditure to be incurred in building the said School shall not be greater than might be incurred for the Erection of Workhouses or additional Workhouses in the said Unions under the said Acts.

School to be conducted by a Board of Management chosen from the Guardians of the North and South Dublin Unions.

XXII. And be it enacted, That the Management of the said School shall be conducted by a Board of Management, consisting of so many Members of the respective Boards of Guardians of the *North Dublin* and *South Dublin* Unions as the Poor Law Commissioners shall by Order under their Seal direct, and such Members shall be chosen by the Guardians of the said Unions, in such Proportions, and at such Times and in such Manner, as the Commissioners shall direct; and the Chairman of each of the said Unions shall be an *ex-officio* Member of the said Board of Management; and the said Board of Management shall meet, Three Members thereof being present to form a Board, and shall exercise their Functions and perform their Duties in accordance with the Rules and Regulations issued by the Poor Law Commissioners for their Guidance and Control; and it shall be lawful for the Poor Law Commissioners to authorize and direct the said Board of Management to appoint Officers for the Superintendence of the said School, of such Description and with such Qualifications as the said Commissioners shall deem fitting and expedient, and to prescribe the Duties to be performed by the said Officers respectively; and every such Officer shall be subject in all respects to the Control of the Poor Law Commissioners and the Board of Management, in the same Manner as other Officers appointed under the Acts in force for the Relief of the Poor are subject to the Control of the Poor Law Commissioners and the Guardians of the Union whereof they are Officers, and shall be liable to Removal in the same Manner.

Powers to purchase Land and erect Buildings.

XXIII. And be it enacted, That all the Provisions of the said first-recited Act which relate to the Purchase and Conveyance of Land for the Erection of Workhouses, and which empower the Poor Law Commissioners to direct the Guardians of any Union to raise or borrow the Sums necessary to defray the Expence of hiring or purchasing such Land and building such Workhouses, and all Provisions of the said Act which relate to the borrowing of Money by the Guardians for the Purposes aforesaid, shall extend and apply to the Purchase and Conveyance of Land, and the Erection of Buildings thereon under the Provisions of this Act.

Unions may be formed into School Districts for the Management of infant Poor.

XXIV. And for the Purpose of extending to other Parts of *Ireland* the Benefit of the Provisions of this Act, as herein-before made applicable for the Establishment of Schools in the *North* and *South Dublin* Union, be it enacted, That it shall be lawful for the said Commissioners, as and when they may see fit, by Order under their Hands and Seals, to combine Unions into School Districts for the Management of any Class or Classes of infant Poor not above the Age of Sixteen Years, being chargeable to any such Union or any Part thereof, who are Orphans, or are deserted by their Parents, or whose Parents or surviving Parent or Guardian are consenting to the placing of such Children in the School of such District.

Qualifications, Duties, Appointment, Removal, and Salaries of Officers.

XXV. And be it enacted, That the Poor Law Commissioners shall have the same Power and Authority in respect of all Officers appointed under this Act to define and prescribe the Qualifications of such Officers, and their Duties, and the Places or Limits within which those Duties shall be performed respectively, and to determine the Continuance in Office or Removal of such Officers, and to appoint fit and proper Persons in their Room, on the Neglect or Refusal of the Parties competent in that Behalf to appoint, and to regulate from Time to Time the Salaries payable to such Officers, and the Mode of Payment thereof, and the Proportions in which the Salaries shall be charged to the Electoral Divisions of a Union, as the said Commissioners have in respect of paid Officers appointed under the Acts now in force for the Relief of the destitute Poor in *Ireland;* and the Officers appointed under this Act shall be subject to the same Disqualification or Removal from Office, and shall be liable to the same Penalties and Forfeitures, Actions, Indictments, or other Proceedings, criminal or civil, as the paid Officers appointed under the Provisions of the said Acts now in force as aforesaid.

Administration of Relief to be subject to the Control of the Poor Law Commissioners.

XXVI. And be it enacted, That the Administration of Relief under this Act shall be subject to the Direction and Control of the Poor Law Commissioners; and all Orders, Rules, and Regulations made by the said Commissioners in execution of this Act shall be of the same Force and Effect, and shall be subject to the same Conditions, as Orders, Rules, and Regulations of the said Commissioners issued in execution of the said Acts now in force.

Accounts of Expenditure to be kept.

XXVII. And be it enacted, That the Guardians of every Union and their Officers shall keep Accounts in such Form as the Poor Law Commissioners shall prescribe, of all Expenditure under this Act, and all the Provisions of the said Acts now in force for the Relief of the destitute Poor in *Ireland*, which relate to the auditing of Accounts of the Guardians and other Persons liable to account under the said Acts, and to the Verification of such Accounts on Oath or otherwise, and to the Disallowance or Reduction of Charges and to the Recovery of Balances found by the Auditor to be due from such Guardians or other Persons as aforesaid; and all the Provisions of the said Acts which relate to the Powers, Duties, and Proceedings of the Auditors of Unions shall extend and apply to the Accounts of the Expenditure of the Guardians and their Officers under this Act, and to the Balances found to be due thereon from the said Guardians or Officers respectively, and to the Recovery of the said Balances.

Recovery of Sums disallowed.

XXVIII. And be it enacted, That in every Case of Disallowance or Reduction by the Auditor in the Accounts of any Union, the Auditor shall make and sign a Certificate of such Disallowance or Reduction on the Face of the Book or Account wherein the Charges so disallowed or reduced shall appear, and shall debit the Amount disallowed to the Guardian or Guardians by whose Signature or Initials the Expenditure of the Sum so disallowed shall have been authorized, or if not authorized by the Guardians, then

to

to the Officer or Officers by whom such Expenditure shall have been made, and the Sum so disallowed shall be payable by the Person or Persons debited therewith to the Treasurer of the Union, and it shall be lawful for the said Auditor to proceed for the Recovery thereof, by all the Ways and Means provided by the said first-recited Act for the Recovery of Balances found by the Auditor to be due from any Guardian, Treasurer, or other Person having the Control of the Poor Rate, or accountable for such Balances, or in lieu thereof the said Auditor may summon the Person or Persons so debited to appear before any Two Justices of the County in which the Workhouse of the Union shall be situate, and the said Justices shall, on the Production of the said Certificate of Disallowance or Reduction, inquire whether the Sum disallowed has been paid to the Treasurer of the Union, and on Failure of due Proof thereof by or on the Part of the Person or Persons so debited as aforesaid, shall adjudge the said Person or Persons to pay the said Sum, together with the Costs of the Application, to the said Auditor; and on Failure of such Payment forthwith, shall cause the said Sum and Costs to be levied by Warrant of Distress upon the Goods and Chattels of the said Person or Persons, wheresoever the same may be found, and to be paid to the said Auditor, who shall thereupon pay over the Sum so disallowed and recovered to the Treasurer of the Union.

Annual Return of Expenditure and Number relieved.

XXIX. And be it enacted, That so much of the said first-recited Act as provides that there shall be laid annually before both Houses of Parliament, on or before the First Day of *May* in every Year, an Account of the Expenditure upon the Relief of the Poor in each Union in *Ireland*, and of the total Number relieved in each Union, during the Year ended on the First Day of *January* preceding, shall be repealed; and that in lieu thereof an Account shall annually be laid before Parliament, on or before the First Day of *May*, of the Expenditure on the Relief of the Poor in each Union in *Ireland*, and of the total Number relieved in each, during the Year ended on the Twenty-ninth Day of *September* preceding.

Former Acts and this Act to be One Act.

XXX. And be it enacted, That the said Acts now in force for the Relief of the destitute Poor in *Ireland* and this Act shall be construed as One Act, except so far as the Provisions of any one of such Acts may alter the Provisions of any previous Act.

Act may be amended, &c.

XXXI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. XXXII.

An Act to facilitate the Improvement of Landed Property in *Ireland*. [8th *June* 1847.]

'WHEREAS by an Act passed in the Session of Parliament held in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in* Ireland, it was amongst other things enacted, that it should and might be lawful for the Commissioners of Public Works acting in execution of the said Act to make Loans and Advances in aid of the Drainage, Embankment, reclaiming, or other Improvement of Land on the Credit of Mortgages, Assignments, or other Assurances of the Estate and Interest, Freehold or Leasehold, on such Land as might be the Subject of such Drainage, Embankment, Reclamation, or other Improvement, upon the Terms and Conditions in the said Act mentioned: And whereas by an Act passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for the further Amendment of the Acts for the Extension and Promotion of Public Works in* Ireland, it was enacted, that it should and might be lawful for the Commissioners of Public Works in *Ireland*, subject to such Conditions and Restrictions as are therein-after provided, to make any Loan or Advance for the Purposes aforesaid: And whereas a further Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act to authorize the Advance of Public Money to a limited Amount, to promote the Improvement of Land in* Great Britain *and* Ireland *by Works of Drainage:* And whereas it is expedient that so much of the said thirdly-recited Act as extends to *Ireland* should be repealed, and that greater Facilities under proper Conditions and Restrictions should be given for the Improvement of Lands in *Ireland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said thirdly-recited Act as authorizes the Commissioners of Her Majesty's Treasury to issue for Loans to be made under the Provisions of the said Act any Sums of Money not exceeding One million of Pounds for *Ireland*, and all the Provisions and Powers in the said Act contained relating to *Ireland*, and to the Commissioners of Public Works in *Ireland*, shall be repealed, subject to the Provisions herein-after contained for continuing under this Act all Proceedings consequent upon any Application for a Loan under the last-recited Act.

1 & 2 W. 4. c. 33.

9 & 10 Vict. c. 1.

9 & 10 Vict. c. 101.

So much of 9 & 10 Vict. c. 101. as authorizes the issuing of 1,000,000*l.* for Ireland repealed.

Power to Treasury to make Advances not exceeding 1,500,000*l.* for Ireland.

II. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, upon Application of the Commissioners of Public Works in *Ireland*, from Time to Time to issue and advance out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* such Sum or Sums of Money, to be applied for the Purposes and under the Provisions herein-after contained, as may from Time to Time be required, not exceeding in the whole the Sum of One million five hundred thousand Pounds.

The Commissioners of Public Works to be the Commis-

III. And be it enacted, That the Commissioners of Public Works in *Ireland* for the Time being shall be the Commissioners for the Execution of this Act, and shall for the Purposes of this Act be a Corporation with perpetual Succession and a Common Seal, to be by them altered or varied at their Pleasure; and

sioners for the Execution of this Act.

and such Commissioners shall have full Power, with the Sanction of the Commissioners of the Treasury, and of the Lord Lieutenant of *Ireland*, to appoint so many and such Civil Engineers, Surveyors, Agriculturists, Architects, Builders, Clerks, and other Officers as may be necessary for the Purpose of carrying this Act into execution, in the same Manner as the said Commissioners of Public Works may now appoint any Officers and Clerks under any Act or Acts now in force in *Ireland*, and to pay to them such Salaries as may be determined on by the said Commissioners of Her Majesty's Treasury.

Commissioners may make Loans for Works of Improvement.

IV. And be it enacted, That it shall be lawful for the said Commissioners of Public Works, upon Application made to them under the Provisions of this Act, and subject to such Rules and Regulations as may from Time to Time be made by the Commissioners of Her Majesty's Treasury, to make Loans under this Act for the following Purposes; (that is to say,) for the Drainage of any Lands by any such Means as the said Commissioners shall approve, for subsoiling, trenching, or otherwise deepening and improving the Soil, for Irrigation or warping of Land, for embanking Lands from the Sea or Tidal Waters or Rivers, for enclosing or fencing any Land, or improving the Fences, Drains, Streams, or Watercourses of any Land, for the Reclamation of Waste or other Land, for making Farm Roads, or for clearing Lands of Rocks and Stones.

Sanction for Loans.

V. And be it enacted, That no Loan under this Act shall be made until the Application for the same shall have been submitted to and sanctioned by the said Commissioners of Her Majesty's Treasury.

Who shall be deemed Owner.

VI. And be it enacted, That any Person seised of or entitled at Law or in Equity to Land as Tenant in Fee Simple, or in Fee Tail, general or special, or as Tenant in Dower or by Curtesy, and also any Person who shall be entitled to Land under any Will or Settlement, or any other Deed or Instrument (except a Grant or Lease reserving Rent), for his own Life or the Life of any other Person or jointly for his own Life and the Life of any other Person or Persons, or for Years determinable on such Life or Lives, and also any Person who shall be entitled to Land under any Lease granted by any Collegiate or Ecclesiastical Body, or other Corporation sole or aggregate, or under any Lease granted by any Person having immediate or derivative Title from or under any such Collegiate or Ecclesiastical Body, or other Corporation sole or aggregate, which last-mentioned Lease shall contain a Covenant of perpetual Renewal, or for Renewal *toties quoties*, and also any Person who shall be entitled to Land under any Grant, Lease, or any other Deed or Assurance for an Estate in Fee, or for an Estate or Interest for any Life or Lives renewable for ever, or for a Term of Years absolute, whereof Forty Years or more shall be unexpired at the Time of Application, or for any Term of Forty Years or more renewable on the Fall of any Life or Lives or for any Term or Terms of Years renewable for ever, whether such last-mentioned Persons shall be entitled to Land for any such Estate, Term, or Interest, either absolutely or as Tenant in Tail, or as *quasi* Tenant in Tail or for Life, and also every Archbishop, Bishop, Parson, or other Ecclesiastical Person as to Lands held by them in their respective corporate Capacities, and also every Feoffee or Trustee of any Land, or of any such Estate or Interest therein as aforesaid, for charitable or other Purposes, or of any Estate created for any Term of Years exceeding Forty Years unexpired, determinable upon the Execution or Fulfilment of any Trusts mentioned in any such Grant, Lease, Deed, or Assurance, and also every Trustee of any such Estate or Interest as aforesaid who shall be in the actual Possession of the Land, or in receipt of the Rents payable by the Tenants of such Land, shall be deemed an Owner of such Land for the Purposes of this Act; and in every Case in which any Person seised, possessed of, or entitled to any such Land for any such Estate or Interest as aforesaid shall be an Infant, Feme Covert, Idiot, or Lunatic, the Guardian of such Infant, the Husband of such Feme Covert, and the Committee of the Estate of such Idiot or Lunatic shall be deemed an Owner of such Land for the Purposes of this Act: Provided always, that no Person, except a Mortgagee in possession or receipt of Rent of the mortgaged Lands, or any Part thereof, shall be deemed an Owner for the Purposes of this Act for or by reason of any Estate vested in him which shall have been created by way of Mortgage, or for securing the Payment of any Sum of Money, but that the Person who would be deemed an Owner for the Purposes of this Act, if such Estate by way of Mortgage or for securing any Money had not been created, shall, notwithstanding such Mortgage or Security, or any other Incumbrance, be deemed such Owner as aforesaid: Provided also, that a Feme Covert entitled to Rents and Profits for her separate Use, and whether or not restrained from Anticipation, shall for the Purposes of this Act be considered as a Feme Sole: Provided also, that where several Persons in succession shall have in any Land such Estates or Interests as would entitle each of them, under the Provisions aforesaid, to be so deemed an Owner, such of the said Persons shall be deemed the Owner for the Purposes of this Act as shall be in actual Occupation of the said Land; or in case the Person in actual Occupation shall not be entitled to be deemed an Owner under this Provision, then the Person who shall have the first such Estate or Interest as aforesaid therein in reversion or remainder to or above the Estate or Interest of the Person in actual Occupation as may entitle him to be deemed an Owner under this Provision shall be deemed the Owner for the Purposes of this Act: Provided also, that when the Owner first entitled as aforesaid shall (after Notice given to him in such Form and for such Period as the said Commissioners of Public Works shall from Time to Time direct by the Person having the next such Estate or Interest as aforesaid in reversion or remainder) refuse or neglect to make any such Application, then the Person having the next such Estate as aforesaid in reversion or remainder may, if he think fit to apply for a Loan under this Act, be deemed the Owner of such Lands for the Purposes of this Act, and shall be deemed the Owner for all such Purposes, if any Loan or Advance on account thereof shall, upon his Application, be made under this Act.

VII. And

Persons having certain Interests may qualify to be Owners.

VII. And be it enacted, That any Person seised or possessed of any Land under any Lease reserving Rent for Two or more Lives in being at the Time of the Application, or for any Term of Years determinable on any Two or more Lives in being at the Time of Application, or for any Term of Years absolute whereof there shall be at the Time of Application Twenty-five Years or more unexpired, who shall apply, under the Provisions of this Act, and shall give such Security as the said Commissioners of Public Works shall direct, for the Payment of the annual Amount of any Rent-charge which may become chargeable on such Land in respect of any Loan to be made under the Provisions of this Act by the Person so applying, his Executors, Administrators, or Assigns, during the Continuance of the Residue of such his Estate or Interest in the said Lands, or for so many Years as such Rent-charge under this Act shall be payable, if his Interest shall so long continue, may be deemed the Owner of such Land under the Provisions of this Act; and, unless specially provided by the Terms of holding, no such Application as aforesaid, nor any Act or Proceeding consequent thereupon under this Act, nor the charging of any Rent-charge on such Land, shall be construed as a Breach of any Covenants or Conditions, subject to which any Person applying under this or the last preceding Clause may hold the Land: Provided always, that in case there shall be several Persons having such Interest as last mentioned in the Lands, the Person entitled to apply for a Loan under the Provisions of this Act, or in case there shall be several such Applicants, the Person to be preferred shall be the Person in actual Occupation of the Lands, or in his Default, then the Person whose Estate or Interest in remainder or reversion shall be nearest to or above that of the actual Occupier; so always, that no Loan shall be granted to any Applicant under this Provision except upon such Security as before mentioned being given for the Payment of any Rent-charge chargeable under this Act by the Person to whom any Loan shall be granted during the Continuance of the Residue of his Estate or Interest in the Land, or for such other Period as before mentioned; and no such Loan shall be granted to any such Applicant as aforesaid, except he shall state in his Application for the same the Name and Address of his immediate Landlord or Person entitled to the next Estate or Interest in the Land on the Determination of his Lease, and shall have given Notice to such Landlord or Person of his Intention to apply for such Loan, and shall satisfy the said Commissioners that such Notice has been given.

Who shall be entitled to Loan where several Persons have an Interest in the Land.

No Loan to be granted except upon Security.

Joint Tenants, Tenants in Common, &c. to be accounted as the Owner under this Act.

VIII. And be it enacted, That Joint Tenants, Tenants in Common, and Coparceners of any Land may in respect thereof be accounted as the Owner under the Provisions of this Act: Provided always, that any such Person or Persons interested in or possessing more than One Half of such Land may, subject to the Provisions aforesaid, be deemed entitled to apply for a Loan under this Act; and any such Application, and the Proceedings thereon, shall be binding upon the other Persons interested in such Lands, and upon their Estates and Interests therein.

Power for Court of Chancery in certain Cases to determine who may act as Owner for the Purposes of this Act.

IX. Provided always, and be it enacted, That in any Case in which there shall appear to the Commissioners of Public Works to be any Doubt or Question as to who may be the Owner of any Lands within the Meaning of this Act, either as to the whole of such Lands or any Portion thereof, it shall be lawful for any Person or Persons claiming to be entitled to or interested in any such Lands, or any Portion thereof, or the Rents thereof, or of any Portion thereof, to apply by Petition to the Court of Chancery in a summary Way for an Order to determine who shall be the proper Person to apply as Owner under this Act, and thereupon such Court shall make such Order as may seem fit for the Purpose of determining who shall be the proper Person to apply as Owner under the Provisions of this Act; and it shall be lawful for any Person so determined to be the Owner to do all Acts which any Owner as defined in this Act is authorized and empowered to do under this Act.

Court of Chancery to make Rules and Orders as to Forms of Proceeding under this Act.

X. And be it enacted, That it shall be lawful for the Lord Chancellor of *Ireland*, with the Advice and Consent of the Master of the Rolls for the Time being, from Time to Time, and as often as Circumstances shall require, to make and prescribe such Rules and Orders concerning the Form and Mode of any Proceedings to be had and taken in Chancery for the Purposes of this Act, and the Practice to be observed by the Court in relation to such Proceedings or any Matters incident thereto, as shall from Time to Time seem necessary or expedient.

Owners of Land desirous of obtaining Loan may make Application to the Commissioners by Memorial in the Form in Schedule (A.)

XI. And be it enacted, That any Owner of Land within the Meaning of this Act who may propose to improve the same under the Provisions of this Act may apply to the said Commissioners of Public Works by Memorial for a Loan, and such Memorial shall be made in the Form in the Schedule (A.) to this Act annexed, or as near thereto as in the Opinion of the said Commissioners the Circumstances of the Case will admit, and shall contain the Names or Denominations of the Lands proposed to be charged, and on which or on any Part of which any such Improvements as aforesaid are proposed to be made, the Estate or Interest which such Applicant may have in such Land, the estimated Expence of effecting the proposed Improvements, the Amount of Quit Rents and Rent-charges in lieu of Tithes payable in respect of such Land or any Part thereof, the annual Value of such Land, and the estimated Increase in the annual Value expected to arise to the Lands the Subject of such Improvement; and every such Memorial shall be accompanied by a Plan of such Lands, as well as by an Estimate and Specification in detail of the proposed Works, together with such other Plans and Particulars (if any) as the said Commissioners by any Rules or Regulations to be made by them from Time to Time may require.

As to Lands held in right of any Ecclesiastical Benefice.

XII. And be it enacted, That when the Land to which the Application for a Loan under this Act shall relate shall be Land held in right of any Ecclesiastical Benefice, the Commissioners of Public Works shall not proceed thereon unless the Bishop of the Diocese and the Patron of such Benefice shall have consented in Writing to such Application; and for the Purposes of this Act the Person or Persons (if not more than Two), or the Majority of the Persons (if more than Two), or the Guardian, Committee, Husband,

Husband, or Attorney (as the Case may be) of any such Person or Persons respectively, being Minors, Idiots, Lunatics, Femes Covert, or beyond the Seas, or the Corporation, who or which would for the Time being be entitled to the Right of Presentation to any Benefice, if the same were then vacant, shall be considered as the Patron thereof; and in case of the Queen being the Patron, the Consent in that Behalf of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being under his Hand and Seal or their Hands and Seals shall be as good and valid in Law, to all Intents and Purposes, as if the Consent of Her Majesty had been thereunto duly signified as by Law required; and any Corporation may consent by Writing under the Common Seal of such Corporation.

Commissioners to take Security for Costs of Report upon and investigating Application.

XIII. And be it enacted, That the said Commissioners of Public Works may require Security, by Deposit, Bond, or otherwise, to be given to them in such Form as they may think fit, by the Owner of the Land making the Application, or by any other Person on his Behalf or jointly with him, for the Payment to the said Commissioners of such Sum as the said Commissioners may require to defray the Expences of obtaining a Report upon and investigating the Subject of any such Application, including all Expences consequent upon any such Investigation; and, unless the said Commissioners shall otherwise direct, such Payment shall be made by the Person making the Application, and that whether any Loan shall be made upon the Application or not.

If an Advance made, Expences of Inquiry may form Part of the Charge on the Land.

XIV. And be it enacted, That in case any Advance under this Act shall be made on the Security of the Lands the Subject of such Application as aforesaid, the Costs and Expences of the Investigation by the said Commissioners may, on the Application of the Party liable to pay the same, be included in the Sum in respect of which a Rent-charge shall be charged on such Lands under the Provisions of this Act.

Treasury may advance Money to the Commissioners to meet preliminary Expences.

XV. And be it enacted, That with a view to expedite the Proceedings preliminary to the Execution of any of the Works under this Act it shall be lawful for the said Commissioners of Her Majesty's Treasury, on the Application of the Commissioners of Public Works, to direct that any Sum or Sums of Money, not exceeding in the whole the Sum of Five thousand Pounds in any One Year, required for the Purposes of any such preliminary Investigation and Proceedings as aforesaid by the said last-mentioned Commissioners, shall be advanced and paid to them out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and applied by the said Commissioners in making the necessary Survey, Inspection, and Investigation, and in taking all other Proceedings preliminary to making any Loan or Advance under this Act; and all and every Sum or Sums of Money so to be advanced and paid out of the Consolidated Fund as aforesaid shall be repaid to the Consolidated Fund by the Commissioners of Public Works on behalf of the Party on whose Account or at whose Instance such Expences may have been incurred, either out of the first or other Monies advanced for the Purpose of executing the Works the Subject of such preliminary Inquiry, and to be for that Purpose retained by the Paymaster of Civil Services in *Ireland* out of the Monies so advanced, and to be by the said Paymaster of Civil Services paid over to the said Commissioners, on their Certificate, to be made for that Purpose; or (in case where the Execution of the necessary Works shall not be proceeded with, either in consequence of the said last-mentioned Commissioners not approving of the same, or from any other Cause,) such Sum or Sums of Money shall be repaid out of the Monies to be paid to the said last-mentioned Commissioners by the Party or Person who shall have made Application for the Execution of any such Works, and to be recovered by the said last-mentioned Commissioners under the Security hereinbefore by this Act authorized to be taken for this Purpose.

Commissioners may cause the Land, and Plan, &c. of Works proposed, to be inspected by a competent Person, who shall report his Opinion thereon.

XVI. And be it enacted, That the said Commissioners, if they shall think fit, shall cause the Land, and the Plan, Estimate, and Specification of the Works proposed in any Application, to be inspected and examined by a competent Person, who shall report his Opinion thereon, and also whether the proposed or any other Works will effect immediately or prospectively an Improvement in the annual Value of the Land to an Amount exceeding the utmost annual Amount to be charged thereon under this Act in respect of the Advance applied for, or the Sum necessary to be expended, and he shall annex to such Report either the Plan, Specification, and Estimate so furnished to the said Commissioners by the Applicant, or some other Plan, Specification, or Estimate for effecting and carrying out the Works in a substantial and durable Manner; and the said Commissioners may make such further and other Inquiries in relation to any such Application as they may think fit, and may alter or modify any such Plans, Specifications, and Estimates in such Manner as they may think fit: Provided always, that no Charge, Security, or Proceeding under this Act shall be impeached or questioned at Law or in Equity by reason that the annual Value of any Lands may not actually be improved by the Works effected.

Commissioners, &c. may enter Lands for the Purposes of Survey or Inquiry, making Compensation for Damages.

XVII. And be it enacted, That for the Purposes of any Inspection, Survey, or Inquiry directed or necessary under any of the Provisions of this Act, it shall be lawful for the said Commissioners, by themselves, or by their Surveyors, Engineers, Agriculturists, Architects, Builders, Agents, Officers, and Workmen, to enter upon any Lands with respect to which any Works shall be executed, or shall be proposed to be executed, under this Act, or any Lands adjoining thereto, and to dig or bore therein, and also to examine any Weir, Sluice, or Floodgate erected in or upon any River or Stream, and to open or raise or shut or close, and to keep open or raised, shut or closed, for a reasonable Time, any such Floodgate or Sluice for the Purposes of any such Inquiry, and to make any Soundings, or bore the Bed or Channel of any Part of such River, or any Millcourse connected therewith, making reasonable Compensation for any Damage done thereby; and the Amount of such Compensation shall (if not previously agreed upon between the Parties and the said Commissioners) be ascertained by Two or more Justices of the Peace at Petty Sessions in or for the District wherein any such Damage shall be committed; and

Amount of Compensation, if not previously settled, to be

such

such Justices shall be authorized and required to inquire into and determine the same, and for that Purpose to examine on Oath or otherwise, as by Law authorized, all such Witnesses as shall be produced before them, and to make such Order as to them shall seem just for the Payment of the Amount of such Damage by the Commissioners to the Party aggrieved, which said Order shall be final and conclusive, and such Damages shall be taken as Part of the Costs of the Inquiry: Provided always, that the said Commissioners, their Surveyors, Engineers, Agriculturists, Architects, Builders, Agents, Officers, and Workmen, may enter upon such Lands as aforesaid, and do all necessary Matters and Things by this Act authorized previously to or pending the Decision of such Justices.

determined by Justices.

Commissioners, &c. may enter upon Lands pending Decision of Justices.

XVIII. And be it enacted, That it shall be lawful for the said Commissioners of Public Works, with the Sanction of the Commissioners of Her Majesty's Treasury, to make such Rules and Regulations as they shall from Time to Time think proper with respect to Applications for Advances under this Act, and to issue such Instructions and Forms as they may think proper for the Guidance of and Observance by Persons applying for or receiving Loans, or executing Works, or rendering Accounts of Monies advanced under this Act, and with respect to all other Matters in and about the Execution of this Act not hereby especially referred to the Determination of any other Person, Court, or Body.

Commissioners may make Rules, &c. with respect to Applications for Advances under this Act.

XIX. And be it enacted, That on Receipt of any such Application by Memorial as herein-before mentioned the said Commissioners of Public Works shall (if they think proper to entertain the same) give Notice thereof by Advertisement, to be published once in the *Dublin Gazette*, and for Two successive Weeks (once at least in each Week) in any Newspaper circulating in the County in which the Lands the Subject of any such Memorial shall be situate, or in any Newspaper printed and published in *Dublin*, which Notice shall contain the Name of the Memorialist, and the Names or such Description as the said Commissioners shall think sufficient of the Lands in respect of which such Memorial shall have been presented, together with the Amount of Loan applied for, and by which Notice all Parties claiming to be interested in the Lands the Subject of any such Memorial, and all other Parties whom it may concern, shall be required on or before a Day therein to be named, not sooner than Two Weeks from the said Publication in the *Dublin Gazette*, to transmit to the said Commissioners in *Dublin* their Dissent or Objection (if any) to any such Memorial, or to any Statement therein contained, or to the Loan applied for by any such Memorial, with their Reasons for such Dissent or Objection; and in case any Person shall, within such Period so named as aforesaid, signify in Writing to the said Commissioners such Dissent or Objection as aforesaid, and the Nature of his Estate or Interest in or Charge upon the said Land (if any), the said Commissioners shall notify such Dissent to the Person by whom such Memorial shall have been presented, or to the Owner for the Time being of such Land, and shall not make any such Loan till such Dissent or Objection shall have been withdrawn, or an Order shall have been made thereon in the Manner herein-after provided.

Commissioners to give Notice, by Advertisement, of Applications for Loans.

Parties objecting to Application to transmit to Commissioners their Dissent, &c.

XX. And be it enacted, That in all Cases in which the said Commissioners of Public Works shall receive any such Dissent or Objection as aforesaid in Writing within such Period as aforesaid (unless such Dissent or Objection shall be withdrawn) they shall, on a Day not sooner than One Week from the Day limited by such Notice for the Transmission of such Dissent or Objection as aforesaid, to be stated in such Notice, or to be fixed by some subsequent Notice to be published as aforesaid, call a Meeting at their Office in *Dublin* or elsewhere of all Persons claiming to be interested in the said Lands, and of such other Persons as the said Commissioners may think fit to summon (and which Meeting, as well as every other Meeting to be held under this Act, may be held and presided over by any one of the said Commissioners, who shall have Power from Time to Time to adjourn such Meeting to such Time and Place as they may think proper), and hear and inquire into such Objections and Dissents, and all such other Matters and Things as shall be then and there brought before them, and shall and may receive any Evidence touching or pertinent to the same, upon Oath or otherwise, as by Law authorized; and in such Case, or in case no Dissent or Objection shall be received as aforesaid (in which Case no Notice of Meeting need be given), and if the said Commissioners shall be satisfied that it will be beneficial to all Persons interested in the Land to which such Application shall relate that such Loan should be made, the said Commissioners shall make such Order under their Common Seal in the Premises as to the said Commissioners shall seem fit with respect to the making of such Loan, or the Execution of the proposed Works; and every such Order shall be in Writing under their Common Seal, and shall contain the Name of the Lands to be charged with such Loan, the Name of the Memorialist, the Amount of the Loan (if any) proposed to be made, and such other Matters as the said Commissioners may think proper.

In Cases where Commissioners receive any Dissent, they shall call a Meeting and hear Objections.

XXI. And be it enacted, That in all Cases where the Commissioners shall have made any such Order for a Loan as aforesaid they shall execute under their Common Seal a Duplicate thereof, and shall, at the Expence of the Owner applying for such Loan, or other the Owner for the Time being, forthwith cause the said Duplicate of such Order to be registered in the Office for Registry of Deeds in the City of *Dublin*; and the Registrar of the said Registry Office, his and their Assistant, Deputies, and other Officers, shall be required to register the same, and all other Instruments by this Act directed or authorized to be registered, in the same Manner as any Deeds or Instruments are registered in said Office, and to enter a Memorial thereof in the Abstract Books and Indexes of or relating to Memorials registered and kept in the said Office, subject to the Payment of such Fees as may now be lawfully demanded upon Registration; and further, when and so soon as the said Commissioners shall have advanced the total Amount of the Loan by them agreed to be advanced, or which shall become payable under the Provisions of this Act, they shall execute in Duplicate a Certificate under their Common Seal stating the Amount of the Sums actually advanced, and the Times of advancing the same, and shall, at the Expence of the Owner applying

Commissioners to register Order for Loan at the Expence of Owner.

applying for such Loan, or other the Owner for the Time being, forthwith cause one of the said Certificates to be registered in such Manner as is herein-before provided with respect to such Order.

The Lands to become chargeable with the Payment of Rent-charge from the Date of such Registry.

XXII. And be it enacted, That from the Date of the Registry of such Order the several Lands therein mentioned shall, in case any Loan or Advance shall be granted in respect thereof, become charged (in the Manner and with the Priority by this Act provided) with the Rent-charge to be payable under the Provisions of this Act in respect of such Loan; and every such Order in respect of the Lands therein specified shall be binding upon all Persons having any Estate or Interest in such Lands, or Lien or Incumbrance thereon, and shall be conclusive Evidence that the several Proceedings herein-before directed to be taken and observed have been duly complied with; and that all Dissents or Objections to the making of any Loan have been withdrawn, disallowed, or removed; and it shall not be lawful for any Person to question such Order of the said Commissioners of Public Works, or any Advances of Money to be made in pursuance thereof, in respect of any thing whatsoever done or omitted to be done under the Provisions of this Act, or for any other Reason whatsoever.

Errors and Omissions not to invalidate Proceedings.

XXIII. And be it enacted, That no Error, Misdescription, Misnomer, Mis-statement, or Omission in any Memorial, Schedule, Plan, Section, Estimate, Notice, or other Document, or Proceeding under this Act, prepared, lodged, registered, given, or taken by or to the said Commissioners of Public Works, shall invalidate the same or any of them, or any of the Proceedings under this Act, nor shall any Error or Omission whatever in any of the Proceedings preliminary to the Order for a Loan, or in any such Order, affect or invalidate any such Proceedings or Order, or the Powers and Authorities of the said Commissioners, or prevent the proceeding with the Execution of any Works under this Act, or the doing all Matters in the Judgment of the said Commissioners requisite for carrying the Provisions of this Act into effect, or affect any Matter or Thing done or omitted to be done by the said Commissioners in and about the Matter of this Act, or invalidate or affect any Rent-charge chargeable under this Act; and it shall not be lawful for any Person whomsoever to question or appeal against or in respect of any thing so done or omitted to be done by the said Commissioners; nor shall any Proceedings by or on behalf of the said Commissioners be removable by Certiorari or otherwise into any of Her Majesty's Courts of Record.

Treasury to make Regulations for Disposal of Monies.

XXIV. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to make such Rules and Regulations as they may consider necessary for the Purpose of placing at the Disposal of the Paymaster of Civil Services in *Ireland* such Sums of Money as may from Time to Time be necessary for the Purpose of making Loans and Advances under the Provisions of this Act, to be from Time to Time made on the Certificate of the said Commissioners of Public Works.

Two separate Accounts to be opened by the Bank of Ireland.

XXV. And be it enacted, That the Governor and Company of the Bank of *Ireland* shall cause Two separate Accounts to be opened in their Books with the Paymaster of Civil Services in *Ireland*, one under the Title of "Improvement of Land Advances Account," and the other under the Title of "Improvement of Lands Repayments Account."

The Commissioners, with the Sanction of the Treasury, may make Loans.

XXVI. And be it enacted, That if the said Commissioners of Public Works shall think that a Loan in respect of any such Application would be expedient, it shall be lawful for the said Commissioners, by and with the Sanction of the Commissioners of Her Majesty's Treasury, to make such Loan, and to certify to the Paymaster of Civil Services for the Issue of the Instalments of the same as after mentioned, to the Owner of the Land by whom such Application shall have been made, or, in case his Interest shall have determined at the Date of the first or any subsequent Instalment, to the Owner for the Time being of such Land, or to such other Party or Parties as they shall think fit: Provided always, that no Loan shall be made under this Act for a less Sum than the Sum of One hundred Pounds.

Every Loan to be issued by Instalments.

XXVII. And be it enacted, That every Loan to be made by the said Commissioners of Public Works under this Act shall be made and issued by Instalments not exceeding at any Time One Fifth of the entire Sum, together with the Costs and Expences of Investigation as aforesaid, and that no second or any subsequent Instalment of any such Loan shall be made until it shall have been proved to the Satisfaction of the said Commissioners, in such Manner as they shall require, that the preceding Instalment has been properly expended on such Works or Improvement, pursuant to the Plan, Specification, and Estimate which shall have been sanctioned and approved of by the said Commissioners, or such other Plan, Specification, or Estimate as the said Commissioners may think fit from Time to Time to sanction and approve of: Provided always, that no One Instalment of any such Loan shall in any Case exceed the Sum of Five hundred Pounds.

Commissioners to take Security for due Application of the Money.

XXVIII. And be it enacted, That it shall be lawful for the said Commissioners of Public Works, either before or after any Advance on account of any Loan under this Act shall be made, to require and take such Security, by Bond or otherwise, as they may think right, from every or any Person to whom any such Loan may be agreed to be made as aforesaid, or who may become entitled to receive any Part thereof, or from any other Person jointly with or on behalf of any such Person, such Security to be conditioned to apply the Monies advanced or to be advanced to and for the Purposes specified in the Plan, Specification, and Estimate from Time to Time approved of by the said Commissioners, and to no other Purpose whatsoever, and also well and truly to account to the said Commissioners for the Application of the Monies to be from Time to Time advanced by the said Commissioners, and also to lay before such Commissioners, whensoever required, such Statements and Reports of the Works for which such Loan may have been made as the Commissioners shall think fit, so as all such Works be completed within such Period as may, previously to making any such Loan or Advance, be fixed by the said Commissioners, or within such further

further Period as they may fix from Time to Time, such Periods not exceeding in the whole Three Years from the Date of the first Advance on account of any such Loan.

Labourers to be paid in Money.

XXIX. And be it enacted, That all Labourers hired or employed to execute any Works or Improvements effected under the Authority of this Act shall receive the full Value or Consideration which shall be agreed to be given for their Labour respectively in the current Coin of the Realm, and not otherwise.

Commissioners on Application of Owners may sanction Alterations, and make further Advance if necessary.

XXX. And be it enacted, That whenever any Works shall have been commenced, or shall be carried on under this Act, according to any Plan, Specification, or Estimate which shall have been originally approved of by the Commissioners of Public Works, and it shall, from any Alteration of Circumstances, appear to the Commissioners that it would be expedient so to do, it shall be lawful for the said Commissioners, on the Application of any Owner for that Purpose, from Time to Time to sanction the Alteration or Modification of any such Plans, Specifications, or Estimates so originally approved of to such Extent as may be sufficient for the Purposes of this Act, and to direct the Works to be carried on according to the Plan, Specification, or Estimate so altered or modified; and in case any such Alteration or Modification shall require the Advance of any further Sum of Money for the Completion of the Works not exceeding One Fifth Part of the Loan originally sanctioned, it shall be lawful for the said Commissioners, with the Sanction of the Commissioners of Her Majesty's Treasury, to advance any such further Sum as shall be necessary; and the Order of the Commissioners directing any such further Advance shall be sufficient, without any formal Application or other Proceeding as is herein-before directed with respect to the original Charge, and shall be registered in like Manner as any Order herein-before authorized to be made for advancing any Money, and shall have the same Effect as any such Order so herein-before authorized; and the Lands therein specified shall thereon become charged with the Payment in manner by this Act directed of a Rent-charge bearing such Proportions as aforesaid to the Amount of such further Advance.

Commissioners may sanction Alterations in certain Cases for reducing the Expence of Works.

XXXI. And be it enacted, That where any Works shall have been commenced, or shall be carried on under this Act, according to any Plan, Specification, or Estimate which shall have been originally approved of by the Commissioners of Public Works, and it shall appear to the said Commissioners, from any Alteration of Circumstances or otherwise, that the Estimate or the Works originally proposed may be modified or altered by reducing the same, it shall be lawful for the said Commissioners from Time to Time to alter or modify any such Plans, Specifications, or Estimates so originally approved of, by reducing the proposed Works or the Estimates thereof, so always that the Works to be carried on according to the modified Plans, Specifications, or Estimates shall in the Opinion of the Commissioners be of a Nature to effect a sufficient Improvement for the Purposes of this Act in the annual Value of the Lands; and also it shall be lawful for the said Commissioners, by any Order as aforesaid, without any previous Sanction of the Commissioners of the Treasury, to withhold any Instalment or Part of the Loan originally agreed to be made for the proposed Works to an Extent corresponding in their Judgment to the diminished Expenditure, and to diminish the Rent-charge which would otherwise have become charged on the Lands in proportion to the diminished Advance so to be made.

Provisions as to Alterations to apply to Lands entered on.

XXXII. And be it enacted, That the Provisions herein-before contained as to the Alteration or Modification of any Plans, Specifications, or Estimates shall apply as well in Cases where the Works shall be carried on by or on behalf of the said Commissioners of Public Works having entered on any Lands as by this Act is provided for any Default, as where they shall be carried on by any other Person.

In default of due Application of any Instalment of Loan, Commissioners may stop Advances, and may enter upon Lands and complete the Works.

XXXIII. And be it enacted, That if Default shall be made in the due Application of any Instalment of any Loan made for the Purpose of this Act, or if the Owner to whom any such Loan may have been agreed to be made, or if the Person for the Time being bound to execute the Works for which such Loan shall have been agreed to be made, shall omit or neglect so to do, it shall be lawful for the said Commissioners of Public Works, with the Sanction of the Commissioners of Her Majesty's Treasury, to stop all further Advances in respect to such Works, or it shall be lawful for the said Commissioners of Public Works, with such Sanction as aforesaid, or any Person authorized by them for that Purpose, (if they shall think fit, either for the Benefit of the Person entitled next in remainder or reversion to the said Lands on the Security of which any such Loan shall have been agreed to be made, or for the Purpose of better securing such Loan,) to enter upon such Lands, and proceed to complete the necessary Works, and all Monies paid by the said Commissioners of Public Works for the Completion of the Works shall be taken as Part of the Loan agreed to be by them made, and shall be repaid by such Rent-charge out of such Lands, to be raised from such Lands in manner herein-before provided; and in every such Case it shall be lawful for the said Commissioners of Public Works, by any Order in that Behalf, to fix the Date from which any Rent-charge in respect of any Payment made by them after having so entered shall be computed, and the Day whereon the first Payment thereof shall be made, and also for the Completion of any such Works as aforesaid to apply any Monies which may be recovered by them under any Security to be given to them as aforesaid for the Completion of the said Works.

Power to Commissioners in case of entering to complete Works to expend such further Sum as may be necessary.

XXXIV. And be it enacted, That in any Case in which the said Commissioners of Public Works shall have entered as by this Act is provided upon any Lands for the Completion of any Works, if the Residue of the Monies originally agreed to be advanced by the said Commissioners shall not in the Judgment of the said Commissioners be sufficient to complete the Works, it shall be lawful for the said Commissioners, with the Sanction of the Commissioners of Her Majesty's Treasury, to expend such further Sum as they may think beneficial to all Persons interested in the Land, and necessary to make any Works commenced available for the Improvement of the Land; and the Order of the said Commissioners of Public Works directing any such further Expenditure shall be registered in like Manner, and shall have the same Effect,

as any Order directing an Advance; and the Lands therein specified shall, from the Date of such Order, become charged with the Payment, in manner by this Act directed, of a Rent-charge bearing such Proportion as aforesaid to the Amount of such further Advance; and in any such Case it shall be lawful for the said Commissioners, by any such Order, to fix the Date from which any such Rent-charge shall be computed, and the Day whereon the first Payment thereof shall be made.

Nothing to prevent Owners applying for new Loans on the Security of Lands already improved.

XXXV. And be it enacted, That nothing herein contained shall be construed to prevent any Owner of Land which shall have been improved under the Provisions of this Act from applying for a new Loan, nor to prevent the Commissioners of Public Works, with the Sanction of the Commissioners of the Treasury, as herein-before directed, from making any new Loan, under the Provisions of this Act, on the Security of Lands already improved, as often as it shall appear to them that any new Works proposed will effect (either immediately or prospectively) an Improvement in the annual Value of the Lands intended to be improved to an Amount exceeding the utmost annual Amount to be charged thereon under this Act in respect of the new Loan applied for; and that all the Provisions in this Act contained with respect to any first Application for a Loan, and the Proceedings thereon, shall apply to any Application for a fresh Loan in respect of Lands already improved under this Act.

Owner may, upon receiving Part of Loan, enter upon Lands of which he is Owner, making Compensation for Damage done.

XXXVI. And be it enacted, That it shall be lawful for any such Owner, upon receiving any Part of such Loan as aforesaid, or sooner if sanctioned by the said Commissioners of Public Works, by himself, his Engineers, Agents, and Workmen, from Time to Time to enter upon any Lands of which he shall be Owner within the Provisions of this Act, making such Compensation to any Person or Persons for any Damage or Injury done thereby in the same Manner and subject to the like Provisions as in Cases of Compensation to be made by the said Commissioners of Public Works in respect of any Damage done by the said Commissioners, (except as to the adding of any Damage to the Sum in respect of which a Rent-charge is to be charged under this Act,) and to execute all the necessary Works for which such Loan may be made, notwithstanding that any other Person or Persons may have any other Estate or Interest in the same Lands.

A Rent-charge of 6*l.* 10*s.* to be charged for every 100*l.* advanced.

XXXVII. And be it enacted, That in case any Loan shall be made under this Act, the Lands specified in such Order of the said Commissioners of Public Works as before mentioned for the making of such Loan shall from the Date of such Order become charged with the Payment to Her Majesty of an annual Rent-charge of Six Pounds Ten Shillings for every One hundred Pounds of such Loan from Time to Time advanced, including such Costs and Expences of Investigation as aforesaid, and so on in proportion for any lesser Amount, and to be payable for the Term of Twenty-two Years, to be computed from the Fifth Day of *April* or Tenth Day of *October* which shall next happen after the Advance in respect of which the Rent-charge shall be charged, such Rent-charge to be paid by equal half-yearly Payments on the Fifth Day of *April* and Tenth Day of *October* in every Year, the first of such Payments to be made on the second of such Days which shall happen next after the Issue of any such Advance in respect of which the Rent-charge shall be charged.

Rent-charges to have Priority of other Charges, save Quit Rents, &c. 5 & 6 Vict. c. 89.

XXXVIII. And be it enacted, That every such Rent-charge to be secured by virtue of this Act shall take Priority of all Charges and Incumbrances whatsoever and whensoever made, save and except Quit Rents and Rent-charges in lieu of Tithes, and also save and except all Charges prior in Date, if any, existing under and by virtue of an Act passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to promote the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in* Ireland, and Two other Acts since passed amending the same Act, or under and by virtue of this Act.

Recovery of Rent-charge by Appointment of Receiver in default of Payment.

XXXIX. And be it enacted, That if any half-yearly Payment of such Rent-charge shall remain unpaid by the Space of Twenty-one Days next after the Day on which the same should be paid as aforesaid, then it shall be lawful for the Court of Chancery in *Ireland*, upon the Petition of the Attorney General for *Ireland* for the Time being, to appoint a Receiver of the Rents, Profits, and Issues of the Lands liable to any such Rent-charge, who shall have the same Powers as any other Receiver of the said Court of Chancery, and shall apply the same Rents, Profits, and Issues (after Deduction of the necessary Expences of the Application to the said Court, and the other Expences consequent thereon, and after Payment of all Outgoings in respect of any Charges or Incumbrances having Priority under this Act, and the Costs of Collection and of the Receiver,) in or towards Payment of the said Rent-charge.

If Rent-charge remains unpaid for Thirty-one Days, the same may be recovered by Civil Bill if under 50*l.*

XL. And be it enacted, That if any such Rent-charge, or any half-yearly Payment thereof, or any Part thereof, (not exceeding in Amount the Sum of Fifty Pounds,) shall remain unpaid for the Space of Thirty-one Days next after the same shall be due, then, in addition to the other Powers in and by this Act given, it shall be lawful for the Attorney General for *Ireland* for the Time being to recover the same by Civil Bill against the Person who for the Time being under this Act was or shall from Time to Time be liable to pay the same.

Rent-charges to be paid as directed.

XLI. And be it enacted, That the Rent-charges which shall become chargeable on Lands under this Act shall be paid to such Person or in such Manner as the said Commissioners of Her Majesty's Treasury may from Time to Time signify and appoint by Notice to be published in the *Dublin Gazette* for that Purpose; and all Monies so paid shall be paid into the Bank of *Ireland* to the Credit of the Paymaster of Civil Services, and by him carried to the Account of the Consolidated Fund; and the Receipt of any Person so appointed, or of the said Paymaster, as the Case may be, shall be a sufficient Discharge for the same.

Rent-charge may be increased so as to pa off

XLII. Provided always, and be it enacted, That, if any Owner shall so desire it, the Amount of such Rent-charge may, with the Sanction of the Commissioners of Her Majesty's Treasury, be increased to such

such Amount as will repay the Sum so advanced sooner than the said Period of Twenty-two Years herein-before appointed for the Payment of such Rent-charge, such increased Amount of Rent-charge to be calculated according to the Table in the Schedule (B.) hereunto annexed for that Purpose.

Sum advanced sooner than Time appointed.

XLIII. And be it enacted, That every Owner of Land so charged as aforesaid, and absolutely entitled thereto, shall be the Party to pay the said Rent-charge; and every Owner of Land for the Time being within the Meaning of this Act, being Tenant for Life, or having a limited or determinable Interest in the Lands charged, and every succeeding Tenant for Life or other Person having a limited or determinable Interest in such Land liable to such Rent-charge, shall, as between such Person and the Persons in remainder or reversion, be bound to pay the half-yearly Payments of such Rent-charge which shall become payable during the Continuance of his Interest, and, in case he shall be in the actual Occupation of or entitled to an apportioned Part of the Rents and Profits of such Land up to the Time of the Termination of his Interest, shall also be bound to pay an apportioned Part of the half-yearly Payment of such Rent-charge which shall become due next after the Termination of his Interest, proportioned to the Time which shall have elapsed between the Day of the previous half-yearly Payment and the Day of such Termination.

Owners for the Time being to keep down Rent-charges.

XLIV. And be it enacted, That any Person entitled to Land charged with any such Rent-charge shall be at liberty, at any Time before the Expiration of Twenty Years after the Commencement thereof, to redeem such Rent-charge or any Part thereof, not being less than Ten Pounds annual Charge, on Payment to the Paymaster of Civil Services of the Arrear (if any) thereof, and of such Sum as shall be equal to the Value of such Rent-charge, to be ascertained according to the Table in Schedule (C.) hereunto annexed for that Purpose; and the said Paymaster of Civil Services shall issue and deliver to such Owner a Certificate of such Redemption; and all Monies to be so paid to the Paymaster of Civil Services shall be applied by him in the Manner herein provided with respect to Monies to be received for Rent-charges.

Owners may redeem Rent-charges.

XLV. And be it enacted, That every Occupier of Land who, not being the Owner thereof within the Meaning of this Act, and liable to the Rent-charge charged thereon, shall pay any Sum of Money for the Land in his Occupation on account of any such Rent-charge, shall be authorized to deduct from and out of his Rent the Amount of the Sum of Money which he shall so pay as aforesaid; and the next immediate Landlord of such Occupier, if not himself such Owner, and liable to such Rent-charge as aforesaid, shall be authorized to make the like Deduction from the Rent payable by him, and so on, each Sub-Lessee and Sub-Lessor of such Land (not being such Owner) being entitled to deduct the Sum so paid on account of such Rent-charge from and out of the Rent payable to his next immediate Landlord, until such Deduction shall be made from the Rent payable to a Person being the Owner within the Meaning of this Act, and liable to such Rent-charge as aforesaid, who shall not be entitled to make any such Deduction from the Rent (if any) payable by him; and every such Occupier, Sub-Lessee, or Sub-Lessor, as the Case may be, paying any such Sum of Money, shall be acquitted and discharged of the Sum so paid by him as fully and effectually as if the same had been actually paid to his Landlord (except where there shall be any Lease or Agreement to the contrary made after the passing of this Act); but nothing herein contained shall extend or be construed to enable any such Occupier, Sub-Lessee, or Sub-Lessor to deduct from his Rent any Costs or Expences incurred by the Nonpayment of the Monies charged and to be levied under and by virtue of this Act.

Occupier paying Money on account of Landlord to deduct the same from his Rent.

XLVI. And be it enacted, That in case any Land which shall be so improved as aforesaid shall at any Time, not later than Twelve Months after the Completion of the Works for the Improvement thereof, be in the Occupation of any Person who shall not be the Owner thereof within the Meaning of this Act liable to such Rent-charge, then and in every such Case the said Commissioners of Public Works shall, if required so to do by or on behalf of the Owner of such Land for the Time being liable to such Rent-charge, or by or on behalf of the Occupier of such Land, determine the Amount of increased Rent, if any, which the Occupier of such Lands ought (immediately or prospectively at one fixed or at a progressive Rent) to pay by reason of the improving thereof under the Provisions of this Act, and shall signify their Determination by Endorsement in Writing on the Lease or other Instrument, if any, by which such Lands may be held, or by a separate Instrument under their Corporate Seal, in which Determination the Commissioners shall be bound to have regard, and as far as possible to give effect to any Agreement which shall be shown to their Satisfaction to have been entered into by the Proprietor and any Person or Persons having an immediate or derivative Title from him in the said Lands respecting the Improvement thereof under the Provisions of this Act; and the Occupier of such Lands shall pay to his next immediate Landlord the said increased Rent, and the immediate Landlord of such Occupier, if not himself such Owner as last aforesaid, shall pay the said increased Rent to his immediate Landlord, and so successively each Sub-Lessor and Sub-Lessee of such Land, not being such Owner as last aforesaid, shall pay the same to his immediate Landlord until such Payment shall be made to the Owner of such Lands within the Meaning of this Act; and the said increased Rent shall be due and payable at the same Times as the Rent originally reserved would be due and payable between the respective Parties and the Landlord of such Occupier; and every Landlord entitled under the Provision aforesaid shall have the same Remedies for the Recovery of such increased Rent as he or they might have or were entitled to have for the Rent originally reserved.

Commissioners empowered to fix increased Rent of Tenants.

XLVII. And be it enacted, That it shall be lawful for the said Commissioners of Public Works, with the Sanction of the Commissioners of Her Majesty's Treasury, from Time to Time and at any Time when and so often as by reason of the Improvement in Value of any Lands in respect of which any Loan

A Portion of Lands liable to Rent-charge may be released

in certain Cases.

Loan shall have been made under this Act, or by reason of the Redemption of any Part of the Loan any Portion of the Lands charged with any Rent-charge shall appear to them a sufficient Security for the whole of such Rent-charge, by any Deed or Instrument under their Common Seal to release any of the Lands originally charged with the said Rent-charge from the Payment thereof; and no Release of any Portion of the Lands charged with a Rent-charge under this Act shall in anywise avoid, diminish, or affect any Remedies by this Act given or otherwise to be had and exercised for the Recovery of such Rent-charge in respect of the Residue of the Lands therewith charged: Provided nevertheless, that such Release shall not be effectual unless the same be made with the Consent in Writing of all Persons having any Charge or Incumbrance on such Part of the Land as shall continue liable to the Rent-charge.

Paymaster to give Certificate of Amount of Advances and Rent-charge.

XLVIII. And be it enacted, That it shall be lawful for the said Paymaster of Civil Services from Time to Time, and at any Time at the Request of any Person to whom any Money shall have been lent under this Act, or of any Person for the Time being liable to pay any Rent-charge created under this Act, or for the Time being interested in any Lands charged with such Rent-charge, and at the Expence of the Person requiring the same, to deliver or cause to be delivered to any such Person a Certificate under his Hand showing, as the Case may be, the Amount of Money for the Time being advanced or to be advanced under the Provisions of this Act on the Security of the Lands to be specified in any such Certificate, and the respective Instalments made or to be made in respect thereof, and the Dates of such Instalments respectively, the Amount of Rent-charge for the Time being charged upon such Lands under the Provisions of this Act, the Date of Commencement thereof, or of the first or any subsequent Payment thereof, the Number of Payments made or to be made or in arrear for the Time being, or any of such Matters respectively; and every such Certificate shall be Evidence of all and every the Matters therein specified.

Power of Sale by the Paymaster, with the Direction of the Court of Chancery.

XLIX. And be it enacted, That if any such Rent-charge shall be in arrear for the Space of Two Years next after any of the Days on which the same should be paid as aforesaid, then and in any such Case it shall be lawful for the said Paymaster for the Time being, after Notice to the Owner of such Land or his known Agent, and by Direction of the Commissioners of Her Majesty's Treasury, to apply in a summary Manner to the Court of Chancery in *Ireland* for an Order for the Sale of all or a competent Part of the Lands so charged, and on satisfactory Proof being adduced that the said Rent-charge is so in arrear, then the said Court shall by Order authorize and direct the Paymaster of Civil Services, without any further Process, Writ, or other Proceeding, by Sale of the Lands liable to such Rent-charge, subject as herein-after mentioned, or a competent Part thereof, to raise such Sum of Money as shall be sufficient to repay all Monies due and in arrear at the Time of Sale in respect of such Rent-charge, and of any other Rent-charge charged on the said Lands under this Act, and the Value of the said Rent-charge or Rent-charges thereafter to become payable out of the Lands liable to such Rent-charge or Rent-charges under this Act (such Value to be ascertained in the same Manner as the Value of any Rent-charge to be redeemed as by this Act provided), and all Costs as between Solicitor and Client, and other Charges whatsoever attending such Sale and other Proceedings; and the Monies so raised shall be applied, first, in discharge of all Costs, Charges, and Expences as aforesaid; secondly, in and towards Reimbursement and Satisfaction of such Arrears and such Value of such Rent-charge or Rent-charges under this Act; and the Surplus (if any) of such Monies shall be paid either to the Owner for the Time being of the Lands sold and absolutely entitled thereto, or (in case such Owner shall be a Person having a Life Estate or other determinable Interest, or where, but for the Provisions of this Act, the said Lands could not have been sold,) then into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the Court of Chancery in *Ireland*, to be placed to his Account *ex parte* the said Paymaster, and pursuant to any Law or Orders for the Time being in force in that Behalf, and without Fee or Reward, such Money to be applied under the Direction of the said Court (to be signified by any Order made upon Petition in a summary Way presented by the Persons who would have been entitled to the Rents and Profits of the said Land) in or towards the Discharge of any Debts or Incumbrances, or any Part thereof, affecting the said Land, or affecting other Land settled to the same or the like Uses, or upon the same or the like Trusts, or in or towards the Purchase of other Land to be conveyed and settled to and upon the same Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Land sold stood settled or limited to, or such of them as at the Time of such Sale were existing undetermined and capable of taking effect; and in the meantime, and until any such Purchase, the said Money shall, by Order of the said Court, be invested by the said Accountant General, in his Name, in the Purchase of any Stocks, Funds, or Annuities transferable at the Bank of *Ireland*, the Dividends of the said Stocks, Funds, or Annuities, until Sale thereof, to be paid from Time to Time by Order of the said Court to the Person who would for the Time being have been entitled to the Rents and Profits of the Land so to be purchased or settled.

Receipt of Paymaster to be a sufficient Discharge.

L. And be it enacted, That the Receipt of the Paymaster of Civil Services in *Ireland* for the Time being shall alone be a sufficient Discharge to all Persons whomsoever for the Purchase Money of any Lands sold under this Act; and such Persons shall not be bound to see to or be liable for the Application thereof, nor shall any such Person be bound to inquire as to the Value or Quantity of Lands sold; and any Sale under this Act may be made in Lots, and subject to such Conditions as the Vendor shall think fit, and may be bought in and re-sold, although at a Loss; and any Contract for Sale may be altered or rescinded as the Vendor shall think fit; and any Conveyance or Assignment executed by the Paymaster of Civil Services shall be effectual for all Purposes therein expressed, and shall be binding and conclusive upon all Persons whomsoever interested in the Lands, and shall convey all Estate, Right, Title, or Interest whatsoever

whatsoever of any Person whomsoever in the Lands the Subject of such Conveyance, and shall assure the Lands to such Uses, upon such Trusts, and in such Manner as shall be expressed in such Conveyance, subject nevertheless only to any Charge having Priority under the Provisions of this Act, and also to any Chief Rent as herein-after defined which shall have been reserved or payable thereout previously to the Date of the Order of the said Commissioners, and subject to the Estate or Estates to which such Chief Rent or Chief Rents shall be incident, and subject to any Under-tenants or Occupiers Leases at Rack Rent, or their Interests in such Lands, and subject also as may be expressed in any such Conveyance or Assignment, but freed from all other Charges and Incumbrances whatsoever; and the Signature of the Paymaster to any such Deed shall be sufficient Evidence that all the Provisions of this Act have been complied with.

Proviso as to Sale of other Lands.

LI. Provided always, and be it enacted, That in any Case where the Paymaster of Civil Services shall proceed to sell any Land as aforesaid, if the Owner of such Land shall be desirous that any other Land settled to the same Uses with the Land so improved shall be sold instead of the Land so improved, and such Owner shall be Tenant for Life or incapacitated otherwise from selling such Lands, it shall be lawful for such Owner to apply to the High Court of Chancery in *Ireland* by Petition in a summary Way praying that the Paymaster of Civil Services may be authorized or directed to make such Sale of any such Lands not liable to such Rent-charge, but settled to the same Uses as any Lands liable thereto as aforesaid, and thereupon it shall be lawful for the Court to make such Order authorizing or directing such Sale or otherwise as to the Court shall seem fit: Provided always, that Fourteen Days Notice in Writing of any such Application shall be given to the Person entitled to the Estate or Interest in the Lands proposed to be sold in remainder or reversion next expectant on the Determination of the Estate or Interest of the Owner whose Land shall be sold as aforesaid, or to the Guardian of such Person being an Infant, or to the Husband of such Person being a Feme Covert, or to the Committee of such Person being a Lunatic; and provided also, that in case of any such Sale the Owner shall give Notice to the said Paymaster of such his Application to the said Court as aforesaid, and it may be lawful for such Court, if it shall so think fit, to stay the Proceedings of the said Paymaster in respect to Sale of any Lands liable to the Rent-charge for a reasonable Time; and every Sale directed to be made by the said Court shall, unless otherwise ordered by the said Court, be taken to be within the Provisions of this Act as to any Sale by the Paymaster, and the Purchase Money from such Sale shall be received and applied accordingly.

On Payment of Rent-charge Lands to be released.

LII. And be it enacted, That on the Expiration or Discharge of any Rent-charge, and on Payment of all Arrears thereof, and of all Costs, Charges, and Expences (if any) incurred in any Proceedings to recover the same, or for any Sale under this Act in relation thereto, the said Paymaster shall execute and cause to be registered in the Office for the Registry of Deeds in the City of *Dublin* a Release of the Lands so charged with such Rent-charge.

Rent-charge not to preclude Trustees from investing Money in the Purchase or Mortgage of Land charged.

LIII. And be it enacted, That the Rent-charge by virtue of this Act to be charged on any Land shall not be deemed such an Incumbrance as shall preclude a Trustee of Money from investing the same in a Purchase or upon a Mortgage of such Land so charged, unless the Terms of such Trust shall expressly provide that the Trust Money shall not be so invested; and any Trust Monies already invested or lent on any Land which may become charged with such Rent-charge, or which, before the making such Charge, were charged on the said Land, may, if the Trustee think fit, be continued on the Security of the said Land, notwithstanding the Imposition of such Rent-charge; and no Guardian, Committee, Feoffee, Trustee, Executor, or Administrator shall be in anywise concerned or obliged to signify a Dissent to any Application under this Act, or be in anywise responsible for the Consequence of such Application, or the Charge made in pursuance thereof.

Works to be maintained.

LIV. And be it enacted, That so long as any Land shall continue charged with any such Rent-charge the Person for the Time being bound to pay such Rent-charge shall be bound to uphold and maintain in good Order and Condition the Works on account of which the Lands shall have been charged as aforesaid, and in default of so upholding and maintaining any such Work shall be liable to an Action on the Case in the Nature of an Action of Waste for the Damage thereby occasioned, at the Suit of the Person then entitled to the next Estate in remainder or reversion in the said Lands.

Sums heretofore advanced by the Treasury under 9 & 10 Vict. c. 4. and 9 & 10 Vict. c. 101. to be considered as Advances, and charged under this Act.

LV. 'And whereas under an Act passed in the last Session of Parliament, intituled *An Act to amend 'the Acts for promoting the Drainage of Lands and Improvement of Navigation and Water Power in 'connexion with such Drainage in* Ireland, *and to afford Facilities for increased Employment for the 'labouring Classes in Works of Drainage during the present Year*, and also under an Act of the last 'Session of Parliament, intituled *An Act to authorize the Advance of Public Money to a limited Amount, 'to promote the Improvement of Land in* Great Britain *and* Ireland *by Works of Drainage*, Pro- 'ceedings and Investigations preliminary to the Execution of Works or granting of Loans have been 'taken and made, and Advances of Money have been made or have been agreed to be made by the 'Commissioners of Public Works for the Drainage and other Improvement of the Lands of single Pro- 'prietors in *Ireland*:' Be it enacted, That all Money advanced or agreed to be advanced by the said Commissioners of Public Works, with the Sanction of the Commissioners of Her Majesty's Treasury, under either of the said last-recited Acts for such Purposes, shall (unless the said Commissioners of Public Works shall otherwise specially direct) be considered as advanced and be advanced under the Provisions of this Act, and as if the preliminary Proceedings and Investigations had been duly taken and made under this Act, and the Person on whose Application or Assent any such Advance has been made or agreed to be made had been Owner of such Land under the Provisions of this Act; provided the Owner for the Time being entitled to the Land to be charged shall require to have the Provisions of this Act applied

to

to such Loan, and undertake to execute the Works in respect of which such Loan was made according to the Provisions of this Act, and thereupon the Lands the Subject of any such Drainage or Improvement shall become charged with the Payment to Her Majesty of an annual Rent-charge of such Proportion and Amount as would be chargeable in respect of any such Advance if made under the Provisions of this Act; and the said Commissioners of Public Works shall, by Order as aforesaid, fix the Commencement of any such Rent-charge, and the Date of the first Payment thereof; and all the Provisions, Powers, Privileges, and Authorities herein contained for securing the Payment and Priority or for Recovery of any Rent-charge charged in respect of any Advance originally made under this Act, or otherwise by this Act enacted concerning any Rent-charge or the Lands charged therewith, shall apply so far as applicable to any Rent-charges charged under the present Provision; and all Proceedings heretofore had and taken by the said Commissioners under the Provisions of any previous Act of Her present Majesty's Reign for Drainage or Improvement of Lands shall be effectual for the Purposes of this Act.

Power to summon Witnesses, and Persons refusing to give Evidence to be punished.

LVI. And be it enacted, That it shall be lawful for the said Commissioners of Public Works, upon any Inquiry or Proceeding to be had by or before them under any of the Provisions of this Act, to summon and examine upon Oath or Affirmation any Person whomsoever; and if any Person so summoned, having been paid or tendered a sufficient Sum of Money, to be ascertained by the said Commissioners, to defray the Charges for his Attendance, shall not appear before the said Commissioners pursuant to such Summons, without assigning some reasonable Excuse for not appearing, or shall refuse to be sworn or to affirm (as the Case may be), or to be examined and give Evidence touching the Premises, the said Commissioners, upon Proof upon Oath of the Service of such Summons and of such Tender, shall be authorized by Warrant under their Common Seal to direct any Person whomsoever to cause any Sum of Money, not exceeding Five Pounds, to be levied by Distress and Sale of the Goods and Chattels of the Person so neglecting or refusing to appear, or to be sworn, or to affirm or give Evidence, rendering the Overplus (if any), upon Demand, to the Person whose Goods and Chattels shall have been distrained and sold, after deducting the Costs and Charges attending such Distress and Sale; and the Monies so to be levied as aforesaid shall be applied for such Purposes and in such Manner as the said Commissioners may direct.

Any Person swearing falsely guilty of Perjury.

LVII. And be it enacted, That every Person upon Examination on Oath or Affirmation before the said Commissioners respectively, or any Officer by them appointed as aforesaid, and also every Person making any such Affidavit, Declaration, Deposition, or Affirmation as aforesaid, who shall wilfully and corruptly give false Evidence, or shall in such Affirmation, Affidavit, Declaration, or Deposition wilfully or corruptly swear, affirm, or allege any Matter or Thing which shall be false or untrue, shall be subject to the Pains and Penalties of Persons convicted of wilful and corrupt Perjury by any Law in force for the Time being.

Penalty on Persons assaulting Commissioners or their Officers.

LVIII. And be it enacted, That every Person who shall wilfully obstruct or assault any Commissioner of Public Works, or any Engineer, or other Officer, Servant, or Workman, acting in aid or under the Orders of the said Commissioners, in the Execution of any of the Powers given by this Act, shall forfeit and pay for every such Offence, upon Conviction thereof by the Oaths of One or more credible Witness or Witnesses before any Justice or Justices of the Peace, such Sum not exceeding Five Pounds as such Justice or Justices shall think fit, to be applied in such Manner and for such Purposes as the said Justice or Justices shall direct, or in default of Payment every such Person shall be imprisoned for such Number of Days, not exceeding Fourteen, as the said Justice or Justices shall direct.

Bonds, &c. under this Act exempt from Stamp Duty.

LIX. And be it enacted, That no Bond, Obligation, or other Security, Contract, Agreement, or other Instrument whatever, taken or made to or by the said Commissioners, nor any Affidavit, Deposition, Release, Receipt, or Discharge to be respectively taken or made under and by virtue of this Act to or by them, nor any Power of Attorney to receive from the said Paymaster of Civil Services any Monies advanced on account of Loans under this Act, nor any other Instrument whatsoever executed under the Provisions of this Act, nor any Memorial thereof for Registration, shall be liable to any Stamp Duty whatever.

Notices sent by the Post deemed sufficient.

LX. And be it enacted, That all Notices requiring to be served by or on behalf of the said Commissioners or otherwise under the Provisions of this Act upon any Person may be transmitted through the Post, directed to the last known Address of such Person, within such Period as to admit of its being delivered in due Course of Delivery within the Period, if any, prescribed for the giving of such Notice; and in proving any Service by Post it shall be sufficient to prove that the Notice was properly directed, and so put into the Post Office as before directed.

Penalty on Officers refusing to deliver up Documents.

LXI. And be it enacted, That if any Engineer, Surveyor, Agent, Officer, or Servant employed by the said Commissioners in any Manner relating to Proceedings under the Provisions of this Act shall refuse or neglect, after Seven Days Notice in Writing for that Purpose, to deliver up to the said Commissioners, or to any Person authorized by them for that Purpose, any Survey, Map, Plan, Estimate, Specification, Book, Paper, or Document belonging to the said Commissioners, or to any Owner of Lands proposed to be improved under the Provisions of this Act, in the Possession or Custody of such Engineer, Surveyor, Agent, Officer, or Servant, any such Person shall for every such Offence forfeit and pay a Sum not exceeding Twenty Pounds, to be recovered in a summary Way before any Two Justices at Petty Sessions, and levied under the Warrant of such Justices by Distress and Sale of the Goods of the Person so refusing or neglecting; and it shall be lawful for such Justices to order any Constable, with proper Assistance, to search for and take possession of any such Survey, Map, Plan, Estimate, Specification, Book, Paper, or Document, and to deliver the same to the said Commissioners, or any Person authorized by them to receive the same.

LXII. ‘ And

Exchanges may be made of Land.

LXII. ‘ And whereas it may happen that by reason of the Works to be executed in pursuance of the ‘ Provisions of this Act it may be convenient to alter the Boundaries of the Lands of different Owners, ‘ and therefore that such Powers of Exchange should be given to the Commissioners as after mentioned;’ now therefore be it enacted, That it shall be lawful for the Commissioners, upon the Application in Writing of the Persons interested as Owners, as herein-before defined, except Owners under a Lease reserving Rent for a Life or Lives, or for a Term of Years, in any Lands which shall be drained or improved under the Provisions of this Act, or in any Lands adjacent to any such Lands, and who shall desire to effect an Exchange of Lands in which they respectively shall be so interested, to direct Inquiries whether such proposed Exchange would be beneficial to the Owners of such respective Lands, and has been rendered necessary or expedient by reason of any such Drainage or Improvement as aforesaid; and in case the Commissioners shall be of opinion that such Exchange would be beneficial, and that the Terms of the proposed Exchange are just and reasonable, they shall cause to be framed and confirmed, under the Hands and Seal of the Commissioners, an Order of Exchange, with a Map or Plan thereunto annexed, in which Order shall be specified and shown the Lands given and taken in exchange by each Person so interested respectively, and a Copy of such Order, under the Seal of the Commissioners, shall be delivered to each of the Parties on whose Application the Exchange shall have been made, and such Order of Exchange shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever, and shall be in nowise liable to be impeached by reason of any Infirmity of Estate or Defect of Title of the Persons on whose Application the same shall have been made; and the Land taken upon every such Exchange shall be and enure to, for, and upon the same Uses, Trusts, Intents, and Purposes, and subject to the same Conditions, Charges, and Incumbrances, as the Lands given on such Exchange would have stood limited or been subject to in case such Order had not been made; and all Expences with reference to such Order and Exchange, or the Inquiries in relation thereto, or to any proposed Exchange, shall be borne by the Persons on whose Application such Order shall have been made, or such Inquiries undertaken: Provided always, that no Exchange shall be made of any Land held in right of any Church or Chapel or other Ecclesiastical Benefice, without the Consent, testified in Writing, of the Bishop of the Diocese and the Patron of such Benefice: Provided also, that no One Lot or Parcel of Land given or taken in exchange shall ever exceed Ten Acres; and it shall be lawful for the said Commissioners to authorize the Payment of any Sum of Money by way of Equality of Exchange, or in respect of any such Exchange, and the Monies so given shall be paid and divided by the said Commissioners in such Manner as they shall think fit, and for the compensating the Parties interested in the Land given in exchange, and according to their respective Estates and Interests, and the Decision of the Commissioners in the Premises shall be binding.

Notices of such Exchanges to be given.

LXIII. Provided always, and be it enacted, That no such Order of Exchange as aforesaid shall be confirmed by the Commissioners until Notice shall have been given by Advertisement in Three successive Weeks of such proposed Exchange, and Three Calendar Months shall have elapsed from the Publication of the last of such Advertisements; and in case, before the Expiration of such Three Calendar Months, any Person entitled to any Estate in or to any Charge upon any Land included in such proposed Exchange shall give Notice in Writing to the Commissioners of his Dissent from such proposed Exchange, the Commissioners shall not confirm an Order for such Exchange unless such Dissent shall be withdrawn, or it shall be shown to the Commissioners that the Estate or Charge of the Party so dissenting shall have ceased.

Expences of Exchanges.

LXIV. And be it enacted, That if any Difference shall arise touching the said Expences in relation to any Exchange, Orders, or Inquiries as aforesaid, or the Share thereof, to be paid by any Person, it shall be lawful for the Commissioners to certify under their Hands and Seal the Amount to be paid by such Person; and in case any Person shall neglect or refuse to pay his Share so certified to be payable by him, and upon the Production of such Certificate before any Two Justices of the Peace for the County or other Jurisdiction wherein the Land shall be situate, such Justices, upon the Nonpayment thereof, are hereby required, by Warrant under their Hands and Seals, to cause the same to be levied by Distress.

Saving Rights of the Crown.

LXV. And be it enacted, That, notwithstanding any thing in this Act or in the Acts herein recited or referred to contained or implied to the contrary, it shall not be lawful for any Person or Persons to embank or reclaim from the Sea or Tidal Waters or Rivers any Shore, Mud Bank, or Slobs belonging to Her Majesty in right of the Crown, or to reclaim Waste or other Lands belonging to Her Majesty in right of Her Crown, or to construct Works on any such Lands, nor shall it be lawful for the said Commissioners to make Loans to any Person or Persons for the Purposes aforesaid, without the previous Consent of Her Majesty, Her Heirs and Successors, to be signified in Writing under the Hands of Two of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and as far as regards the Embankment or Reclamation of Lands from the Sea or Tidal Waters or Rivers, or the Construction of Works below High-water Mark, without the previous Consent also of the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral of the United Kingdom, to be signified in Writing under the Hand of the Secretary of the Admiralty for the Time being, except in those Cases wherein the Soil and Bed of the Tidal Waters and Rivers and Rights of Vice Admiralty and Conservancy have been granted by the Crown to and are now vested in any other Body.

Construction of Terms in this Act.

LXVI. And be it enacted, That in the Construction of this Act, except where the Nature of the Provision or the Context of this Act shall exclude such Construction, the Word “Land” shall extend to all

all Hereditaments corporeal or incorporeal, and any Estate or Interest therein, and any undivided Part thereof, or any Charge or Incumbrance thereon; and the Words "Person or Persons" shall extend to all Bodies Politic, Corporate, or Collegiate, and also to all Archbishops, Bishops, Parsons, and other Ecclesiastical Persons, and to any Number of Persons associated together as a Company or Partnership; and the Word "Lease" shall include an Agreement for a Lease; and the Word "Benefice" shall include any Rectory, Vicarage, Perpetual Curacy, Donation, endowed public Chapel, Parochial Chapelry, and District Chapelry, the Incumbent whereof in right thereof shall be a Corporation sole; and the Word "Owner" shall include the reputed Owner; the Expression "Chief Rent" shall include all Rents reserved upon or payable out of or in respect of the Estate or Interest of any Person being an Owner within the Meaning of this Act, or any Estate or Interest paramount thereto; and every Word importing the Singular Number only shall extend to several Persons or Things as well as to one Person or Thing; and every Word importing the Plural Number shall extend to one Person or Thing as well as to several Persons and Things; and every Word importing the Masculine Gender only shall extend to a Female as well as to a Male; the Word "Commissioners" or the Words "the said Commissioners" shall mean the Commissioners of Public Works in *Ireland* for the Time being, or any Two of them, except where otherwise expressed; the Words "Commissioners of the Treasury" shall mean the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Two of them; and the Words "Paymaster of Civil Services" shall mean the Paymaster of Civil Services in *Ireland* for the Time being.

Act may be amended, &c.

LXVII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

SCHEDULES referred to in this Act.

SCHEDULE (A.)

Form of Memorial under Vict. Cap.

To the Commissioners of Public Works in Ireland.

The Memorial of the undersigned,

Showeth,

That your Memorialist is, within the Meaning of an Act passed in the Year of the Reign of Her Majesty Queen Victoria, intituled An Act [*here set forth the Title of this Act*], Owner of the Lands mentioned in the Schedule hereunto annexed.

That your Memorialist proposes to increase the Value of the said Lands by* as mentioned in or to be inferred from the annexed Report, Plan, Estimate, and Specification, which your Memorialist prays may be respectively considered as Part of this his Memorial.

That he is desirous of obtaining a Loan for that Purpose, to be secured by a Rent-charge on the Lands mentioned in the said Schedule, under the Provisions of the above-mentioned Act.

That the present annual Value of the Lands is the Sum of Pounds, and that the Quit Rent[s] and Rent-charge[s] in lieu of Tithes now charged upon the same Lands amount together to the annual Sum of Pounds, as more particularly set forth in the said Schedule.

That the Expence of effecting such in manner aforesaid is estimated at the Sum of Pounds Sterling, as more particularly mentioned and set forth in the Estimate annexed; and that the estimated Increase in the annual Value expected to arise to the said Lands in said Schedule, the Subject of such proposed Improvements, amounts to Pounds, as set forth in the annexed Report.

And this Memorialist further states and specifies, that his Estate and Interest in the said Lands and Premises is as follows:†

And this Memorialist now applies and asks for the Advance of the Sum of Pounds by way of Loan, under the Provisions of the said Act, for defraying the Expence of the proposed Works, with such Alterations and Modifications as the Commissioners of Public Works may approve of.

Dated at this Day of 18 .

Witness of Signature of Owner.‡

* Here state the proposed Works.

† State what Estate or Interest the Memorialist has in the Lands, and the Particulars of the Title by which the Memorialist is constituted an Owner within the Meaning of the Act, having regard to the Provisions of the Act. Also state whether the whole of said Lands are held under one and the same Interests or Title, and what Extent is held thereby, and if under different Interests or Titles, how much under each.

‡ State the Occupation, Residence, and Post Town of Applicant and Witness.

SCHEDULE.

Owner.	Occupier.	Townland, with the Denomination or reputed Name or Names by which the Lands are known.	Barony or Parish, distinguishing which.	County.	Probable Quantity of Land.	Quit Rents.	Rent-charges in lieu of Tithes.

SCHE-

SCHEDULE (B.)

TABLE for calculating RENT-CHARGES to be paid off in less Time than Twenty-two Years.

Reduced Period.		Annual Rent-charge for such Period for each £6 10s. of Rent-charge.			
		£. Decimals.			£ s. d.
Annual Rent-charge, if it is to last	21 Years	6·7091	- -	In Sterling Money	6 14 2¼
	20 —	6·9398	- -	—	6 18 9½
	19 —	7·1958	- -	—	7 3 11
	18 —	7·4812	- -	—	7 9 7½
	17 —	7·8013	- -	—	7 16 0¼
	16 —	8·1626	- -	—	8 3 3
	15 —	8·5734	- -	—	8 11 5½
	14 —	9·0441	- -	—	9 0 10½
	13 —	9·5887	- -	—	9 11 9¼
	12 —	10·2256	- -	—	10 4 6¼
	11 —	10·9801	- -	—	10 19 7¼
	10 —	11·8874	- -	—	11 17 9
	9 —	12·9984	- -	—	12 19 11½
	8 —	14·3895	- -	—	14 7 9½
	7 —	16·1808	- -	—	16 3 7½
	6 —	18·5724	- -	—	18 11 5½
	5 —	21·9244	- -	—	21 18 5¾
	4 —	26·9574	- -	—	26 19 1¾
	3 —	35·3520	- -	—	35 7 0½
	2 —	52·1508	- -	—	52 3 0¼
	1 —	102·5666	- -	—	102 11 4

Note.—This Table is calculated on the Assumption that a yearly Rent-charge of £6 10s. continuing for a Term of 22 Years (but payable half-yearly) is equivalent to the Sum of £100 in ready Money.

SCHEDULE (C.)

TABLE for the REDEMPTION of RENT-CHARGES.

Term unexpired.	Redemption Money to be paid in respect of each £10 of Rent-charge.				
	£. Decimals.				£ s. d.
½ Year	4·91612	- - -	In Sterling Money		4 18 4
1 —	9·74976	- - -	—		9 15 0
1½ —	14·50232	- - -	—		14 10 0½
2 —	19·17514	- - -	—		19 3 6
2½ —	23·76957	- - -	—		23 15 4¾
3 —	28·28693	- - -	—		28 5 8¾
3½ —	32·72850	- - -	—		32 14 6¾
4 —	37·09555	- - -	—		37 1 11
4½ —	41·38935	- - -	—		41 7 9½
5 —	45·61111	- - -	—		45 12 2¾
5½ —	49·76204	- - -	—		49 15 3
6 —	53·84334	- - -	—		53 16 10½
6½ —	57·85617	- - -	—		57 17 1½
7 —	61·80168	- - -	—		61 16 0½
7½ —	65·68100	- - -	—		65 13 7½
8 —	69·49524	- - -	—		69 9 10¾
8½ —	73·24548	- - -	—		73 4 11
9 —	76·93282	- - -	—		76 18 7¾
9½ —	80·55829	- - -	—		80 11 2
10 —	84·12295	- - -	—		84 2 5½
10½ —	87·62780	- - -	—		87 12 6¾
11 —	91·07385	- - -	—		91 1 5¾
11½ —	94·46209	- - -	—		94 9 3
12 —	97·79349	- - -	—		97 15 10½

Term unexpired.	Redemption Money to be paid in respect of each £10 of Rent-charge.						
	£. Decimals.				£	s.	d.
12½ Years	101·06900	-	-	- In Sterling Money	101	1	4½
13 —	104·28956	-	-	—	104	5	9½
13½ —	107·45609	-	-	—	107	9	1½
14 —	110·56950	-	-	—	110	11	4½
14½ —	113·63067	-	-	—	113	12	7¼
15 —	116·64049	-	-	—	116	12	9¾
15½ —	119·59980	-	-	—	119	12	0
16 —	122·50948	-	-	—	122	10	2¼
16½ —	125·37035	-	-	—	125	7	5
17 —	128·18322	-	-	—	128	3	8
17½ —	130·94891	-	-	—	130	18	11¾
18 —	133·66818	-	-	—	133	13	4¼
18½ —	136·34188	-	-	—	136	6	10
19 —	138·97065	-	-	—	138	19	5
19½ —	141·55536	-	-	—	141	11	1¼
20 —	144·09673	-	-	—	144	1	11¼
20½ —	146·59544	-	-	—	146	11	11
21 —	149·05229	-	-	—	149	1	0½

Note.—This Table is calculated on the Assumption that a yearly Rent-charge of £6 10*s.* continuing for a Term of 22 Years (but payable half-yearly) is equivalent to the Sum of £100 in ready Money.

CAP. XXXIII.

An Act to amend the Laws relating to the Removal of poor Persons from *England* and *Scotland*. [21st *June* 1847.]

8 & 9 Vict. c. 117.

8 & 9 Vict. c. 83. s. 77.

'WHEREAS an Act was passed in the Ninth Year of the Reign of Her Majesty, for the Removal from *England* of poor Persons who, though born in *Scotland*, *Ireland*, or the Islands of *Man*, *Scilly*, *Jersey*, or *Guernsey*, and not settled in *England*, are chargeable to some Parish in *England*; and by another Act passed in the same Year Provision was made for the Removal from *Scotland* of poor Persons who, though born in *England*, *Ireland*, or the *Isle of Man*, and not settled in *Scotland*, receive Relief from some Parish or Combination in *Scotland*: And whereas it is expedient that certain Provisions of the said Acts should be amended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for any Guardian, Relieving Officer, or Overseer of any Parish or Union in *England* to take and convey before Two Justices of the Peace, without Summons or Warrant, every poor Person who shall become chargeable to any Parish in *England*, and who he may have Reason to believe is liable to be removed from *England* under the first-recited Act; and the Justices before whom any such Person shall be so brought shall hear and examine and proceed in the same Manner in all respects as if such Person had been brought before them under and in the Manner directed by that Act.

Guardians, &c. in England may take Persons removable therefrom under first-recited Act before Two Justices without Summons, &c.

II. And be it enacted, That it shall be lawful for any Inspector of the Poor, or other Officer appointed by the Parochial Board of any Parish or Combination in *Scotland*, to take and convey before the Sheriff or any Two Justices of the Peace of the County in which the Parish or Combination for which such Inspector or Officer acts, or any Portion thereof, is situated, without previous Complaint or Warrant in that Behalf, every poor Person who shall be in the Course of receiving Parochial Relief in any Parish or Combination in *Scotland*, and who he may have Reason to believe is liable to be removed from *Scotland* under the secondly-recited Act; and the Sheriff or Justices before whom any such Person shall be so brought shall make such Examination, and proceed in the same Manner in all respects as if such Person had been brought before him or them under and in the Manner directed by that Act.

Inspectors of the Poor, &c. in Scotland to take Persons removable therefrom under secondly-recited Act before Sheriff or Two Justices, &c.;

and to have same Power as Constables.

III. And be it enacted, That every Person who by this Act is authorized to take and convey any poor Person before any Sheriff or Justices shall, in the Execution of this Act in that Behalf, have and exercise all the Rights, Privileges, Powers, and Immunities with which a Constable is by Law invested.

Interpretation of Act.

IV. And be it enacted, That in the Construction of this Act the Singular Number or Masculine Gender shall, except when the Context excludes such Construction, be understood to include and shall be applied to several Persons, Matters, or Things, as well as to one Person, Matter, or Thing, and to Females as well as Males respectively; and that the Words "Justices of the Peace" shall be understood to include and extend to a Justice of the Peace or Magistrate of a County, County of a City, or County of a Town, or of any City or Town Corporate.

Act may be amended, &c.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP.

CAP. XXXIV.

An Act for consolidating in One Act certain Provisions usually contained in Acts for paving, draining, cleansing, lighting, and improving Towns. [21st *June* 1847.]

'WHEREAS it is expedient to comprise in One Act sundry Provisions usually contained in Acts of 'Parliament for paving, draining, cleansing, lighting, and improving Towns and populous Districts, 'and that as well for avoiding the Necessity of repeating such Provisions in each of the several Acts 'relating to such Towns or Districts as for ensuring greater Uniformity in the Provisions themselves:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall extend only to such Towns or Districts in *England* or *Ireland* as shall be comprised in any Act of Parliament hereafter to be passed which shall declare that this Act shall be incorporated therewith; and all the Clauses of this Act, save so far as they shall be expressly varied or excepted by any such Act, shall apply to the Town or District which shall be comprised in such Act, and to the Commissioners appointed for improving and regulating the same, so far as such Clauses shall be applicable thereto respectively, and shall, with the Clauses of every other Act which shall be incorporated therewith, form Part of such Act, and be construed therewith as forming One Act. Extent of Act.

And with respect to the Construction of this Act, whether incorporated in whole or in part with any other Act, and of any Act incorporated therewith, be it enacted as follows: Interpretations in this Act:

II. The Expression "the special Act" used in this Act shall be construed to mean any Act which shall be hereafter passed for the Improvement or Regulation of any Town or District, or of any Class of Towns or Districts defined or comprised therein, and with which this Act shall be incorporated; and the Word "prescribed" used in this Act in reference to any Matter herein stated shall be construed to refer to such Matter as the same shall be prescribed or provided for in the special Act, and the Sentence in which such Word shall occur shall be construed as if, instead of the Word "prescribed," the Expression "prescribed for that Purpose in the special Act" had been used; and the Expression "the Commissioners" shall mean the Commissioners, Trustees, or other Persons or Body Corporate intrusted by the special Act with Powers for executing the Purposes thereof. "the special Act:" "prescribed:" "the Commissioners."

III. The following Words and Expressions in both this and the special Act, and any Act incorporated therewith, shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) Interpretations in this and the special Act:

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number: Number:

Words importing the Masculine Gender shall include Females: Gender:

The Word "Person" shall include a Corporation, whether aggregate or sole: "Person:"

The Word "Lands" shall include Messuages, Lands, Tenements, and Hereditaments of any Tenure: "Lands:"

The Word "Street" shall extend to and include any Road, Square, Court, Alley, and Thoroughfare within the Limits of the special Act: "Street:"

The Word "Month" shall mean Calendar Month: "Month:"

The Expression "Superior Courts" shall mean Her Majesty's Superior Courts of Record at *Westminster* or *Dublin*, as the Case may require, and shall include the Court of Common Pleas of the County Palatine of *Lancaster*, and the Court of Pleas of the County of *Durham*: "Superior Courts:"

The Word "Oath" shall include Affirmation in the Case of Quakers, and any Declaration lawfully substituted for an Oath in the Case of any other Persons allowed by Law to make a Declaration instead of taking an Oath: "Oath:"

The Word "County" shall include Riding or other Division of a County having a separate Commission of the Peace, and shall also include County of a City or County of a Town: "County:"

The Word "Justice" shall mean Justice of the Peace acting for the Place where the Matter requiring the Cognizance of any such Justice arises; and where any Matter is authorized or required to be done by Two Justices, the Expression "Two Justices" shall be understood to mean Two or more Justices met and acting together: "Justice:" "Two Justices:"

The Expression "Quarter Sessions" shall mean Quarter Sessions as defined in the special Act, and if such Expression be not there defined shall mean the Court of General or Quarter Sessions of the Peace which shall be held in or at the Place nearest to the District in which the Matter arises requiring the Cognizance of any such Court, and having Jurisdiction over such District: "Quarter Sessions:"

The Word "Owner," used with reference to any Lands or Buildings in respect of which any Work is required to be done, or any Rate to be paid, under this or the special Act, shall mean the Person for the Time being entitled to receive, or who, if such Lands or Buildings were let to a Tenant at Rack Rent, would be entitled to receive, the Rack Rent from the Occupier thereof: "Owner:"

The Word "Cattle" shall include Horses, Asses, Mules, Sheep, Goats, and Swine. "Cattle."

Citing the Act.

And with respect to citing this Act, or any Part thereof, be it enacted as follows:

IV. In citing this Act in other Acts of Parliament, and in legal Instruments, it shall be enough to use the Expression "The Towns Improvement Clauses Act, 1847." Short Title of this Act.

V. For the Purpose of incorporating Part only of this Act with any Act hereafter to be passed, it shall be enough to describe the Clauses of this Act with respect to any Matter in the Words introductory to the Form in which Portions of this Act may be

Incorporated with other Acts.

tl· · Enactment with respect to such Matter, and to enact that the Clauses so described, or that this Act, with the Exception of the Clauses so described, shall be incorporated with such Act; and thereupon all the Clauses of this Act so incorporated shall, save so far as they are expressly varied or excepted by such Act, form Part of such Act, and such Act shall be construed as if such Clauses were set forth therein with reference to the Matter to which such Act relates.

Officers.

And with respect to the Officers to be appointed by the Commissioners or under any General Town Improvement Act, be it enacted as follows:

Until an Inspector is appointed under some general Act, Execution of Works may be proceeded with without his Approval.

VI. When by this or the special Act any Matter is required to be submitted to, or to be done with the Approval of, the Inspector, such Inspector shall be understood to mean an Inspector appointed under any general Act passed in this or any future Session of Parliament authorizing the Appointment of Inspectors for inspecting or superintending Works connected with paving, draining, or improving Towns or populous Districts; and until such an Officer is appointed under any such general Act, the Commissioners, unless it be otherwise provided by the special Act, may proceed in the Execution of this and the special Act without the Approval of such Officer, and as if no such Officer had been mentioned in this or the special Act.

Commissioners to appoint, subject to Approval, a Surveyor.

VII. The Commissioners shall appoint, subject to the prescribed Approval, or, where no Approval is prescribed, subject to Approval by One of Her Majesty's Principal Secretaries of State, a Person, duly qualified, to act as a local Surveyor of the Paving, Drainage, and other Works authorized under the Provisions of this and the special Act, and of any Act to be incorporated therewith, and, with the like Approval, shall fix the Salary to be paid to such Surveyor, and shall pay such Salary out of the Rates levied under this or the special Act; and if any such Surveyor die, resign, or be removed, the Commissioners shall, with the like Approval, appoint another Person, so duly qualified, in the Room of the Surveyor so dying, resigning, or removed; and the Commissioners, with the like Approval, may remove any such Surveyor.

Surveyor, before entering upon Office, to make the following Declaration.

VIII. Every such Surveyor upon his Appointment, and before he enters upon the Duties of his Office, shall make and subscribe before the Chairman of the Commissioners a Declaration to the Effect following; (that is to say,)

'I *A.B.*, the Surveyor of the Town [*or* District] of [*here name the Town or District*] under the [*here name the special Act*], do declare, That I will diligently, faithfully, and impartially perform the Duties of my Office, and to the utmost of my Power, Skill, and Ability endeavour to cause the several Provisions of the said Act, and of the Towns Improvement Clauses Act, 1847, to be strictly observed, and that without Favour or Affection, Prejudice or Malice, to any Person whomsoever.'

Commissioners shall appoint an Inspector of Nuisances.

IX. The Commissioners shall appoint some Person, by the Title of "Inspector of Nuisances," to superintend and enforce the due Execution of all Duties to be performed by the Scavengers appointed under this or the special Act, and to report to the Commissioners any Breach of the Provisions of this or the special Act, or of any Act incorporated therewith, or of the Bye Laws, Rules, and Regulations of the Commissioners, and the Existence of any Nuisances within the Limits of the special Act; and the Commissioners shall duly publish the Name of any Inspector of Nuisances appointed by them, and shall require him to provide and keep a Book in which shall be entered all reasonable Complaints made by any Householder of the District within the Limits of the special Act of any Breach of the Provisions of this or the special Act, or of any Act incorporated therewith, or of the Bye Laws, Rules, and Regulations made by the Commissioners for the Preservation of due Order and Cleanliness or for the Suppression of Nuisances; and the Inspector of Nuisances shall forthwith inquire into the Truth of such Complaints, and report upon the same to the Commissioners at their next Meeting; and such Report and the Order of the Commissioners thereon shall be entered in the said Book, which shall be kept at the Office of the Commissioners, and shall be open at all reasonable Times to the Inspection of any Inhabitant of the said District or other Person interested; and it shall be the Duty of such Inspector of Nuisances, subject to the Direction of the Commissioners, to make Complaints before Justices, and take legal Proceedings for the Punishment of any Person who has committed any Offence under this or the special Act, or under any Bye Laws made by virtue thereof.

Surveyor and Inspector may be same Person.

X. The Commissioners may, if they think fit, appoint the same Person to be both Surveyor and Inspector of Nuisances.

Offices for Surveyor and Inspector to be provided.

XI. The Commissioners shall provide Offices for the Use of the said Surveyor and Inspector in some convenient Place within the Limits of the special Act, either in connexion with their own Office or otherwise, as may be most convenient, and shall cause due Notice thereof to be given twice at the least in some Newspaper circulating within the said Limits.

Power to appoint, subject to Approval, an Officer of Health.

XII. The Commissioners may, if they think fit, appoint, subject to the prescribed Approval, or, where no Approval is prescribed, subject to the Approval of One of Her Majesty's Principal Secretaries of State, a Person of competent Skill and Experience, who shall be styled "The Officer of Health," whose Duty it shall be to ascertain the Existence of Diseases within the Limits of the special Act, especially Epidemics and contagious Diseases, and to point out any Nuisances or other local Causes likely to cause and continue such Diseases, or otherwise injure the Health of the Inhabitants, and to point out the best Means for checking or preventing the Spread of such Diseases within the Limits aforesaid, and also the best Means for the Ventilation of Churches, Chapels, Schools, registered Lodging Houses, and other public Buildings within the Limits aforesaid, and from Time to Time as required by the Commissioners to report to them upon the Matters aforesaid, and to perform any other Duties of a like Nature which may

may be required of him; and the Commissioners, with the same Approval which is necessary for the Appointment of the Officer of Health, shall fix the Salary to be paid to such Officer, and shall pay such Salary out of the Rates to be levied under this or the special Act; and the Commissioners, with the like Approval, may discontinue such Office, or remove any such Officer of Health. *Officers.*

And with respect to Plans of the District within the Limits of the special Act, and of the Works to be executed under the Powers of this and the special Act, be it enacted as follows: *Surveys and Plans.*

XIII. The Commissioners shall, as soon as conveniently may be after the passing of the special Act, procure or cause to be made a Survey and Map of the District within the Limits of the special Act on a Scale of not less than Sixty Inches to a Mile, and shall cause to be marked thereon the Course of all the existing Sewers and Drains belonging to them or under their Care or Management, and, as far as can be ascertained, the Lines of Pipes or Conduits for the Collection and Distribution of Water, the Course of the Pipes for the Distribution of Gas, and such other Works, with such other Particulars as may be necessary in order to show the under-ground Works within the said District, and shall cause the said Map to be from Time to Time corrected, and such Additions to be made thereto as may show the Sewers and Drains for the Time being belonging to the Commissioners, and such other Pipes and under-ground Works as aforesaid; and such Map and Plan, or a Copy thereof, with the Date expressed thereon of the last Time when it was so corrected, shall be kept in the Office of the Commissioners, and shall be open at all seasonable Hours to the Inspection of the Owners or Occupiers of any Lands within such District. Commissioners to cause a Map of the District within the Limits of the special Act to be made, and to be open to Inspection.

XIV. The principal Officers of Her Majesty's Ordnance may, if they think fit, on the Application of the Commissioners, and at their Expence, furnish for the Use of the said Commissioners One or more Copies of any Map of such District, or any Part thereof, which shall have been made under the Direction of the said Ordnance Officers, or may cause a Survey to be made of the said District on a Scale of not less than Sixty Inches to the Mile by surveying Officers appointed by them for such Remuneration as shall previously be agreed upon between the said principal Officers and the Commissioners. Ordnance may furnish Commissioners with Maps, or cause Surveys to be made.

XV. The Commissioners shall cause to be marked on the Map so procured or caused to be made by them a Series of Marks and Figures at convenient Distances on the said Map, denoting the Height of the Ground at every such Mark above or below the Level of a particular Spot within the Limits of the special Act, which may be easily found and identified, the Position of which Spot shall be described on the Map, and shall also cause to be drawn, wherever practicable, Lines of equal Altitude at every Four Feet of Elevation, or at such other Intervals as may appear, upon due Inquiry, to be the best adapted for the Guidance of Works of Sewerage and Drainage, for the Collection and Distribution of Water, and for other Purposes within such District for which a Knowledge of the Levels of the District may be necessary, and shall also cause proper Bench Marks for denoting the Levels to be inscribed and marked at convenient Distances and Places, at the Corners of Streets, on Posts, Houses, or other prominent Objects within such District. Level Lines to be marked on Map, and Bench Marks to be made for denoting the same.

XVI. The Commissioners may cause every such Plan to be copied, engraved, or printed and coloured in such Manner as appears to them most convenient, and may defray the Costs of any Surveys and Maps made under their Direction, and any Costs incurred by them in regard to any such Ordnance Map, out of the Rates authorized to be levied under this and the special Act. Commissioners may cause Maps to be engraved, &c.

XVII. The Commissioners shall cause their Surveyor to prepare Plans of any new Works, and Additions to or Alterations of existing Works, that may be required for the effectual Drainage of the Houses and Streets within such District, including Provision for properly trapped Drains or Channels for the Removal of all waste Water and Refuse from the Houses and from the Surface of the Streets, and also to draw on such Plans the Lines that appear to him most advantageous for Main Sewers, and the best Outfalls for clearing the whole District of Surface Moisture, and effecting the Drainage of the Sub-soil, and to point out the most appropriate Means and Sites for the Collection and Sale of Filth and Refuse for agricultural or other Purposes, and also to set forth any other Matters which may assist the Commissioners in carrying into execution in an economical and effective Manner the several Works required to be carried into execution under the Provisions of this and the special Act, or which appear to be necessary for the Health and Convenience of the Inhabitants of such District. Commissioners to cause Plans to be prepared of Alterations of new Works or Alterations of existing Works.

XVIII. Before giving Notice of their Intention to construct any Work of which by this or the special Act they are required to give Notice, the Commissioners shall cause Plans of the intended Work to be made, under the Direction of their Surveyor, on a Scale not less for a horizontal Plan than One Inch to Eighty-eight Feet, and for a vertical Section not less than One Inch to Two Feet, and, in the Case of a Sewer, showing the Depth of such Sewer below the Surface of the Ground; and such Plans shall be deposited in the Office of the Commissioners, or some other convenient Place appointed for that Purpose, and shall be open at all reasonable Hours for the Inspection of all Persons interested therein during the Time for which such Notice is required to be given. Before giving Notice of Construction of Works, Plans to be prepared and deposited in the Office of the Commissioners.

And with respect to taking Lands, and the Compensation to be made by the Commissioners for Damage done by them in execution of the Powers of this and the special Act, be it enacted as follows: *Lands.*

XIX. Where by this or the special Act the Commissioners shall be empowered to take or use for the Purposes thereof any Lands otherwise than with the Consent of the Owners and Occupiers thereof, they shall, in exercising the Powers so given, be subject to the Provisions and Restrictions contained in this Act and in the Lands Clauses Consolidation Act, 1845; and the Commissioners shall make to the Owners The taking of Lands to be subject to the Provisions of this Act and

the Lands Clauses Consolidation Act. 1845.

Owners and Occupiers of and all other Parties interested in any such Lands taken or used for the Purposes of this or the special Act full Compensation for the Value of the Lands so taken or used, and for all Damage sustained by such Owners, Occupiers, and other Parties by reason of the Exercise, as regards such Lands, of the Powers vested in the Commissioners by this or the special Act, or any Act incorporated therewith; and, except where otherwise provided by this or the special Act, the Amount of such Compensation shall be determined in the Manner provided by the said Lands Clauses Consolidation Act for determining Questions of Compensation with regard to Lands purchased or taken under the Provisions thereof; and all the Provisions of the last-mentioned Act shall be applicable to determine the Amount of any such Compensation, and to enforce the Payment or other Satisfaction thereof.

Errors and Omissions in Plans, &c. may be corrected by Justices, who shall certify the same.

Certificate to be deposited.

XX. If any Omission, Mis-statement, or wrong Description shall have been made of any Lands, or of the Owners, Lessees, or Occupiers of any Lands, mentioned in any Schedule to the special Act, the Commissioners, after giving Ten Days Notice to the Owners, Lessees, and Occupiers of the Lands affected by such proposed Correction, may apply to Two Justices for the Correction thereof; and if it appear to such Justices that such Omission, Mis-statement, or wrong Description arose from Mistake, they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, Mis-statement, or wrong Description; and such Certificate, with the other Documents to which it relates, shall be deposited with the Clerk of the Peace of the County in which the Lands affected thereby are situated, and such Certificate shall be kept by such Clerk of the Peace with the other Documents to which it relates, and thereupon such Schedule shall be deemed to be corrected according to such Certificate; and the Commissioners may take any Lands in accordance with such Certificate as if such Omission, Mis-statement, or wrong Description had not been made.

Commissioners to make Compensation for Damage done.

If Parties cannot agree as to Compensation, the same to be determined in manner provided by 7 & 8 Vict. c. 18.

XXI. The Commissioners shall make good all Damage to any Buildings or Land by reason of altering the Level of any Street, or otherwise carrying into execution any of the Powers of this or the special Act, or of any Act incorporated therewith, and shall pay to the Owners, Lessees, and Occupiers of any such Buildings or Lands respectively such Amount of Compensation for such Injury as shall be agreed upon between such Owners, Lessees, and Occupiers and the Commissioners; and if such Owners, Lessees, and Occupiers and the Commissioners cannot agree as to the Amount of such Compensation, and the Proportions thereof to be paid to such Owners, Lessees, and Occupiers respectively, then the Amount of such Compensation, and also the Proportions which the Persons claiming the same are entitled to, shall be determined in the Manner provided by the Lands Clauses Consolidation Act, 1845, for determining Questions of Compensation with regard to Lands purchased or taken under the Provisions thereof; and all the Provisions of the last-mentioned Act shall be applicable to determine the Amount of any such Compensation, and to enforce Payment or other Satisfaction thereof.

Sewers.

And with respect to making and maintaining the public Sewers, be it enacted as follows:

Management of Sewers and other Works vested in the Commissioners.

XXII. All public Sewers and Drains within the Limits of the special Act, and all Sewers and Drains in and under the Streets, with all the Works and Materials thereunto belonging, whether made at the Time of the passing of the special Act, or at any Time thereafter, and whether made at the Cost of the Commissioners or otherwise, and the entire Management of the same, shall vest in and belong to the Commissioners.

Drainage Districts to be formed, subject to Approval of Inspector.

XXIII. The Commissioners shall from Time to Time, subject to the Approval of the Inspector, divide the whole Town or District within the Limits of the special Act, if and as Occasion shall require, into separate Drainage Districts, having regard in such Division to the Nature of the Ground, to the Main Lines of Sewers by which such separate Drainage Districts are or shall be drained, and to the equal Benefit as far as may be of all the Lands and Buildings to be comprised in any such Drainage District, and shall cause their Surveyor to define and describe the several Drainage Districts on a Plan of the Town or District within the Limits of the special Act to be made as aforesaid.

Power to Commissioners to construct Sewers where none exist, making Compensation to Owners of Property.

XXIV. The Commissioners shall from Time to Time, subject to the Restrictions herein contained as to the Notice to be given, and the Plans and Estimates to be prepared, cause to be made under the Streets such Main and other Sewers as shall be necessary for the effectual draining of the Town or District within the Limits of the special Act, and also all such Reservoirs, Sluices, Engines, and other Works as shall be necessary for cleansing such Sewers, and, if needful, they may carry such Sewers through and across all underground Cellars and Vaults under any of the Streets, doing as little Damage as may be, and making full Compensation for any Damage done; and if for completing any of the aforesaid Works it be found necessary to carry them into or through any inclosed or other Lands, the Commissioners may carry the same into or through such Lands accordingly, making full Compensation to the Owners and Occupiers thereof, and they may also cause such Sewers to communicate with and empty themselves into the Sea or any public River, or they may cause the Refuse from such Sewers to be conveyed by a proper Channel to the most convenient Site for its Collection and Sale for agricultural or other Purposes, as may be deemed most expedient, but so that the same shall in no Case become a Nuisance.

Commissioners may alter Sewers from Time to Time.

XXV. The Commissioners may from Time to Time, as they see fit, enlarge, alter, arch over, and otherwise improve all or any of the Sewers vested in them, and if any of such Sewers at any Time appear to them to have become useless, the Commissioners, if they think fit to do so, may demolish and discontinue such Sewer, provided that it be so done as not to create a Nuisance.

Commissioners not to destroy existing Sewers, &c. without

XXVI. If any Person, by means of any Enlargement, Alteration, or Discontinuance of any Sewer or other Proceeding of the Commissioners, be deprived of the Use of any Sewer or Drain which such Person was theretofore lawfully entitled to use, the Commissioners shall provide some other Sewer or Drain

Drain equally effectual for such Purpose; and if the Commissioners refuse or do not within Seven Days next after Notice in Writing served upon them begin and thereupon diligently proceed to restore to its former effective State such Drain or Sewer, the Use whereof has been affected by the Acts of the Commissioners, or to provide such other Sewer or Drain as aforesaid, they shall forfeit to the Person aggrieved any Sum not exceeding Forty Shillings for every Day after the Expiration of such Seven Days during which he is deprived of the Use of the Drain or Sewer to which he was so entitled, and is not provided with such other Drain or Sewer as aforesaid.

providing others.

Penalty for Neglect.

XXVII. Before entering into any Contract for executing any such Work as aforesaid the Commissioners shall procure from their Surveyor an Estimate of the probable Expence of constructing the same in a substantial Manner, and of the yearly Expence of maintaining the same in repair, and each Surveyor shall accompany such Estimate with a Report as to the most advantageous Mode of constructing such Work, whether under a Contract for constructing the same merely, or a Contract for constructing the same and maintaining it in repair during a given Term of Years; and the Commissioners shall submit the Plan and Estimate of every such Work, together with the Report of their Surveyor, to the Inspector, who shall make in Writing such Observations or Suggestions thereupon as may seem to him to be expedient; and if the Commissioners do not regard or do not act in conformity with such Observations or Suggestions, they shall enter upon the Minutes of their Proceedings their Reasons for not so doing.

Commissioners to cause Estimates to be prepared and submitted to the Inspector.

XXVIII. The Expence of making any new Sewer shall be defrayed as herein-after provided by special Sewer Rates to be levied on the Occupiers of all Lands and Buildings within the Drainage District in which such Sewer is situated: Provided always, that where in the Judgment of the Commissioners, and by Allowance of the Inspector, any Lands or Buildings were sufficiently drained before the making of such new Sewer, the Occupiers thereof shall be entitled to have such Deduction made from the special Sewer Rates to which they would otherwise be liable in respect of the making of such new Sewer, and for such Time as the Commissioners, with the Approval of the Inspector, shall deem to be just, having regard to the Cost of making such new Sewer, and to the Value and Efficiency of such old Sewer; and whenever any old Sewer is enlarged, or open Sewer closed, the Expence of such Enlargement, or of closing such open Sewer, shall be defrayed in like Manner as if it had been incurred in making a new Sewer.

As to Expence of new Sewers.

Where Lands, &c. were sufficiently drained before making new Sewer, Occupier to have a Reduction made in his Rates.

XXIX. The Expence of maintaining and cleaning all Sewers vested in the Commissioners, and all other Expences connected with such Sewers not herein-before provided for, or which may not be fully defrayed by the special Sewer Rates, shall be defrayed by general Sewer Rates to be levied as herein-after provided on the Occupiers of all Lands and Buildings within the Drainage District in which such Sewers are severally situated.

As to the Expence of maintaining Sewers, &c.

XXX. Every Person, not being employed for that Purpose by the Commissioners, who shall make any Drain into any of the Sewers or Drains so vested in the Commissioners, shall forfeit to the Commissioners a Sum not exceeding Five Pounds, and the Commissioners may cause such Branch Drain to be re-made as they think fit, and all the Expence incurred thereby shall be paid by the Person making such Branch Drain, and shall be recoverable by the Commissioners as Damages.

Penalty for making unauthorized Drains.

XXXI. No Building shall be erected over any Sewer belonging to the Commissioners, and no Vault, Arch, or Cellar shall be made under the Carriageway of any Street, without the Consent of the Commissioners first obtained in Writing, and all such Vaults, Arches, and Cellars shall be substantially made, and so as not to interfere or communicate with any Sewers belonging to the Commissioners; and if after the passing of the special Act any Building be erected, or any Vault, Arch, or Cellar be made, contrary to the Provisions herein contained, the Commissioners may demolish or fill up the same, and the Expences incurred thereby shall be paid by the Person erecting such Building, or making such Vault, Arch, or Cellar, and shall be recoverable as Damages.

Vaults and Cellars under Streets not to be made without the Consent of the Commissioners.

XXXII. The Commissioners may stop any Street, and prevent all Persons from passing along and using the same, for a reasonable Time during the Construction, Alteration, Repair, or Demolition of any Sewer or Drain in or under such Street.

Streets may be stopped for Repairs.

XXXIII. All Sewers and Drains within the Limits of the special Act, whether public or private, shall be provided by the Commissioners or other Persons to whom they severally belong with proper Traps or other Coverings or Means of Ventilation so as to prevent Stench.

All Sewers, &c. to be covered with Traps.

XXXIV. Any Person, being the Owner or Occupier of any Lands beyond the Limits of the special Act, and in respect of which he would not be liable to the Payment of the Rates authorized to be levied under this and the special Act, may, with the Consent of the Commissioners first obtained in Writing, upon Payment to them of a reasonable Sum of Money to be agreed upon between them, at his own Expence, and under the Superintendence of the Surveyor of the Commissioners, cause to branch into and to communicate with any of the Sewers belonging to the Commissioners any Sewer or Drain in respect of the said Property which may be lawfully made therefrom of such Size and in such Manner and Form of Communication as the Commissioners approve of: Provided always, that nothing in this or the special Act contained shall affect any Right theretofore acquired by such Owner or Occupier to use any of the Sewers or Drains belonging to the Commissioners under the Provisions of this or the special Act.

Sewers may be used by Owners and Occupiers of Land beyond Limits of Town or District.

And with respect to the Drainage of Houses, be it enacted as follows:

House Drains.

XXXV. If any House or Building within the Limits of the special Act be at any Time not drained by a sufficient Drain or Pipe communicating with some Sewer, or with the Sea or some public River, to the

Commissioners empowered to construct Drains

from House, charging Owner, &c. with the Expence.

the Satisfaction of the Commissioners, and if there shall be such Means of Drainage within One hundred Feet of any Part of such House or Building, the Commissioners shall construct or lay from such House or Building a covered Drain or Pipe of such Materials, of such Size, at such Level, and with such Fall, as they think necessary for the Drainage of such House or Buildings, its Areas, Waterclosets, Privies, and Offices; provided that the Cost of executing such Work shall not, without the written Consent of the Owner, exceed One Year's Rack Rent of such House or Building; and the Expences incurred by the Commissioners in respect thereof, if not forthwith paid by the Owner or Occupier, shall be defrayed by the Drainage Rates herein-after mentioned.

No House to be hereafter built without Drains being constructed.

XXXVI. No House or Building within the Limits of the special Act shall be built upon a lower Level than will allow of the Drainage of the Wash and Refuse of such House or Building into some Sewer belonging to the Commissioners either then existing or marked out upon the Map herein-before directed to be made by them, or into the Sea, or some public River into which the Commissioners are empowered to empty their Sewers; and if there be such Means of Drainage existing within One hundred Feet of such intended House or Building, the Commissioners shall cause a Drain leading thereunto from the intended Site of such House to be made of such Materials, of such Size, at such Level, and with such Fall, as they think fit, or if there be no such Means of Drainage within One hundred Feet of any Part of the said intended Site of such House or Building, then such Drain shall be made so as to lead into such covered Cesspool or other Place as the Commissioners direct, not being under any Dwelling House, and constructed to the Satisfaction of the Commissioners, so as effectually to prevent the Escape of the Contents thereof, until such Sewer as aforesaid is made by the Commissioners, when they shall make a Drain to communicate with such new-made Sewer, and shall demolish and fill up any such Cesspool.

Where Houses are rebuilt, the Level shall be sufficient to allow a Drain to be constructed.

XXXVII. Whenever any House is rebuilt within the Limits of the special Act, the Level of the Cellar or other lowest Floor of such House shall be raised sufficiently to allow of the Construction of such a Drain as is herein-before provided in the Case of Houses to be built after the passing of the special Act; and whenever any House is taken down as low as the Floor of the First Story for the Purpose of being built up again, such Building shall be deemed a Rebuilding within the Meaning of this Act.

Notice of Buildings and Rebuildings to be given to the Commissioners.

XXXVIII. Before beginning to build any new House, or to rebuild any existing House, within the Limits of the special Act, the Person intending to build or rebuild such House shall give to the Commissioners Notice thereof in Writing, and shall accompany such Notice with a Plan showing the Level at which the Foundation of such House is proposed to be laid by reference to some Level ascertained under the Direction of the Commissioners.

Commissioners may signify Disapproval within Fourteen Days.

XXXIX. Within Fourteen Days after receiving such Notice the Commissioners may signify their Disapproval of the Level at which it is proposed to lay the Foundation of any such House, and in case of such Disapproval may within the said Fourteen Days fix the Level at which the same is to be laid, subject to such Right of Appeal as is herein-after mentioned.

Houses built without Notice, or contrary to Provisions of this or the special Act, may be altered.

XL. In default of sending such Notice and Plan, or if such Building be begun or made at any Level different from that fixed by the Commissioners within the said Fourteen Days, or determined on Appeal as after mentioned, or in any other respect contrary to the Provisions of this or the special Act, the Commissioners may, if necessary, cause such Building to be altered or demolished, as the Case requires, and the Expence incurred by the Commissioners in respect thereof shall be repaid to them by the Person failing to comply with the Provision aforesaid, and shall be recoverable as Damages.

If Commissioners fail to approve, &c. within Fourteen Days, Parties may proceed without.

XLI. Provided always, That if the Commissioners fail to signify in Writing their Approval or Disapproval of the Level shown on such Plan as aforesaid within Fourteen Days after receiving such Notice and Plan as aforesaid, the Person giving such Notice may, notwithstanding any thing herein-before contained, proceed to build or rebuild the House therein referred to, according to the Level shown on such Plan, provided that such Building or Rebuilding be otherwise in accordance with the Provisions of this and the special Act.

Commissioners may require Owners of Houses to provide Privies and Ashpits for the same.

XLII. The Commissioners shall require the Owner of every House within the said Limits to which no sufficient Privy and Ashpit, with proper Door and Coverings, is attached, to provide, where it appears to them that there is Room enough for the Purpose, such Privy and Ashpit in such Situation, not disturbing any Building then already erected, as the Commissioners deem necessary for the Use of the Inmates and Occupiers thereof; and every such Privy and Ashpit shall be constructed to the Satisfaction of the Commissioners, so as effectually to prevent the Escape of the Contents thereof: Provided always, that where a Privy and Ashpit is used in common by the Inmates and Occupiers of Two or more such Houses, the Commissioners may, if they think fit, dispense with the Provision of a Privy and Ashpit for each such House.

Penalty for neglecting to provide Privy, &c.

XLIII. The Owner of any such House shall provide the same with a Privy, with such Door and Covering to the same, and with such Ashpit as aforesaid, to the Satisfaction of the Commissioners, within One Month next after Notice in Writing for that Purpose given by the Commissioners to him or to the Occupier of such House, and in default thereof the Commissioners shall cause such Privy and Ashpit to be provided, so nevertheless that the Cost of executing such Work shall not, without the written Consent of the Owner, exceed One Year's Rack Rent of such House or Building; and the Expence incurred thereby shall be defrayed by the Drainage Rates herein-after mentioned.

Drains, Privies, and Cesspools to be kept in good Order by Owners.

XLIV. All Branch Drains as well within as without the Lands or Buildings to which they belong, and all Privies, Ashpits, and Cesspools within the Limits of the special Act, shall be under the Survey and Control of the Commissioners, and shall be altered, repaired, and kept in proper Order at the Costs and Charges of the Owners of the Lands and Buildings to which the same belong, or for the Use of which

which they are constructed or continued; and if the Owner and Occupier of any Land or Buildings to which any such Drain, Privy, Ashpit, or Cesspool belongs neglect, during Fourteen Days after Notice in Writing for that Purpose, to alter, repair, and to put the same into good Order in the Manner required by the Commissioners, the Commissioners may cause such Drain, Privy, Ashpit, or Cesspool to be altered, repaired, covered, and put in good Order; and the Expence incurred by the Commissioners in respect thereof shall be repaid to them by the Owners by whom the same ought to have been done, and shall be recoverable as Damages.

If Owners neglect, Commissioners may cause the same to be done, and charge the Owners with the Expence.

XLV. The Surveyor of the Commissioners may inspect any Drain, Privy, Ashpit, or Cesspool within the Limits of the special Act, and for that Purpose, at all reasonable Times in the Daytime, after Twenty-four Hours Notice in Writing to the Occupier of the Premises to which such Drain, Privy, Ashpit, or Cesspool is attached, may enter upon any Lands and Buildings, with such Assistants and Workmen as are necessary, and cause the Ground to be opened where he thinks fit, doing as little Damage as may be; and if such Drain, Privy, Ashpit, or Cesspool be found to be in proper Order and Condition, he shall cause the Ground to be closed and made good as soon as may be; and the Expences of opening, closing, and making good such Drain, Privy, Ashpit, or Cesspool shall in that Case be defrayed by the Commissioners.

As to the Inspection of Drains, Privies, and Cesspools.

XLVI. If any such Drain, Privy, or Cesspool be on Inspection found to have been constructed, after the passing of the special Act, contrary to the Directions and Regulations of the Commissioners, or contrary to the Provisions of this or the special Act, or if any Person, without the Consent of the Commissioners, construct, rebuild, or unstop any Drain, Privy, or Cesspool which has been ordered by them to be demolished or stopped up or not to be made, every Person so doing shall be liable to a Penalty not exceeding Five Pounds; and the Commissioners may cause such Amendment or Alteration to be made in any such Drain, Privy, or Cesspool as they think fit; and the Expence attending any such Amendment or Alteration shall be paid by the Person by whom such Sewer was improperly constructed, rebuilt, or altered, and shall be recoverable from him as Damages.

Penalty on Persons making or altering Drains, &c. contrary to the Orders of the Commissioners.

Paving.

And with respect to paving and maintaining the Streets, be it enacted as follows:

XLVII. The Management of all the Streets which at the passing of the special Act are or which thereafter become public Highways, and the Pavements and other Materials, as well in the Footways as Carriageways, of such Streets, and all Buildings, Materials, Implements, and other Things provided for the Purposes of the said Highways, by the Surveyors of Highways or by the Commissioners, shall belong to the Commissioners.

Management of Streets vested in the Commissioners.

XLVIII. The Commissioners, and none other, shall be the Surveyors of all Highways within the Limits of the special Act, and within those Limits shall have all such Powers and Authorities, and be subject to all such Liabilities, as any Surveyors of Highways are invested with or subject to by virtue of the Laws for the Time being in force; and the Inhabitants of the District within the said Limits shall not, in respect of any Lands situate within the said District, be liable to the Payment of any Highway Rate, Grand Jury Cess, or other Payment in respect of making and repairing Roads within the other Parts of the Parish, Township, Barony, or Place in which the said District or any Part thereof is situate.

Commissioners to be Surveyors of Highways.

XLIX. The Commissioners shall be deemed guilty of a Misdemeanor for refusing or neglecting to repair any public Highway within the Limits of the special Act, and shall be liable to be indicted for such Misdemeanor in the same Manner as the Inhabitants thereof, or of any Parish, Township, or other District therein, were liable before the passing of the special Act.

Commissioners liable to Indictment for Want of Repairs.

L. The Trustees of any Turnpike Road shall not collect any Toll on any Road within the Limits of the special Act, or lay out any Money thereon.

Road Trustees not to collect Tolls.

LI. The Commissioners may from Time to Time cause all or any of the Streets under their Management, or any Part thereof respectively, to be paved, flagged, or otherwise made good, and the Ground or Soil thereof to be raised, lowered, or altered, in such Manner and with such Materials as they think fit; and they may also pave or make, with such Materials as they think fit, any Footways for the Use of Passengers in any such Street, and cause such Streets and Footways to be repaired from Time to Time.

Power for the Commissioners to pave public Streets.

LII. The Commissioners shall from Time to Time place such Fences and Posts on the Side of the Footways of the Streets under their Management as may be needed for the Protection of Passengers on such Footways, and they may place Posts in the Carriageways of such Streets, so as to make the crossing thereof less dangerous for Foot Passengers; and they shall from Time to Time repair any such Fences or Posts, or remove the same, or any Obstructions to any such Carriageway or Footway, as they think fit.

Commissioners may place Fences to Footways.

LIII. If any Street, although a public Highway at the passing of the special Act, have not theretofore been well and sufficiently paved and flagged or otherwise made good, the Commissioners may cause such Street, or the Parts thereof not so paved and flagged or otherwise made good, to be paved and flagged or otherwise made good, in such Manner as they think fit, and the Expences incurred by the Commissioners in respect thereof shall be repaid to them by the Occupiers of the Lands abutting on such Street, or such Parts thereof as have not been theretofore well and sufficiently paved and flagged or otherwise made good, and such Expences shall be recoverable from such Occupiers respectively as herein-after provided with respect to private Improvement Expences, and thereafter such Street shall be repaired by the Commissioners out of the Rates levied under this or the special Act.

Where public Streets have not heretofore been paved, Commissioners may cause them to be paved, at the Expence of the Occupiers of adjoining Lands.

Future Streets may be declared Highways.

LIV. If any Street, not being a public Highway at the passing of the special Act, be then or thereafter paved, flagged, or otherwise made good, to the Satisfaction of the Commissioners, then, on the Application of the greater Part in Value of the Occupiers of the Houses and Lands in such Street, the Commissioners shall, by Writing, under their Common Seal if they be incorporated, or, if they be not incorporated, then under the Hands of Five of the Commissioners, declare the same to be a public Highway, and thereupon the said Street shall become a public Highway, and shall be thereafter repaired by the Commissioners out of the Rates levied under this and the special Act; and such Declaration shall be entered among the Proceedings of the Commissioners, and Notice of such Declaration shall be put up in some conspicuous Place in or near such Street.

Commissioners, upon Completion of Two Thirds of any Street, may, upon Application, require remaining One Third to be completed by Owners of Houses.

LV. If any Street, not being a public Highway at the passing of the special Act, be thereafter to the Extent of Two Third Parts thereof paved and flagged or otherwise made good to the Satisfaction of the Commissioners, then, on the Application of the Owners of the Lands abutting on such Parts of the said Street as have been so made good, the Commissioners may require the Owners of the Buildings or Lands abutting on the Remainder of the said Street to pave and flag or otherwise make good to the Satisfaction of the Commissioners such Remainder of the said Street, or such Parts thereof as front such last-mentioned Buildings and Lands, within a reasonable Time, to be fixed by the Commissioners; and if such Remainder of the said Street, or any such Part thereof as aforesaid, be not made good as aforesaid within the Time so fixed, the Commissioners may cause the Part not so made good to be made good, and the Expences which shall be incurred by the Commissioners in respect thereof shall be repaid to them by the Owners by whom such Paving ought to have been done respectively; and such Expences, if not forthwith repaid by such Owners, shall be recoverable from the Occupiers of such Buildings and Lands as herein-after provided with respect to private Improvement Expences; and when the whole of the said Street is paved and made good to the Satisfaction of the Commissioners, they shall, by Writing, under their Common Seal if they be incorporated, or, if they be not incorporated, then under the Hands of Five of the Commissioners, declare the same to be a public Highway, and thereupon the said Street shall become a public Highway, and shall for ever afterwards be repaired by the Commissioners, and such Declaration shall be entered among the Proceedings of the Commissioners.

Penalty on Persons altering Pavements without the Consent of the Commissioners.

LVI. Every Person who wilfully displaces, takes up, or makes any Alteration in the Pavement, Flags, or other Materials of any Street under the Management of the Commissioners, without their Consent in Writing, or without other lawful Authority, shall be liable to a Penalty not exceeding Five Pounds, and also a further Sum not exceeding Five Shillings for every Square Foot of the Pavement, Flags, or other Materials of the Street exceeding One Square Foot so displaced, taken up, or altered.

New Streets.

And with respect to laying out new Streets, be it enacted as follows:

Notice of new Streets to be given.

LVII. Every Person who intends to make or lay out any new Street shall give Notice thereof to the Commissioners, in order that the Level of such Street may be fixed by the Commissioners.

Levels fixed by Surveyor to Commissioners.

LVIII. The Level of every new Street shall be fixed under the Direction of the Surveyor of the Commissioners, subject to such Right of Appeal as hereafter mentioned; and the Level so fixed, if not altered on Appeal, shall be kept thereafter by every Person raising any House or other Building in such Street.

If the Commissioners fail to fix the Level, the Party may proceed without.

LIX. If the Commissioners do not fix such Level within Six Weeks from the Time of the Delivery of such Notice as aforesaid, unless the fixing of such Level be delayed by the Appeal herein-after provided, the Person giving such Notice may proceed to lay out the Street at any Level which will allow of Compliance with the other Provisions of this and the special Act, as if such Level had been fixed by the Commissioners; and in such Case every Change of the Level which the Commissioners afterwards deem requisite, and the Works consequent thereon, shall be made by the Commissioners, and the Expence thereof, and any Damage which any Person sustains in consequence of such Alteration, shall be defrayed by them.

Persons laying out Streets without Notice to be liable to the Expences of subsequent Alterations.

LX. Every Person who makes or lays out any such new Street as aforesaid, without causing such Notice to be given to the Commissioners as aforesaid, shall be liable to defray all the Expences consequent upon any Change of the Level of the said Street deemed requisite by the Commissioners; and every Person who in building any House or other Building in such Street does not keep the Level fixed by the Commissioners shall be liable to defray all the Expences consequent upon any Change of the Level of that Part of the Street on which such House or Building abuts which the Commissioners deem requisite.

Situation of Gas and Water Pipes to be altered at the Expence of the Commissioners.

LXI. For the Purposes of this or the special Act, if the Commissioners deem it necessary to raise, sink, or otherwise alter the Situation of any Water Pipe or Gas Pipe, or other Waterworks or Gasworks laid in any of the Streets, they may from Time to Time, by Notice in Writing, require the Person to whom any such Pipes or Works belong to cause forthwith, as soon as conveniently may be, any such Pipes or Works to be raised, sunk, or otherwise altered in Position in such Manner as the Commissioners direct; provided that such Alteration be not such as permanently to injure such Works, or to prevent the Water or Gas from flowing as freely and conveniently as before; and the Expences attending such raising, sinking, or altering, and full Compensation for every Damage done thereby, shall be paid by the Commissioners, as well to the Persons to whom such Pipes or Works belong as to all other Persons.

If Companies neglect to make Alterations, the Commissioners may cause the same to be done.

LXII. If the Person to whom any such Pipes or Works belong do not proceed forthwith, or as soon as conveniently may be after the Receipt of such Notice, to cause the same to be raised, sunk, or altered, in such Manner as the Commissioners require, the Commissioners may themselves cause such Pipes or Works to be raised, sunk, or altered as they think fit; provided that such Works be not permanently injured thereby, or the Water or Gas prevented from flowing as freely and conveniently as before.

LXIII. It

LXIII. It shall not be lawful to make or lay out any new Street unless the same be of the prescribed Width, or, where no Width is prescribed, unless the same, being a Carriage Road, be at least Thirty Feet wide, or, not being a Carriage Road, be at least Twenty Feet wide. As to the Width of new Streets.

And with respect to naming the Streets and numbering the Houses, be it enacted as follows: *Naming Streets.*

LXIV. The Commissioners shall from Time to Time cause the Houses and Buildings in all or any of the Streets to be marked with Numbers as they think fit, and shall cause to be put up or painted on a conspicuous Part of some House, Building, or Place at or near each End, Corner, or Entrance of every such Street the Name by which such Street is to be known; and every Person who destroys, pulls down, or defaces any such Number or Name, or puts up any Number or Name different from the Number or Name put up by the Commissioners, shall be liable to a Penalty not exceeding Forty Shillings for every such Offence. Houses to be numbered and Streets named.

LXV. The Occupiers of Houses and other Buildings in the Streets shall mark their Houses with such Numbers as the Commissioners approve of, and shall renew such Numbers as often as they become obliterated or defaced; and every such Occupier who fails, within One Week after Notice for that Purpose from the Commissioners, to mark his House with a Number approved of by the Commissioners, or to renew such Number when obliterated, shall be liable to a Penalty not exceeding Forty Shillings; and the Commissioners shall cause such Numbers to be marked or to be renewed, as the Case may require, and the Expence thereof shall be repaid to them by such Occupier, and shall be recoverable as Damages. Numbers of Houses to be renewed by Occupiers.

And with respect to improving the Line of the Streets, and removing Obstructions, be it enacted as follows: *Improving Streets.*

LXVI. The Commissioners may allow, upon such Terms as they think fit, any Building within the Limits of the special Act to be set forward, for improving the Line of the Street in which such Building, or any Building adjacent thereto, is situated. Houses may be set forward for Improvements.

LXVII. The Commissioners may agree with the Owners of any Lands within the Limits of the special Act for the absolute Purchase thereof, for the Purpose of widening, enlarging, or otherwise improving any of the Streets, and they shall re-sell any Parts of the Land so purchased which shall not be wanted for the Enlargement of the Street. Commissioners may purchase Houses, &c. for Improvements.

LXVIII. When any House or Building, any Part of which projects beyond the regular Line of the Street, or beyond the Front of the House or Building on either Side thereof, has been taken down in order to be rebuilt or altered, the Commissioners may require the same to be set backwards to or toward the Line of the Street or the Line of the adjoining Houses or Buildings, in such Manner as the Commissioners direct, for the Improvement of such Street: Provided always, that the Commissioners shall make full Compensation to the Owner of any such House or Building for any Damage he thereby sustains. Houses projecting beyond Line of Street, when taken down to be set back.

LXIX. The Commissioners may give Notice to the Occupier of any House or Building to remove or alter any Porch, Shed, projecting Window, Step, Cellar, Cellar Door or Window, Sign, Signpost, Sign-iron, Showboard, Window Shutter, Wall, Gate, or Fence, or any other Obstruction or Projection erected or placed, after the passing of the special Act, against or in front of any House or Building within the Limits of the special Act, and which is an Obstruction to the safe and convenient Passage along any Street; and such Occupier shall, within Fourteen Days after the Service of such Notice upon him, remove such Obstruction, or alter the same in such Manner as shall have been directed by the Commissioners, and in default thereof shall be liable to a Penalty not exceeding Forty Shillings; and the Commissioners in such Case may remove such Obstruction or Projection, and the Expence of such Removal shall be paid by the Occupier so making default, and shall be recoverable as Damages: Provided always, that, except in the Case in which such Obstructions or Projections were made or put up by the Occupier, such Occupier shall be entitled to deduct the Expence of removing the same from the Rent payable by him to the Owner of the House or Building. Future Projections of Houses, &c. to be removed, on Notice.

LXX. If any such Obstructions or Projections were erected or placed against or in front of any House or Building in any such Street before the passing of the special Act, the Commissioners may cause the same to be removed or altered as they think fit; provided that they give Notice of such intended Removal or Alteration to the Occupier of the House or Building against or in front of which such Obstruction or Projection shall be Thirty Days before such Alteration or Removal is begun, and, if such Obstructions or Projections shall have been lawfully made, they shall make reasonable Compensation to every Person who suffers Damage by such Removal or Alteration. Commissioners may cause existing Projections to be removed, and Compensation to be made.

LXXI. All Doors, Gates, and Bars put up after the passing of the special Act within the Limits thereof, and which open upon any Street, shall be hung or placed so as not to open outwards, except when, in the Case of public Buildings, the Commissioners allow such Doors, Gates, or Bars to be otherwise hung or placed; and if, except as aforesaid, any such Door, Gate, or Bar be hung or placed so as to open outwards on any Street, the Occupier of such House, Building, Yard, or Land shall, within Eight Days after Notice from the Commissioners to that Effect, cause the same to be altered so as not to open outwards; and in case he neglect so to do, the Commissioners may make such Alteration, and the Expences of such Alteration shall be paid to the Commissioners by such Occupier, and shall be recoverable from him as Damages, and he shall, in addition, be liable to a Penalty not exceeding Forty Shillings. Doors in future to be made to open inwards.

LXXII. If

Doors opening outwards may be altered.

LXXII. If any such Door, Gate, or Bar was before the passing of the special Act hung so as to open outwards upon any Street, the Commissioners may alter the same, so that no Part thereof when open shall project over any public Way.

Coverings for Cellar Doors to be made by Occupier.

Penalty for Neglect.

LXXIII. When any Opening is made in any Pavement or Footpath within the Limits of the special Act, as an Entrance into any Vault or Cellar, a Door or Covering shall be made by the Occupier of such Vault or Cellar, of Iron or such other Materials, and in such Manner as the Commissioners direct, and such Door or Covering shall from Time to Time be kept in good Repair by the Occupier of such Vault or Cellar; and if such Occupier do not within a reasonable Time make such Door or Covering, or if he make any such Door or Covering contrary to the Directions of the Commissioners, or if he do not keep the same when properly made in good Repair, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Waterspouts to be affixed to Houses or Buildings.

LXXIV. The Occupier of every House or Building in, adjoining, or near to any Street shall, within Seven Days next after Service of an Order of the Commissioners for that Purpose, put up and keep in good Condition a Shoot or Trough of the whole Length of such House or Building, and shall connect the same either with a similar Shoot on the adjoining House or with a Pipe or Trunk, to be fixed to the Front or Side of such Building from the Roof to the Ground, to carry the Water from the Roof thereof, in such Manner that the Water from such House, or any Portico or Projection therefrom, shall not fall upon the Persons passing along the Street, or flow over the Footpath; and in default of Compliance with any such Order within the Period aforesaid such Occupier shall be liable to a Penalty not exceeding Forty Shillings for every Day that he shall so make default.

Ruinous or dangerous Buildings.

And with respect to ruinous or dangerous Buildings, be it enacted as follows:

Ruinous or dangerous Buildings to be taken down or secured by Owners, &c.

If Owner, &c. neglect to repair, Commissioners may cause the same to be done, charging Owner, &c. with the Expences.

LXXV. If any Building or Wall, or any Thing affixed thereon, within the Limits of the special Act, be deemed by the Surveyor of the Commissioners to be in a ruinous State, and dangerous to Passengers or to the Occupiers of the neighbouring Buildings, such Surveyor shall immediately cause a proper Hoard or Fence to be put up for the Protection of Passengers, and shall cause Notice in Writing to be given to the Owner of such Building or Wall, if he be known and resident within the said Limits, and shall also cause such Notice to be put on the Door or other conspicuous Part of the said Premises, or otherwise to be given to the Occupier thereof, if any, requiring such Owner or Occupier forthwith to take down, secure, or repair such Building, Wall, or other Thing, as the Case shall require; and if such Owner or Occupier do not begin to repair, take down, or secure such Building, Wall, or other Thing within the Space of Three Days after any such Notice has been so given or put up as aforesaid, and complete such Repairs, or taking down or securing, as speedily as the Nature of the Case will admit, the said Surveyor may make Complaint thereof before Two Justices, and it shall be lawful for such Justices to order the Owner, or in his Default the Occupier (if any), of such Building, Wall, or other Thing, to take down, rebuild, repair, or otherwise secure, to the Satisfaction of such Surveyor, the same, or such Part thereof as appears to them to be in a dangerous State, within a Time to be fixed by such Justices; and in case the same be not taken down, repaired, rebuilt, or otherwise secured within the Time so limited, or if no Owner or Occupier can be found on whom to serve such Order, the Commissioners shall with all convenient Speed cause all or so much of such Building, Wall, or other Thing as shall be in a ruinous Condition, and dangerous as aforesaid, to be taken down, repaired, rebuilt, or otherwise secured in such Manner as shall be requisite; and all the Expences of putting up every such Fence, and of taking down, repairing, rebuilding, or securing such Building, Wall, or other Thing, shall be paid by the Owner thereof.

The Expences to be levied by Distress.

LXXVI. If such Owner can be found within the Limits of the special Act, and if, on Demand of the Expences aforesaid, he neglect or refuse to pay the same, then such Expences may be levied by Distress, and any Justice may issue his Warrant accordingly.

If Owner cannot be found, Commissioners may take the House or Ground, making Compensation provided by 7 & 8 Vict. c. 18.

LXXVII. If such Owner cannot be found within the said Limits, or sufficient Distress of his Goods and Chattels within the said Limits cannot be made, the Commissioners, after giving Twenty-eight Days Notice of their Intention to do so, by posting a printed or written Notice in a conspicuous Place on such Building, or on the Land whereon such Building stood, may take such Building or Land, provided that such Expences be not paid or tendered to them within the said Twenty-eight Days, making Compensation to the Owner of such Building or Land in the Manner provided by the Lands Clauses Consolidation Act, 1845, in the Case of Lands taken otherwise than with the Consent of the Owners and Occupiers thereof, and the Commissioners shall be entitled to deduct out of such Compensation the Amount of the Expences aforesaid, and may thereupon sell or otherwise dispose of the said Building or Land for the Purposes of this Act.

Commissioners may sell the Materials, restoring to the Owner Overplus arising from the Sale.

LXXVIII. If any such House or Building as aforesaid, or any Part of the same, be pulled down by virtue of the Powers aforesaid, the Commissioners may sell the Materials thereof, or so much of the same as shall be pulled down, and apply the Proceeds of such Sale in Payment of the Expences incurred in respect of such House or Building; and the Commissioners shall restore any Overplus arising from such Sale to the Owner of such House or Building, on Demand; nevertheless, the Commissioners, although they sell such Materials for the Purposes aforesaid, shall have the same Remedies for compelling the Payment of so much of the said Expences as may remain due after the Application of the Proceeds of such Sale as are herein-before given to them for compelling the Payment of the whole of the said Expences.

And with respect to Precautions during the Construction and Repair of the Sewers, Streets, and Houses, be it enacted as follows: *Precautions during Repairs.*

LXXIX. The Commissioners shall, during the Construction or Repair of any of the Streets vested in them, and during the Construction or Repair of any Sewers or Drains, take proper Precaution for guarding against Accident, by shoreing-up and protecting the adjoining Houses, and shall cause such Bars or Chains to be fixed across or in any of the Streets, to prevent the Passage of Carriages and Horses while such Works are carried on, as to them shall seem proper; and the Commissioners shall cause any Sewer or Drain or other Works, during the Construction or Repair thereof by them, to be lighted and guarded during the Night, so as to prevent Accidents; and every Person who takes down, alters, or removes any of the said Bars or Chains, or extinguishes any Light, without the Authority or Consent of the Commissioners, shall for every such Offence be liable to a Penalty not exceeding Five Pounds. Bars to be erected across Streets while Repairs or Alterations are making, and Lights placed at Night.

LXXX. Every Person intending to build or take down any Building within the Limits of the special Act, or to cause the same to be so done, or to alter or repair the outward Part of any such Building, or to cause the same to be so done, where any Street or Footway will be obstructed or rendered inconvenient by means of such Work, shall before beginning the same cause sufficient Hoards or Fences to be put up, in order to separate the Building where such Works are being carried on from the Street, with a convenient Platform and Handrail, if there be Room enough, to serve as a Footway for Passengers, outside of such Hoard or Fence, and shall continue such Hoard or Fence, with such Platform and Handrail as aforesaid, standing and in good Condition, to the Satisfaction of the Commissioners, during such Time as the public Safety or Convenience requires, and shall in all Cases in which it is necessary, in order to prevent Accidents, cause the same to be sufficiently lighted during the Night; and every such Person who fails to put up such Fence or Hoard, or Platform with such Handrail as aforesaid, or to continue the same respectively standing and in good Condition as aforesaid during the Time aforesaid, or who does not, while the said Hoard or Fence is standing, keep the same sufficiently lighted in the Night, or who does not remove the same, when directed by the Commissioners, within a reasonable Time afterwards, shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and a further Penalty not exceeding Forty Shillings for every Day while such Default is continued. Hoards to be set up during Repairs.

LXXXI. When any Building Materials, Rubbish, or other Things are laid, or any Hole made, in any of the Streets, whether the same be done by Order of the Commissioners or not, the Person causing such Materials or other Things to be so laid, or such Hole to be made, shall at his own Expence cause a sufficient Light to be fixed in a proper Place upon or near the same, and continue such Light every Night from Sun-setting to Sun-rising while such Materials or Hole remain; and such Person shall, at his own Expence, cause such Materials or other Things and such Hole to be sufficiently fenced and inclosed until such Materials or other Things are removed or the Hole filled up or otherwise made secure; and every such Person who fails so to light, fence, or inclose such Materials or other Things, or such Hole, shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and a further Penalty not exceeding Forty Shillings for every Day while such Default is continued. Penalty for not lighting Deposits of Building Materials or Excavations.

LXXXII. In no Case shall any such Building Materials or other Things or such Hole be allowed to remain for an unnecessary Time, under a Penalty not exceeding Five Pounds to be paid for every such Offence by the Person who causes such Materials or other Things to be laid or such Hole to be made, and a further Penalty not exceeding Forty Shillings for every Day during which such Offence is continued after the Conviction for such Offence; and in any such Case the Proof that the Time has not exceeded the necessary Time shall be upon the Person so causing such Materials or other Things to be laid, or causing such Hole to be made. Penalty for continuing Deposits of Building Materials or Excavations an unreasonable Time.

LXXXIII. If any Building or Hole or any other Place near any Street be, for Want of sufficient Repair, Protection, or Inclosure, dangerous to the Passengers along such Street, the Commissioners shall cause the same to be repaired, protected, or inclosed, so as to prevent Danger therefrom; and the Expences of such Repair, Protection, or Inclosure shall be repaid to the Commissioners by the Owner of the Premises so repaired, protected, or inclosed, and shall be recoverable from him as Damages. Dangerous Places to be repaired or inclosed.

And with respect to Objections to the Works to be constructed by or subject to the Approval of the Commissioners, be it enacted as follows: *Objections to Works.*

LXXXIV. Twenty-eight Days at the least before fixing the Level of any Street which has not become a public Highway, or any Street which has not been theretofore levelled or paved, and before making any Sewer where none was before, or altering the Course or Level of or abandoning or stopping any Sewer, the Commissioners shall give Notice of their Intention by posting a printed or written Notice in a conspicuous Place at each End of every such Street through or in which such Work is to be undertaken, which Notice shall set forth the Name or Situation of the Street intended to be levelled or paved, and the Names of the Places through or near which it is intended that the new Sewer shall pass, or the existing Sewer be altered or stopped up, and also the Places of the Beginning and the End thereof, and shall refer to Plans of such intended Work, and shall specify a Place where such Plans may be seen, and a Time when and Place where all Persons interested in such intended Work may be heard thereupon; and they shall at the same Time give to the Inspector Notice of the said intended Work, and of the Time and Place appointed for hearing Objections thereto. Commissioners to give Notice of new Levels or Sewers.

LXXXV. The Commissioners shall meet at the Time and Place mentioned in the said Notice, to consider, in the Presence of the Inspector, or of the Surveyor of the Commissioners, any Objections made against such intended Work, and all Persons interested therein, or likely to be aggrieved thereby, shall be entitled Meeting of Commissioners to hear Objections in the

Presence of the Inspector.

entitled to be heard before the Commissioners at such Meeting; and thereupon the Commissioners may, with the Concurrence of the Inspector, if any Inspector has been appointed and is present at such Meeting, or in the Absence of the Inspector, or if no Inspector have been appointed, then in their Discretion, abandon or make such Alterations in the said intended Work as they judge fit; and no such Work to which any Objection is made at such Meeting at which any such Inspector shall be present shall be executed unless the Inspector, or if no Inspector have been appointed, then unless the Surveyor of the Commissioners, after the Person making such Objection or his Agent has been heard, certify that the Work in his Judgment ought to be executed, nor shall such Work be begun until the End of Seven Days after an Order for the Execution thereof has been duly made by the Commissioners, and entered in their Books.

Persons aggrieved by Order of Commissioners may appeal to Quarter Sessions.

LXXXVI. Any Person liable to pay or to contribute towards the Expence of any of the Works aforesaid, or otherwise aggrieved by any Order of the Commissioners relating thereto, may, at any Time within Seven Days next after the making of any such Order, give Notice in Writing to the Commissioners that he intends to appeal against such Order to the Court of Quarter Sessions holden next after the Expiration of Ten Days next after such Notice, and along with such Notice he shall give a Statement in Writing of the Grounds of the Appeal; and if within Four Days next after giving such Notice the Party enter into a Recognizance before some Justice, with Two sufficient Sureties, conditioned to try the Appeal, and abide the Order of the Court, and pay such Costs as shall be awarded by the Court thereupon, the Work so appealed against shall not be begun until after the Judgment of the Court upon such Appeal; and such Court, upon due Proof of such Notice and of such Recognizance having been given and entered into, shall hear and determine the Matter of the Appeal, and shall make such Order thereon, either confirming, quashing, or varying the same, and shall award such Costs to either of the Parties, as the Court in its Discretion thinks fit: Provided always, that the Appellant shall not be heard in support of such Appeal unless such Notice and Statement have been given and such Recognizance entered into as aforesaid, nor on the hearing of such Appeal shall he go into Evidence of any other Grounds of Appeal than those set forth in such Statement as aforesaid.

Cleansing Streets.

And with respect to cleansing the Streets, be it enacted as follows:

Commissioners to cause Streets to be cleansed, and Dust and Ashes to be removed from the Houses.

LXXXVII. The Commissioners shall cause all the Streets, together with the Foot Pavements, from Time to Time to be properly swept and cleansed, and all Dust and Filth of every Sort found thereon to be collected and removed, and shall cause all the Dust, Ashes, and Rubbish to be carried away from the Houses and Tenements of the Inhabitants of the Town or District within the Limits of the special Act, at convenient Hours and Times, and shall cause the Privies and Cesspools within the said Town or District to be from Time to Time emptied and cleansed in a sufficient and proper Manner: Provided always, that the Occupier of any House or Tenement within the Limits of the special Act may keep and remove any such Soil, Ashes, or Rubbish as shall be made on his own Premises, and shall be kept for Manure, so that the same be not a Nuisance to the Inhabitants residing near such Premises, and that the same be removed at such Times and in such Manner as shall be approved of by the Commissioners.

Occupiers to cause Footways to be swept.

Penalty for Neglect.

LXXXVIII. The Occupiers of Buildings and Lands within or adjoining the Streets shall once in every Day (*Sundays* excepted), before Eight of the Clock in the Forenoon of each Day, cause to be swept and cleansed the Footways and Pavements in front or at the Side of their respective Buildings and Lands; and every such Occupier making default herein shall for every such Offence be liable to a Penalty not exceeding Five Shillings; and for the Purpose aforesaid, when any House shall be let in separate Apartments, the Person letting such Apartments shall be deemed the Occupier.

Commissioners may compound for sweeping Footways.

LXXXIX. The Commissioners may compound, for such Time as they think fit, with any Person liable to sweep or clean any Footway under the Provisions of this or the special Act, for sweeping and cleaning the same in the Manner directed by this or the special Act.

Dust, &c. collected to be vested in the Commissioners.

XC. The Dust and Filth which the Commissioners shall cause to be collected from the Streets, Privies, Sewers, and Cesspools, and all the Dust, Ashes, and Rubbish which the Commissioners shall cause to be collected and carried away from the Houses or elsewhere within the said Limits, shall be the Property of the Commissioners, and the Commissioners shall have Power to sell and dispose of the same as they think proper, and the Money arising from the Sale thereof shall be applied toward the Purposes of the special Act.

Commissioners may provide Lands, &c. for Deposit of Soil and Materials.

XCI. The Commissioners may from Time to Time provide Places convenient for the Deposit of the Night Soil, Dung, Ashes, and other Filth and Rubbish to be collected under the Authority of this or the special Act, and for stabling and keeping all Horses, Carts, Implements, and other Things required for the Purposes of this or the special Act, or of any Act to be incorporated therewith; and for any of such Purposes the Commissioners may purchase or hire any Lands or Buildings by them considered necessary, or they may cause any new Building to be made upon any Land which shall be purchased or hired by them under the Provisions of this or the special Act.

Dust Boxes to be erected by Commissioners.

XCII. The Commissioners, if they think fit so to do, may cause any Number of movable or fixed Dust Boxes or other Conveniences, wherein Dust and Ashes may be deposited until removed and carried away, to be provided and placed in such of the Streets as they shall judge necessary, and may require the Occupiers of Houses or Tenements within such Streets to cause all their Dust and Ashes to be deposited daily in the said Dust Boxes or other Conveniences; and every Person who after such Dust Boxes or Conveniences have been so provided shall deposit or cause or permit to be deposited any Ashes or Dust in any Part of any Street, except in some of the said Dust Boxes or other Conveniences, and

and every Person who shall lay or cause to be laid any Dirt, Dung, or other Filth in any Part of any Street, shall for every such Offence forfeit and pay a Sum not exceeding Ten Shillings.

Commissioners may cause public Conveniences to be erected.

XCIII. The Commissioners may erect such public Urinals within the Limits of the special Act, and in such Situations as they think fit, and may defray the Expence thereof, and of keeping the same in good Order, and may make Compensation for any Injury occasioned to any Person by the Erection thereof, out of the Monies to be levied under this and the special Act.

Commissioners to cause Streets to be watered, and Wells, Pumps, &c. to be provided.

XCIV. The Commissioners shall, as often as Occasion requires, cause the Streets to be watered, and they may contract with any Water Company or other Party for a Supply of Water for that Purpose, and for cleansing the Sewers and Drains; and, if necessary, they may place Pipes, Conduits, and Pumps in any of the Streets, or provide any other Works and Engines proper for that Purpose, and remove and alter the same when and as they think proper.

Commissioners to appoint Scavengers.

XCV. The Commissioners shall appoint and employ a sufficient Number of Scavengers, or contract with any Company or other Person to employ Scavengers, for sweeping, cleansing, and watering the Streets, and for removing all Dust, Ashes, Rubbish, and Filth therefrom, and from the Houses and Tenements therein, and for emptying Privies and Cesspools, in the Manner by this or the special Act directed; and such Scavengers shall, on such Days and at such Hours, and in such Manner as the Commissioners from Time to Time appoint, sufficiently execute all such Works and Duties as they have respectively contracted or been employed to perform; and every such Contractor who fails to sweep and properly cleanse or water any Street which he has contracted to sweep, cleanse, or water, or who fails to clean out and empty any Privy, Cesspool, or Sewer which he has contracted to clean out and empty, at the Time and in the Manner appointed by the Commissioners, or to collect or remove any Dirt, Ashes, or Rubbish which he has contracted to remove at the Time and in the Manner prescribed by the Commissioners for that Purpose, or who lays any of such Soil, Dust, Ashes, Rubbish, or Filth in any other Place than such as are appointed by the Commissioners for that Purpose, shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty for obstructing Scavengers.

XCVI. Every Occupier of any Building or Land within the said Limits, and every other Person who refuses to permit the said Scavengers to remove such Dirt, Ashes, or Rubbish as by this or the special Act they are authorized to do, or who obstructs the said Scavengers in the Performance of their Duty, shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty on Persons other than Scavengers removing Dirt.

XCVII. Every Person, other than the Person employed by the Commissioners, or by some Person contracting with the Commissioners for that Purpose, who collects or carries away any Night Soil, Dust, Ashes, Rubbish, or Filth by this or the special Act directed to be removed by Persons employed by the Commissioners, from any Street or public Place within the Limits of the special Act, shall be liable to a Penalty not exceeding Forty Shillings for every such Offence.

Penalty for conveying offensive Matter at improper Times.

XCVIII. The Commissioners may from Time to Time fix the Hours within which only it shall be lawful to empty Privies or remove offensive Matter within the Limits of the special Act; and when the Commissioners have fixed such Hours, and given public Notice thereof, every Person who within the Limits of the special Act empties or begins to empty any Privy, or removes along any Thoroughfare within the said Limits any offensive Matter, at any Time except within the Hours so fixed, and also every Person who at any Time, whether such Hours have been fixed by the Commissioners or not, uses for any such Purpose any Cart or Carriage not having a Covering proper for preventing the Escape of the Contents of such Cart, or of the Stench thereof, or who wilfully slops or spills any such offensive Matter in the Removal thereof, or who does not carefully sweep and clean every Place in which any such offensive Matter has been placed, or unavoidably slopped or spilled, shall be liable to a Penalty not exceeding Forty Shillings, and in default of the Apprehension of the actual Offender the Driver or Person having the Care of the Cart or Carriage employed for any such Purpose shall be deemed to be the Offender.

Nuisances.

And with respect to the Prevention of Nuisances, be it enacted as follows:

Stagnant Pools of Water and other Annoyances to be removed.

XCIX. No Person shall suffer any waste or stagnant Water to remain in any Cellar or other Place within any House belonging to or occupied by him within the Limits of the special Act, so as to be a Nuisance; and every Person who so suffers any such Water to remain for Forty-eight Hours after receiving Notice from the Commissioners to remove the same, and every Person who allows the Contents of any Privy or Cesspool to overflow or soak therefrom, to the Annoyance of the Occupiers of any adjoining Property, shall for every such Offence be liable to a Penalty not exceeding Forty Shillings, and to a further Penalty not exceeding Five Shillings for every Day during which such Nuisance continues; and the Commissioners may drain and cleanse out any stagnant Pools, Ditches, or Ponds of Water within the Limits of the special Act, and abate any such Nuisance as aforesaid, and for that Purpose may enter, by their Officers and Workmen, into and upon any Building or Land within the said Limits at all reasonable Times, and do all necessary Acts for any of the Purposes aforesaid; and the Expences incurred thereby shall be paid by the Person committing such Offence, or occupying the Building or Land whence such Annoyance proceeds, and if there be no Occupier, by the Owner of such Building or Land, and shall be recoverable as Damages.

Regulations to prevent Accumulation of Dung, &c.

C. If the Dung or Soil of any Stable, Cowhouse, or Pigstye, or other Collection of refuse Matter, elsewhere than in any Farmyard, be at any Time allowed to accumulate within the Limits of the special Act for more than Thirty Days, or for more than Seven Days after a Quantity exceeding One Ton has been collected in any Place not allowed by the Commissioners, such Dung, Soil, or Refuse, if not

Nuisances.

removed within Forty-eight Hours after Notice from any Officer of the Commissioners for that Purpose, shall become the Property of the Commissioners, and they, or any Person with whom they have at that Time any subsisting Contract for the Removal of Refuse, may sell and dispose of the same, and the Money thence arising shall be applied towards the Purposes of the special Act.

On Certificate of the Officer of Health, Filth to be removed.

CI. If at any Time the Officer of Health, or, if for the Time being there be no Officer of Health, any Two Surgeons or Physicians, or One Surgeon and One Physician, residing within the Limits of the special Act, certify under his or their Hand to the Commissioners that any Accumulation of Dung, Soil, or Filth, or other noxious or offensive Matter, within the Limits of the special Act, ought to be removed, as being injurious to the Health of the Inhabitants, the Clerk to the Commissioners shall forthwith give Notice to the Owner or reputed Owner of such Dung, Soil, or Filth, or to the Occupier of the Land where the same are, to remove the same within Twenty-four Hours after such Notice; and in case of Failure to comply with such Notice the said Dung, Soil, or Filth shall thereupon become vested in the Commissioners, and they, or any Person with whom they have at that Time contracted for the Removal of all such Refuse, may sell and dispose of the same, and the Money thence arising shall be applied towards the Purposes of the special Act.

Houses to be whitewashed, and purified, on Certificate of Officer of Health, &c.

CII. If at any Time the Officer of Health, or, if for the Time being there be no Officer of Health, any Two Surgeons or Physicians, or One Surgeon and One Physician, residing within the said Limits, certify under his or their Hands to the Commissioners that any House or Part of any House or Building within the Limits of the special Act is in such a filthy or unwholesome Condition that the Health of the Inmates or of the Neighbours is thereby affected or endangered, or that the whitewashing, cleansing, or purifying of any House or Building or any Part thereof would tend to prevent or check infectious or contagious Disease therein, or that any Drain, Privy, or Cesspool is in such a defective State that the Health of the Neighbours is thereby affected or endangered, the Commissioners shall order the Occupier of such House or Part thereof to whitewash, cleanse, and purify the same, and the Owner of such Drain, Privy, or Cesspool to amend the Condition thereof, in such Manner and within such Time as the Commissioners deem reasonable; and if such Occupier or Owner do not comply with such Order he shall be liable to a Penalty not exceeding Ten Shillings for every Day's Neglect thereof; and in such Case the Commissioners may cause such House or any Part thereof to be whitewashed, cleansed, and purified, or the Condition of such Drain, Privy, or Cesspool to be amended, and may recover the Expence thereof from such Occupier or Owner in the same Manner as Damages.

No Interment in any Grave without leaving Two Feet Six Inches clear of Soil above the Coffin.

CIII. No Coffin containing a Corpse shall be buried in any Grave within the Limits of the special Act, not being a Vault or Catacomb, without at least Thirty Inches of Soil between the ordinary Surface of such Burial Ground and the upper Side of the Coffin; and if the Person having the Preparation or the immediate Charge of the Preparation of the Grave to receive such Coffin permit the Coffin to be buried in such Grave, or if the Person having the Control of the Burial Ground knowingly permit any Coffin to be buried in any Grave in which there is not left after the Burial thereof Thirty Inches at the least of Soil, measuring from the ordinary Surface of such Burial Ground to the upper Side of the Coffin, the Person having the immediate Charge of the Preparation of the Grave, and the Person having the Control of the Burial Ground in which such Burial is made, shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Justices may order Nuisances to be abated.

CIV. If any Candle-house, Melting-house, Melting-place, or Soap-house, or any Slaughter-house, or any Building or Place for boiling Offal or Blood, or for boiling or crushing Bones, or any Pig-stye, Necessary House, Dunghill, Manure Heap, or any Manufactory, Building, or Place of Business within the Limits of the special Act, be at any Time certified to the Commissioners by the Inspector of Nuisances or Officer of Health, or if for the Time being there be no Inspector of Nuisances or Officer of Health, by any Two Surgeons or Physicians, or One Surgeon and One Physician, to be a Nuisance or injurious to the Health of the Inhabitants, the Commissioners shall direct Complaint to be made before Two Justices; and any Justice may summon before any Two Justices the Person by or on whose Behalf the Work complained of is carried on, and such Justices shall inquire into such Complaint, and they may, by an Order in Writing under their Hands, order such Person to discontinue or remedy the Nuisance within such Time as to them shall appear expedient: Provided always, that if it appear to such Justices that in carrying on any Business complained of the best Means then known to be available for mitigating the Nuisance or the injurious Effects of such Business have not been adopted, they may suspend their final Determination, upon Condition that the Person so complained against shall undertake to adopt within a reasonable Time such Means as the said Justices shall judge to be practicable and order to be carried into effect for mitigating or preventing the injurious Effects of such Business.

Penalty for Disobedience of Orders of Justices.

CV. If any such Nuisance, or the Cause of any such injurious Effects as aforesaid, be not discontinued or remedied within such Time as shall be ordered by the said Justices, the Person by or on whose Behalf the Business causing such Nuisance is carried on shall be liable to a Penalty not exceeding Five Pounds for every Day during which such Nuisance shall be continued or unremedied after the Expiration of such Time as aforesaid: Provided always, that when any Person who thinks himself aggrieved by any such Order shall, according to the Provisions of this or the special Act, appeal against any such Order, such Person shall not be liable to discontinue or remedy the Nuisance or Cause of the injurious Effects mentioned therein, or to pay any Penalty, until after the Expiration of Five Days after the Determination of such Appeal and the Confirmation of such Order, unless such Appeal cease to be prosecuted.

Commissioners to order Costs of Prosecutions

CVI. The Commissioners may direct any Prosecution for any public Nuisance whatsoever, created, permitted, or suffered within the Limits of the special Act, and may order Proceedings to be taken for the

the Recovery of any Penalties, and for the Punishment of any Persons offending against the Provisions of this or the special Act, or of any Act incorporated therewith, and may order the Expences of such Prosecution or other Proceedings to be paid out of the Rates authorized to be imposed under the Provisions of this and the special Act. to be paid out of the Rates.

CVII. Nothing in this Act contained shall be construed to render lawful any Act or Omission on the Part of any Person which is, or but for this Act would be, deemed to be a Nuisance at Common Law, nor to exempt any Person guilty of Nuisance at Common Law from Prosecution or Action in respect thereof, according to the Forms of Proceeding at Common Law, nor from the Consequences upon being convicted thereof. Act not to affect Nuisances at Common Law.

And with respect to the Prevention of Smoke, be it enacted as follows: *Smoke.*

CVIII. Every Fireplace or Furnace constructed after the passing of the special Act, in order to be used within the Limits of such Act in the working of Engines by Steam, or in any Mill, Factory, Dyehouse, Brewery, Bakehouse, Gaswork, or in any Manufactory whatsoever, (although a Steam Engine be not used or employed therein,) shall be so constructed as to consume the Smoke arising from the Combustibles used in such Fireplace or Furnace; and every such Fireplace or Furnace existing within the said Limits at the Date of the passing of the special Act, used for the Purposes aforesaid, not so constructed as to consume the Smoke arising from such Fireplace or Furnace, shall within the prescribed Period, or if no Period be prescribed, then within Two Years after the passing of the special Act, be so altered in its Construction as to consume such Smoke; and if after such Period any Person use for any of the Purposes aforesaid any Fireplace or Furnace not so constructed as aforesaid, or if at any Time any Person use any such Fireplace or Furnace constructed after the passing of the special Act, and not so constructed as aforesaid, or so negligently use any such Fireplace or Furnace as not to consume the Smoke arising from the Combustibles used therein, every Person so offending shall be liable to a Penalty of Forty Shillings for every Day during any Part of which such Furnace or Fireplace shall be so used and continued after One Month's Notice in Writing shall have been given to the Owner or Occupier of such Furnace or Fireplace by the Commissioners to remedy or discontinue the Use of the same. Fireplaces of Factories, &c. to consume their own Smoke.

And with respect to the Construction of Houses for Prevention of Fire, be it enacted as follows: *Fire.*

CIX. The Party Walls of all Buildings erected after the passing of the special Act within the Limits thereof shall be carried through and above the Roof, to form a Parapet of not less than Twelve Inches in Height, measured at Right Angles with the Slope of the Roof, above the Covering of the Roof of the highest Building to which such Party Walls belong; and all such Party Walls, and the external Walls of all Buildings, erected after the passing of the special Act, in or near any Street, or within the Curtilage of any House adjoining any Street, shall be constructed of incombustible Materials, and the Coverings of the Roof thereof shall not, without the previous Consent in Writing of the Commissioners, be constructed of combustible Materials; and it shall not be lawful for the Owner of any Building within the Limits of the special Act, having at the passing of the special Act a Roof covered with Thatch or other combustible Material, and contiguous to or adjoining to any other Building, to suffer such Covering to such Roof to remain for a longer Period than Seven Years after the passing of the special Act, unless with the Consent in Writing of the Commissioners; and every Person who shall erect any Building, or cover any Roof, or suffer the Covering of any Roof to continue, contrary to the Provision herein contained, and who shall not remove or alter the same within One Month after Notice given to him for that Purpose by the Commissioners, shall be liable to a Penalty not exceeding One Pound for every Day that such Building or Covering to such Roof shall so continue. Party Walls to be carried up through the Roof. Walls of Buildings and Coverings of Roofs to be made of incombustible Materials.

And with respect to supplying Buildings with fresh Air, be it enacted as follows: *Ventilation.*

CX. Before beginning to build any Building intended to be used as a Church, Chapel, or School, or a Place of public Amusement or Entertainment, or for holding large Numbers of People for any Purpose whatsoever, within the Limits of the special Act, the Person intending to build the same shall give Fourteen Days Notice in Writing to the Commissioners, and shall accompany such Notice with a Plan and Description of the Manner proposed for its Construction, with respect to the Means of supplying fresh Air to such Building; and no Person shall begin to build such Building until the Manner proposed for its Construction, with respect to the Means for supplying fresh Air, have been approved of by the Commissioners; and in default of sending such Notice, or if any such Building be erected without such Approval, the Commissioners may cause such Building, or such Part of it as they consider necessary, to be pulled down or altered, at the Expence of the Owner, and any Expence incurred by the Commissioners in so doing may be recovered as herein-before provided with respect to ruinous or dangerous Buildings taken down or repaired by the Commissioners. Regulating Construction of Buildings intended for Public Meetings. No Person to begin to build until Plan has been approved by Commissioners.

CXI. Provided always, That if the Commissioners fail to signify in Writing their Approval or Disapproval of the Manner of Construction of such Building, with respect to the Means of supplying fresh Air shown on such Plan and Description as aforesaid, within Fourteen Days after receiving such Notice, accompanied by such Plan and Description, the Person giving such Notice may, notwithstanding any thing herein contained, proceed to build the Building therein referred to in the Manner shown on such Plan and Description; provided that such Building be otherwise in accordance with the Provisions of this and the special Act. If Commissioners fail to signify their Approval of Plan within Fourteen Days, Party may proceed to build.

Persons may appeal against Determination of Commissioners.

CXII. Provided also, That if the Person so intending to build be dissatisfied with the Determination of the Commissioners as to the said proposed Manner of Construction, he shall have the same Right of Appeal against the Determination of the Commissioners, and such Appeal shall be followed by the same Incidents, as herein-before provided in the Case of Appeals against any Order of the Commissioners with respect to Works to be constructed by or subject to the Approval of the Commissioners.

Cellars in Courts not to be occupied as Dwellings after letting prohibited.

CXIII. It shall not be lawful to let separately, except as a Warehouse or Storehouse, or to suffer to be occupied as a Dwelling Place, any Cellar under any House in any Court within the Limits of the special Act, after the Commissioners have given Notice to the Owners thereof that the letting of Cellars as Dwelling Places in such Court is prohibited from that Time forth; and it shall be the Duty of the Commissioners to issue such Notices from Time to Time, as soon as is convenient, until such Notice has been given with respect to every Court within the Limits of the special Act.

No Cellars under the Height of Seven Feet from the Floor to the Ceiling to be let as Dwellings.

CXIV. It shall not be lawful to let separately, except as a Warehouse or Storehouse, or to suffer to be occupied as a Dwelling Place, any Cellar or Room under any House within the said Limits, although not situated in a Court, which Cellar or Room shall be less in Height from the Floor to the Ceiling than Seven Feet, or which shall be less than One Third of its Height above the Level of the Street or Ground adjoining the same, or otherwise shall not have Two Feet at least of its Height from the Floor to the Ceiling above the said Level, with an open Area of Two Feet wide from the Level of the Floor of such Cellar or Room up to the Level of the said Street or Ground, or which shall not have appurtenant thereto the Use of a Water-closet or Privy and Ashpit, according to the Enactment herein contained, or which shall not also have a glazed Window made to open to the full Extent of the Half thereof, the Area of which is not less than Six Feet clear of the Frame, and a Fireplace, with a Chimney or Flue, or which Cellar, being an inner or back Cellar let or occupied along with a front Cellar as Part of the same Letting or Occupation, has not a ventilating Flue, (unless such inner or back Cellar shall be Part of a House built before the passing of the special Act,) or which shall not be well and effectually drained by means of a Drain the Bottom of which is One Foot at least below the Level of the Floor of such Cellar or Room.

Penalty on letting such Cellars as Dwelling Places.

CXV. Every Person who lets separately (except as aforesaid) or who knowingly suffers to be occupied for Hire, as a Dwelling Place, any Cellar or Room within the Limits of the special Act, contrary to the Provisions of this and the special Act, shall be liable to a Penalty not exceeding Twenty Shillings, and a further Penalty not exceeding Five Shillings for every Day during which such Cellar or Room is so occupied, after Conviction of the first Offence.

Lodging Houses.

And with respect to Lodging Houses, be it enacted as follows:

For the Regulation and Inspection of Lodging Houses.

CXVI. It shall not be lawful to keep or use as a public Lodging House within the Limits of the special Act any House, not being a Licensed Victualling House, which shall be rated to the Relief of the Poor on a less Sum than Ten Pounds, nor in any Case unless such House shall have been registered as a Lodging House in a Book to be kept by the Commissioners for that Purpose; and every House shall be deemed a public Lodging House within the Meaning of this Act in which Persons are harboured or lodged for Hire for a single Night, or for less than a Week at One Time, or any Part of which is let for any Term less than a Week.

Commissioners to keep a Register of Lodging House Keepers, and make Rules for promoting Cleanliness and Ventilation.

CXVII. The Commissioners shall cause a Register to be kept in which shall be entered the Names of all such Persons as apply to have the Houses occupied by them registered as Lodging Houses, and the Situations of such Houses; and the Commissioners shall from Time to Time fix the Number of Lodgers who may be received into each such Lodging House, and make Rules for promoting Cleanliness and Ventilation in such Lodging House; and they shall order that a Ticket containing the Number of Lodgers allowed to be received into the House, and a Table of Rules for promoting Cleanliness and Ventilation, shall be hung up or placed in a conspicuous Part of each Room into which Lodgers are received; and the Keepers of all such Lodging Houses shall at all Times observe the said Rules, and give Access to such Lodging Houses, when required by any Persons appointed by the Commissioners, for the Purpose of Inspection thereof, or for the Purpose of performing therein any disinfecting Process which the Commissioners may order.

Penalty on Lodging House Keepers not complying with the Provisions of the Act.

CXVIII. Every Person who shall keep any Lodging House, and receive Lodgers therein, without such Lodging House having been duly registered, or who shall receive into the same more Lodgers than shall be allowed by the Commissioners, or who shall fail to keep such Ticket or such Table of Rules as aforesaid hung up or displayed as required by the Commissioners, or who shall neglect to cause such Rules to be observed in any such Lodging House, or who shall refuse to admit to such Lodging House at all reasonable Times any Person appointed by the Commissioners for any of the Purposes aforesaid, or who shall wilfully obstruct any such Person in performing any disinfecting Process therein which the Commissioners may order, shall be liable to a Penalty not exceeding Forty Shillings for each such Offence.

Lighting.

And with respect to lighting the Town or District, be it enacted as follows:

Commissioners may contract for lighting the Streets.

CXIX. The Commissioners may contract for the prescribed Period, or (where no Period shall be prescribed) for any Period not exceeding Three Years at any One Time, with the Owners of any Gas-works, or with any other Person, for the Supply of such Gas or Oil or other Means of lighting, and may provide such Lamps, Lamp Posts, and other Works as the Commissioners think necessary for lighting such Streets.

CXX. If

CXX. If the Commissioners, and the Owners of any Gasworks authorized by Act of Parliament to supply Gas within the Limits of the special Act, and with whom the Commissioners may be desirous of contracting, shall not agree as to the Price to be paid for such Supply, then such Price shall be settled by Arbitration; and for that Purpose the Clauses of the Lands Clauses Consolidation Act, 1845, with respect to the Settlement of Disputes by Arbitration, shall be incorporated with this and the special Act. For ascertaining Price to be paid for Gas in case of Dispute.

And with respect to the Supply of Water, be it enacted as follows: *Water.*

CXXI. The Commissioners shall cause all existing public Cisterns, Pumps, Wells, Conduits, and other Waterworks used for the gratuitous Supply of Water to the Inhabitants within the Limits of the special Act, to be continued, maintained, and supplied with Water, or they shall substitute other such Works equally convenient, and shall cause them to be maintained and supplied with Water; and such public Cisterns and other Works shall be vested in the Commissioners, and be under their Management and Control; and the Commissioners may construct any Number of new Cisterns, Pumps, Conduits, and other Waterworks, for the gratuitous Use of any Persons who choose to carry the same away, not for Sale, but for their own private Use, and may supply with Water any public Baths or Wash-houses; provided that the Commissioners shall not construct any such new Works without the prescribed Approval, or, if no Approval be prescribed, without the Approval of the Commissioners of Her Majesty's Woods and Forests, Land Revenues, Works, and Buildings; and before giving their Approval to the Construction of any such new Works the last-mentioned Commissioners shall cause a local Inquiry to be made in the Manner prescribed by an Act of the last Session of Parliament, intituled *An Act for making preliminary Inquiries in certain Cases of Application for Local Acts*, and shall withhold their Inquiry if upon such Inquiry they shall be satisfied that an equally good and abundant Supply of Water for such public Purposes can be procured as cheaply by any other Means than by the Construction of such new Works. Power to Commissioners to construct public Cisterns and Pumps for Supply of Water to Baths and Wash-houses. Commissioners not to construct such new Works without Approval. 9 & 10 Vict. c. 106.

CXXII. The Commissioners may contract for the prescribed Period, or (where no Period shall be prescribed) for any Period not exceeding Three Years at One Time, with the Owners of any Waterworks or any other Person for such Supply of Water as the Commissioners shall think necessary for the Purposes of this or the special Act. Commissioners may contract for Supply of Water.

CXXIII. If the Commissioners, and the Owners of any Waterworks authorized by Act of Parliament to supply Water within the Limits of the special Act, with whom the Commissioners may be desirous of contracting, do not agree as to the Price to be paid for such Supply, then such Price (except where by the Act authorizing such Waterworks some other Mode of determining such Price shall be provided) shall be settled by Arbitration, and for that Purpose the Clauses of the Lands Clauses Consolidation Act, 1845, with respect to the Settlement of Disputes by Arbitration, shall be incorporated with this and the special Act. For ascertaining Price to be paid for Water in case of Dispute.

CXXIV. The Commissioners shall cause Fireplugs, and all necessary Works, Machinery, and Assistance for securing an efficient Supply of Water in Cases of Fire, to be provided and maintained, and for this Purpose they may enter into any Agreement with any Water Company or other Party, and they shall paint or mark on the Buildings and Walls within the Streets Words or Marks near to such Fireplugs to denote the Situation thereof, and do such other Things for the Purposes aforesaid as they may from Time to Time deem expedient. Commissioners to cause Fireplugs, &c. to be provided and maintained.

And with respect to Slaughter-houses, be it enacted as follows: *Slaughter-houses.*

CXXV. The Commissioners may license such Slaughter-houses and Knackers Yards as they from Time to Time think proper for slaughtering Cattle within the Limits of the special Act. Licensing.

CXXVI. No Place shall be used or occupied as a Slaughter-house or Knacker's Yard within the said Limits which was not in such Use and Occupation at the Time of the passing of the special Act, and has so continued ever since, unless and until a Licence for the Erection thereof, or for the Use and Occupation thereof as a Slaughter-house or Knacker's Yard, have been obtained from the Commissioners; and every Person who, without having first obtained such Licence as aforesaid, uses as a Slaughter-house or Knacker's Yard any Place within the said Limits not used as such at the passing of the special Act, and so continued to be used ever since, shall for each Offence be liable to a Penalty not exceeding Five Pounds, and a like Penalty for every Day after the Conviction for such Offence upon which the said Offence is continued. No new Slaughter-houses in future to be erected without a Licence.

CXXVII. Every Place within the Limits of the special Act which shall be used as a Slaughter-house or Knacker's Yard shall, within Three Months after the passing of such Act, be registered by the Owner or Occupier thereof at the Office of the Commissioners, and on Application to the Commissioners for that Purpose, the Commissioners shall cause every such Slaughter-house or Knacker's Yard to be registered in a Book to be kept by them for that Purpose; and every Person who after the Expiration of the said Three Months, and after One Week's Notice of this Provision from the Commissioners, uses or suffers to be used any such Place as a Slaughter-house or Knacker's Yard, without its being so registered, shall be liable to a Penalty not exceeding Five Pounds for such Offence, and a Penalty not exceeding Ten Shillings for every Day after the first Day during which such Place shall be used as a Slaughter-house or Knacker's Yard without having been so registered. Existing Slaughter-houses, &c. to be registered.

CXXVIII. The Commissioners shall from Time to Time, by Bye Laws, to be made and confirmed in the Manner herein-after provided, make Regulations for the licensing, registering, and Inspection of the said Slaughter-houses and Knackers Yards, and preventing Cruelty therein, and for keeping the same in Commissioners may make Bye Laws for Regulation of

Slaughter-houses, &c.

in a cleanly and proper State, and for removing Filth at least once in every Twenty-four Hours, and requiring them to be provided with a sufficient Supply of Water, and they may impose pecuniary Penalties on Persons breaking such Bye Laws; provided that no such Penalty exceed for any One Offence the Sum of Five Pounds, and in the Case of a continuing Nuisance the Sum of Ten Shillings for every Day during which such Nuisance shall be continued after the Conviction for the first Offence.

Justices may suspend Licence of Slaughter-houses, &c., in addition to Penalty imposed.

CXXIX. The Justices before whom any Person is convicted of killing or dressing any Cattle contrary to the Provisions of this or the special Act, or of the Non-observance of any of the Bye Laws or Regulations made by virtue of this or the special Act, in addition to the Penalty imposed on such Person under the Authority of this or the special Act, may suspend for any Period not exceeding Two Months the Licence granted to such Person under this or the special Act, or in case such Person be the Owner or Proprietor of any registered Slaughter-house or Knacker's Yard, may forbid for any Period not exceeding Two Months the slaughtering of Cattle therein; and such Justices, upon the Conviction of any Person for a second or other subsequent like Offence, may, in addition to the Penalty imposed under the Authority of this or the special Act, declare the Licence granted under this or the special Act revoked, or, if such Person be the Owner or Proprietor of any registered Slaughter-house, may forbid absolutely the slaughtering of Cattle therein; and whenever the Licence of any such Person is revoked as aforesaid, or whenever the slaughtering of Cattle in any registered Slaughter-house or Knacker's Yard is absolutely forbidden as aforesaid, the Commissioners may refuse to grant any Licence whatever to the Person whose Licence has been so revoked, or on account of whose Default the slaughtering of Cattle in any registered Slaughter-house has been forbidden.

Penalty for slaughtering Cattle during Suspension of Licence, &c.

CXXX. Every Person who during the Period for which any such Licence is suspended, or after the same is revoked as aforesaid, slaughters Cattle in the Slaughter-house or Knacker's Yard to which such Licence relates, or otherwise uses such Slaughter-house or Knacker's Yard, or allows the same to be used as a Slaughter-house or Knacker's Yard, and every Person who during the Period that the slaughtering of Cattle in any such registered Slaughter-house or Knacker's Yard is forbidden as aforesaid, or after such slaughtering has been absolutely forbidden therein, slaughters any Cattle in any such registered Slaughter-house, shall be liable to a Penalty not exceeding Five Pounds for such Offence, and a further Penalty of Five Pounds for every Day on which any such Offence is committed after the Conviction for the first Offence.

Officers may enter and inspect Slaughter-houses, &c.

CXXXI. The Inspector of Nuisances, the Officer of Health, or any other Officer appointed by the Commissioners for that Purpose, may at all reasonable Times, with or without Assistants, enter into and inspect any Building or Place whatsoever within the said Limits kept or used for the Sale of Butchers Meat, or for slaughtering Cattle, and examine whether any Cattle, or the Carcase of any such Cattle, is deposited there, and in case such Officer shall find any Cattle, or the Carcase or Part of the Carcase of any Beast, which appears unfit for the Food of Man, he may seize and carry the same before a Justice, and such Justice shall forthwith order the same to be further inspected and examined by competent Persons; and in case upon such Inspection and Examination, such Cattle, Carcase, or Part of a Carcase be found to be unfit for the Food of Man, such Justice shall order the same to be immediately destroyed or otherwise disposed of in such Way as to prevent the same being exposed for Sale or used for the Food of Man; and such Justice may adjudge the Person to whom such Cattle, Carcase, or Part of a Carcase belongs, or in whose Custody the same is found, to pay a Penalty not exceeding Ten Pounds for every such Animal or Carcase or Part of a Carcase so found; and the Owner or Occupier of any Building or Place kept or used for the Sale of Butchers Meat, or for slaughtering Cattle, and every other Person, who obstructs or hinders such Inspector or other Officer from entering into and inspecting the same, and examining, seizing, or carrying away any such Animal or Carcase or Part of a Carcase so appearing to be unfit for the Food of Man shall be liable to a Penalty not exceeding Five Pounds for each Offence.

Special Order.

And with respect to Things to be done by the Commissioners by special Order only, be it enacted as follows:

As to certain Matters authorized to be done by the Commissioners by special Order only.

CXXXII. Where by this or the special Act the Commissioners are empowered to do any thing by special Order only, it shall not be lawful for them to do such Thing unless the Resolution to do the same have been agreed to by the Commissioners in some Meeting whereof special Notice has been given, and has been confirmed in a subsequent Meeting held not sooner than Four Weeks after the preceding Meeting, and which subsequent Meeting has been advertised once at least in each of the Weeks intervening between the Two Meetings in some Newspaper circulating within the Limits of the special Act, and of which special Notice in Writing has been given to each of the Commissioners.

Final Resolution not to be carried into effect for One Month, nor then if a Majority of the Ratepayers remonstrate against the same.

CXXXIII. Provided always, That after any Resolution has been confirmed in a subsequent Meeting as aforesaid the Commissioners shall not proceed to carry the same into effect until after the Expiration of One Month from the Date of such Second Meeting, and during such Month such Resolution shall be advertised once at least in each Week in some Newspaper circulating within the Limits of the special Act, and public Notice thereof shall also be given by means of Placards posted in public Places within the said Limits, and Reference shall in such Advertisement and Notice be made to some Place provided by the Commissioners where the Plan or Particulars of the Work or Matter to which such Resolution relates may be gratuitously seen by the Rate-payers; and if before the Expiration of such Month a Remonstrance in Writing against carrying into effect such Resolution, or any Part thereof, signed by a Majority of the Rate-payers having Votes in the Election of the Commissioners (such Majority being computed with reference to the Number of Votes to which in such Election each Rate-payer is entitled under

under the special Act, or any Act incorporated therewith), be presented to the Commissioners, such Resolution, or such Part thereof as such Remonstrance applies to, shall not be carried into effect, and where any such Remonstrance applies to Part only of any such Resolution, the Commissioners may either carry into effect the Remainder of such Resolution, or rescind the same, as they think fit. *Special Order.*

CXXXIV. The Commissioners may from Time to Time, with the Concurrence in Writing of the Inspector, and by special Order as herein defined, but not otherwise, purchase, rent, build, or otherwise provide such Slaughter-houses and Knackers Yards as they think proper for slaughtering Cattle within the Limits of the special Act. Commissioners may purchase Slaughter-houses, &c.;

CXXXV. The Commissioners may by a special Order as herein defined, but not otherwise, purchase, rent, or otherwise provide Lands, Grounds, or other Places either within the Limits of the special Act, or at a reasonable Distance therefrom, not exceeding Three Miles from the Centre of the principal Market Place, if any, or from the principal Office of the Commissioners, and in a Situation to be approved of by the Inspector, to be used as a Pleasure Ground or Place of public Resort or Recreation; and the Commissioners may from Time to Time level, drain, plant, and otherwise lay out and improve any such public Lands or Grounds for the more convenient Use and Enjoyment thereof. and Places for public Recreation.

CXXXVI. The Commissioners may from Time to Time by special Order as herein defined, but not otherwise, purchase, rent, or otherwise provide, either within the Limits of the special Act, or at a reasonable Distance therefrom, suitable and convenient Land and Buildings in a Situation and according to Plans to be approved of by the Inspector, to be used for public Baths and Wash-houses, and public open Bathing Places and public Drying Grounds, for the Use and Accommodation of the Inhabitants within the Limits of the special Act, in washing and drying Clothes and other Articles, and may fit up the same respectively with all requisite and proper Conveniences, and from Time to Time enlarge, renew, and repair the same respectively, and afford the Use thereof respectively to such Inhabitants at such reasonable Charges, and under and subject to such Regulations, as the Commissioners may deem expedient; and every Person who offends against any such Regulations shall be liable to a Penalty not exceeding Forty Shillings for every Offence. Public Bathing Places and Drying Grounds.

CXXXVII. Provided always, That the Number of Baths for the Use of the Working Classes in any Building provided by the Commissioners shall not be less than twice the Number of the other Baths of any higher Class. Proportion of Baths for the working Classes.

CXXXVIII. The Commissioners may from Time to Time make such reasonable Charges for the Use of such Baths, Bathing Places, Wash-houses, and Drying Grounds as they think fit, but as regards the Working Classes, not exceeding the Charges, if any, mentioned in the special Act, unless for the Use of any Washing Tub or Trough for more than Two Hours in any One Day, in which Case any Charge may be made which the Commissioners deem reasonable. *Charges for the Use of Baths.*

CXXXIX. For the Recovery of the Charges at such Wash-houses and Drying Grounds the Officers, Servants, and others having the Management thereof may, at the Period of using the same, or at any subsequent Time, detain the Clothes or other Goods and Chattels in or upon any such Wash-house or Drying Ground of any Person refusing to pay the Charge to which such Person may be liable, or any Part thereof, till full Payment thereof be made; and in case such Payment be not made within Seven Days, the Commissioners may sell such Clothes, Goods, and Chattels, or any of them, returning the surplus Proceeds of such Sale, after deducting the unpaid Charge, and the Expences of such Detention and Sale, and the unsold Articles, if any, on Demand, to such Person. *Recovery of Charges for the Use of Baths, &c.*

CXL. A printed Copy or sufficient Abstract of the Bye Laws made by the Commissioners relating to the Use of such Baths, Bathing Places, and Wash-houses, so far as regards every such Bath, Bathing Place, or Wash-house, shall be put up in such Bath Room, Bathing Place, and Wash-house. Publication of Bye Laws in regard to Baths, &c.

CXLI. Whenever any of such public Baths, Bathing Places, Wash-houses, or Drying Grounds are deemed by the Commissioners to be unnecessary or too expensive to be kept up, the Commissioners may, by special Order as herein defined, but not otherwise, discontinue the same, and sell the Lands, Buildings, and Materials for the best Price that can reasonably be obtained, and convey the same accordingly; and the Purchase Money shall be paid to the Treasurer of the Commissioners, and be disposed of as the Commissioners direct. Sale of Baths, &c. on discontinuing them.

CXLII. If it appear that any Works which the Commissioners deem necessary for promoting the Health or Convenience of the Inhabitants of the District within the Limits of the special Act cannot lawfully be carried into effect by the Commissioners, under the Powers vested in them by this or the special Act, by reason either that the Monies authorized to be raised by them are insufficient for the Purpose, or that any Lands are required which the Commissioners are not by this or the special Act authorized to take or use, or for any other Reason, the Commissioners may, by special Order as herein defined, but not otherwise, cause Application to be made to Parliament for an Act to enable them to execute such Works, and may defray the Expences of such Application out of the Rates authorized to be levied by them under this and the special Act. Application to be made to Parliament, if additional Powers necessary.

CXLIII. And with respect to Clocks, be it enacted, That the Commissioners may from Time to Time provide such Clocks as they consider necessary, and cause them to be fixed upon or against any public Building, or, with the Consent of the Owner and Occupier, upon or against any private Building, the Situation of which may be convenient for that Purpose, and may cause the Dials thereof to be lighted at Night, and from Time to Time alter and remove any such Clocks to such other like Situation as they shall consider expedient. *Clocks.* Power to Commissioners to provide public Clocks.

And

Execution of Works by Commissioners.

And with respect to Entry by the Commissioners or their Officers in execution of this or the special Act, be it enacted as follows:

Commissioners empowered to enter upon Lands for the Purposes of this Act.

CXLIV. The Commissioners shall, for the Purposes of this or the special Act, have Power by themselves or their Officers to enter at all reasonable Hours in the Daytime into and upon any Buildings or Lands within the Limits of the special Act, as well for the Purpose of Inspection as for the Purpose of executing any Work authorized to be executed by them under this or the special Act, or any Act incorporated therewith, without being liable to any legal Proceedings on account thereof: Provided always, that, except when herein or in the special Act it is otherwise provided, the Commissioners or their Officers shall not make any such Entry, unless with the Consent of the Occupier, until after the Expiration of Twenty-four Hours Notice for that Purpose given to the Occupier.

Penalty for obstructing Commissioners in their Duty.

CXLV. Every Person who shall at any Time obstruct the Commissioners or any Person employed by them in the Performance of any thing which they are respectively empowered or required to do by this or the special Act, or any Act to be incorporated therewith, shall be liable to a Penalty not exceeding Five Pounds.

Execution of Works by Owners.

And with respect to ensuring the Execution of the Works by this or the special Act required to be done by the Owners or Occupiers of Houses or Lands, be it enacted as follows:

As to Service of Notice on Owners and Occupiers of Buildings and Lands.

CXLVI. Where under this or the special Act any Notice is required to be given to the Owner or Occupier of any Building or Land, such Notice addressed to the Owner or Occupier thereof, as the Case may require, may be served on the Occupier of such Building or Land, or left with some Inmate of his Abode, or, if there be no Occupier, may be put up on some conspicuous Part of such Building or Land; and it shall not be necessary in any such Notice to name the Occupier or the Owner of such Building or Land: Provided always, that when the Owner of any such Building or Land, and his Residence, are known to the Commissioners, it shall be the Duty of the Commissioners, if such Owner be residing within the Limits of the special Act, to cause every Notice required to be given to the Owner to be served on such Owner, or left with some Inmate of his Abode; and if such Owner be not resident within the Limits of the special Act they shall send every such Notice by the Post, addressed to the Residence of such Owner.

Commissioners, in default of Owner or Occupier, may execute Works, and recover Expences.

CXLVII. Whenever under the Provisions of this or the special Act, or any Act incorporated therewith, any Work of any Kind is required to be executed by the Owner or Occupier of any House or Lands, and Default is made in the Execution of such Work, the Commissioners may cause such Work to be executed, and the Expence incurred by the Commissioners in respect thereof shall, except in the Case in which such Expences are herein-before directed to be defrayed by Drainage Rates, be repaid to them by the Person by whom such Work ought to have been executed.

Occupier, in default of Owner, may execute Works, and deduct Expences from his Rent.

CXLVIII. Whenever Default is made by the Owner of any Buildings or Lands in the Execution of any Work by this or the special Act, or any Act incorporated therewith, required to be executed by him, the Occupier of such Buildings or Lands may, with the Approval of the Commissioners, cause such Work to be executed, and the Expence thereof shall be repaid to such Occupier by the Owner of the Buildings or Lands, and such Occupier may deduct the Amount of such Expence out of the Rent from Time to Time becoming due from him to such Owner.

How Expences are to be recovered from Owner.

CXLIX. If the Owner of any Buildings or Lands made liable by this or the special Act for the Repayment to the Commissioners of any Expences incurred by them do not, as soon as the same become due and payable from him, repay all such Expences to the Commissioners, the Commissioners may recover the same from such Owner in the same Manner as Damages, or in an Action of Debt in any of the Superior Courts, or in any other Court having Jurisdiction.

Power to levy Charges on Occupier, who may deduct the same from his Rent.

CL. The Commissioners may, by way of additional Remedy, whether any such Action or Proceeding has been brought or taken against any such Owner or not, require the Payment of all or any Part of the Expences payable by the Owner for the Time being from the Person who then or at any Time thereafter occupies any such Buildings or Lands under such Owner; and in default of Payment thereof by such Occupier, on Demand, the same may be levied by Distress and Sale of the Goods and Chattels of such Occupier in the same Manner as any Rate may be recovered from him under this or the special Act; and every such Occupier shall be entitled to deduct from the Rent payable by him to his Landlord so much as is so paid by or recovered from him in respect of any such Expences.

Occupier not to be liable for more than the Amount of Rent due.

CLI. Provided always, That no Occupier of any Buildings or Lands shall be liable to pay more Money in respect of any Expences charged by this or the special Act on the Owner thereof than the Amount of Rent due from him for the Premises in respect of which such Expences are payable at the Time of the Demand made upon him, or which at any Time after such Demand and Notice not to pay the same to his Landlord have accrued and become payable by him, unless he neglect or refuse, upon Application made to him for that Purpose by the Commissioners, truly to disclose the Amount of his Rent, and the Name and Address of the Person to whom such Rent is payable; but the Burden of Proof that the Sum demanded of any such Occupier is greater than the Rent which was due by him at the Time of such Demand, or which has since accrued, shall lie upon such Occupier: Provided further, that nothing herein contained shall be taken to affect any special Contract made between any such Owner or Occupier respecting the Payment of the Expences of any such Works as aforesaid.

Commissioners may allow Time for Repayment by

CLII. Where any such Expences payable to the Commissioners by any Owner of any such Building or Lands amount to more than Half the Amount of the net annual Value of such Building or Lands, the Commissioners may, if they think fit, at the Request of any such Owner, allow Time for the Repayment of

of such Expences, and receive the same by such Instalments as they, under the Circumstances of the Case, consider reasonable, but so that the same be repaid by annual Instalments of not less than One Seventh Part of the whole Sum originally due, with Interest for the Principal Money from Time to Time remaining unpaid after the yearly Rate of Five Pounds in the Hundred during the Period of Forbearance; but all such Sums remaining due, notwithstanding the Commissioners have agreed to allow any Time for the Repayment thereof as aforesaid, shall from Time to Time, at the Expiration of the several Times so allowed for Repayment thereof, be recoverable in like Manner as such respective Amounts would have been recoverable if no such Time had been allowed for Repayment thereof. Owners of Improvement Expences.

CLIII. If the Occupier of any Buildings or Lands within the Limits of the special Act prevent the Owner thereof from carrying into effect in respect of such Buildings or Lands any of the Provisions of this or the special Act, or of any Act incorporated therewith, after Notice of his Intention so to do has been given by the Owner to such Occupier, any Justice, upon Proof thereof, may make an Order in Writing requiring such Occupier to permit the Owner to execute all such Works with respect to such Buildings or Lands as may be necessary for carrying into effect the Provisions of this and the special Act, or of any Act incorporated therewith; and if after the Expiration of Ten Days from the Date of such Order such Occupier continue to refuse to permit such Owner to execute such Works, such Occupier shall for every Day during which he so continues to refuse be liable to a Penalty not exceeding Five Pounds; and every such Owner during the Continuance of such Refusal shall be discharged from any Penalties to which he might otherwise have become liable by reason of his Default in executing such Works. Proceedings in case of Tenants opposing the Execution of this Act.

CLIV. Nothing herein or in the special Act contained shall extend to avoid any Agreement in Writing entered into before the passing of the special Act for erecting or altering any Building, but the same shall be performed with such Alterations as may be rendered necessary by this or the special Act, and as if such Alterations had been stipulated for in such Agreement; and the Difference between the Cost of the Work according to the Agreement and the Cost of such Work as executed according to the Provisions of this and the special Act shall be ascertained by the Parties to the respective Agreements, and paid for or deducted as the Case may require; and if the said Parties do not agree upon the Amount of such Difference, the same shall, on the Request of either Party (Notice being given to the other), be decided by the Surveyor to the Commissioners, and for his Trouble in making such Decision each of the said Parties shall pay to the said Surveyor such Sum not exceeding One Pound, and to be disposed of for such Purposes of the special Act, as the Commissioners shall direct. Respecting existing Contracts for Building.

CLV. Nothing herein or in the special Act contained shall affect any Lease or Agreement for a Lease whereby any Person may be bound to erect Buildings upon any Building Ground within the Limits of the special Act, but the Buildings mentioned in such Lease or Agreement shall be built according to the Conditions which may be rendered necessary by this or the special Act, in the same Manner as if this and the special Act had been passed and in operation at the Time of making such Lease or Agreement, and the same had been made subject thereto, and that without either Party being entitled to any Compensation. Respecting Contracts for Leases.

Rates.

And with respect to the Rates directed by this Act to be made for Sewers, Drains, and private Improvements, be it enacted as follows:

CLVI. Where by this or the special Act the Occupiers of any Lands or Buildings are made liable to the Payment of any Expences which are directed to be recoverable as private Improvement Expences, the Commissioners may charge the Occupiers of such Lands and Buildings respectively with special Rates over and above any other Rates to which such Persons may be liable under this and the special Act, after the yearly Rate of Six Pounds Ten Shillings in the Hundred Pounds on the Cost of such private Improvements respectively, such special Rates to be payable during Thirty Years next after such Expences have been incurred. As to the Recovery of private Improvement Expences.

CLVII. Whenever any new Sewer shall be made the Commissioners may charge the Occupiers of all Lands and Buildings liable to contribute to the Rates for making the same with special Sewer Rates, over and above any other Rates to which such Persons may be liable under this or the special Act, after the yearly Rate of Six Pounds Ten Shillings in the Hundred Pounds on the Cost of making such new Sewer, such special Sewer Rates to be payable during Thirty Years next after such Expences have been incurred. Where new Sewers are made Commissioners may make special Sewer Rates.

CLVIII. Except where it shall be otherwise provided by the special Act, the Commissioners shall make a Sewer Rate, to be called the general Sewer Rate, distinct from any other Rate which they may be authorized to make under the special Act, and the Money to be raised by such general Sewer Rates shall be applied in maintaining and clearing the Sewers, and all other Expences connected with such Sewers not herein-before provided for, or which may not be fully defrayed by the special Sewer Rates, and for securing and paying off any Monies which may be borrowed for the Purpose aforesaid on Security of the special Sewer Rates under the Provisions of this or the special Act, or of any Act incorporated therewith, and the Interest of such Monies which the special Sewer Rates shall be insufficient to defray. Commissioners to make a general Sewer Rate distinct from other Rates.

CLIX. The Commissioners may borrow Money by Mortgage of the special and general Sewer Rates for making new Sewers, or inclosing open Sewers, and also for any private Improvement Expences, by Mortgage of the Rates respectively applicable to defray such Expences, and for that Purpose the Clauses of the "Commissioners Clauses Act, 1847," with respect to the Mortgages to be executed by the Commissioners, shall be incorporated with this Act; and in order to discharge the Principal Money borrowed Commissioners may borrow Money by Mortgage of Sewer Rates.

Rates.

borrowed as aforesaid on Security of any such Rates, the Commissioners shall in every Year pay off not less than One Thirtieth Part of any principal Sum so borrowed.

Sewer Rate to be of such Amount as to pay off Monies borrowed thereon in Thirty Years.

CLX. The Commissioners shall from Time to Time, unless it be otherwise provided by the special Act, make the general Sewer Rate of such Amount as will with the special Sewer Rates raise Money sufficient not only to defray the current Expences of maintaining the Sewers that shall have been purchased or made, but also to keep down the Interest of any Monies borrowed on Security of the special and general Sewer Rate, and to pay off the Principal of such Monies within a Period not longer than Thirty Years.

Cases where Rates may be charged upon separate and distinct Districts.

CLXI. Where by this or the special Act the Commissioners are authorized to order that any Rate shall be levied by Assessments to be made for separate and distinct Districts, the Commissioners from Time to Time may order Assessments to be made in respect of the Rates authorized to be so levied upon separate and distinct Districts, and in such Case the Commissioners shall cause their Surveyor to describe and define in the Plan of the Town or District within the Limits of the special Act every such separate and distinct District for the Purposes of separate rating as aforesaid, and so from Time to Time as Occasion shall require.

Rates to be levied on separate and distinct Districts.

CLXII. The Commissioners may in such Case, instead of making one Assessment for the whole Town or District within the Limits of the special Act, make separate and distinct Assessments, as Occasion shall require, for every such separate and distinct District respectively, and may appoint, if they see fit, Surveyors, Collectors, and other Officers for every such District, and they shall cause separate and distinct Accounts to be kept of all Monies collected and received under any Rate in each distinct District, and of all Payments and Disbursements in respect thereof, and they shall, unless otherwise provided by the special Act, apply the Monies to be collected and received from each distinct District under any such Rate as aforesaid for the several Purposes to which the same may be lawfully applied under the Authority of this and the special Act, but so nevertheless that each District shall, as near as may be, bear its own Expences; and in case any such Expences shall apply to or be incurred in respect of Two or more Districts, the same shall be apportioned and divided between such Districts in a fair and equitable Manner.

Drainage Rates.

CLXIII. In all Cases when the Commissioners have paid or become liable to the Payment of any Expences in constructing or laying any Drain or Pipe from any House or Building, or in providing any Privy, Ashpit, or Cesspool for the Use of the Occupiers thereof, and when neither the Owner nor Occupier of such House or Building is willing to defray the said Expences forthwith, the Commissioners shall lay Drainage Rates on the Occupiers of such Houses and Buildings respectively, to be continued for Six successive Years and no longer; and the Sum to be annually levied by every such Drainage Rate shall be One Fifth Part of the whole Expence incurred in constructing, laying, or providing such Drain, Privy, Ashpit, or Cesspool as aforesaid, and shall be applied in satisfaction thereof; and the Amount of any such Drainage Rate may be added to any other Rate levied from the Occupiers of such Houses and Buildings, and recovered therewith by the like Ways and Means.

Occupiers may deduct a Proportion of Drainage Rate from their Rent.

CLXIV. Every Occupier of any such House or Building at a Rent not less than the Rack Rent who has paid any such Drainage Rate shall be entitled to deduct Three Fourths of the Rate so paid by him from the Rent payable by him to his Landlord: Every Occupier at a Rent less than the Rack Rent who has paid any such Drainage Rate shall be entitled to deduct from the Rent payable by him to his Landlord such Proportion of Three Fourths of the Rate so paid by him as the Rent payable by him bears to the Rack Rent.

Landlords being also Tenants may deduct Proportion of Drainage Rate from their Rent.

CLXV. Every Landlord, from whom any Part of his Rent has been deducted on account of such Drainage Rate, and who is himself liable to the Payment of Rent, shall be entitled to deduct from the Rent payable by him such Proportion of the Sum so deducted from the Rent payable to him as the Rent payable by him bears to the Rent payable to him, and so in succession with respect to every Landlord receiving Rent, and also liable to pay Rent on account of such House or Building; provided that no Landlord, being also a Tenant, shall be entitled under this Provision to deduct from the Rent payable by him more than the whole Sum deducted from the Rent payable to him.

Limitation of Expenditure for House Drains, &c.

CLXVI. Without the written Consent of the Owner of any such House or Building, the Commissioners shall not be empowered to expend during any Term of Six successive Years more in the whole than One Year's Rack Rent thereof in constructing or laying any such Pipe or Drain, or in providing any such Privy, Cesspool, or Ashpit.

And with respect to the Manner of making Rates authorized by this or the special Act, be it enacted as follows:

Rates to be levied on Persons holding, using, or occupying Houses, &c.

CLXVII. Every Rate which the Commissioners are by this or the special Act authorized to make or levy shall be made and levied by them at yearly, half-yearly, or such other Periods, as they think fit, upon every Person who occupies any of the prescribed Kinds of Property, or (if no Property be prescribed) any House, Shop, Warehouse, Counting-house, Coach-house, Stable, Cellar, Vault, Building, Workshop, Manufactory, Garden, Land, or Tenement whatsoever (except as herein-after is excepted), within the Limits of the special Act, or of the District where such Rate is assessed on the Occupiers of Lands and Buildings of a separate District as herein-before provided, according to the full net annual Value thereof respectively; and the said Rates shall be vested in the Commissioners, and shall be payable at such Times as they appoint: Provided always, that every Person occupying Lands used as Arable, Meadow, or Pasture Ground only, or as Woodlands or Market Gardens or Nursery Grounds, shall be rated in respect of

Proportion to be paid by Holders of

of the same in the prescribed Proportion only, if no Proportion be prescribed, in the Proportion of One Third Part only of such net annual Value thereof as aforesaid. Lands, Nursery Grounds, &c.

CLXVIII. Provided also, That no Person shall be rated to any Rate made in pursuance of this or the special Act in respect of Tithes, or of any Church, Chapel, Meeting House, or other Building exclusively used for public Worship, or any Building exclusively used for the Purposes of gratuitous Education of the Poor or of public Charity, or any Building or Land belonging to the Commissioners. Exemptions from Rates.

CLXIX. The Commissioners may make any such Rate as aforesaid prospectively in order to raise Money to pay Charges and Expences to be incurred thereafter, or retrospectively in order to raise Money to pay Charges and Expences already incurred. Rates may be prospective or retrospective.

CLXX. The Commissioners from Time to Time, before proceeding to make any Rate which by this or the special Act, or any Act incorporated therewith, they are authorized to levy, shall cause an Estimate to be prepared of the Money required for the several Purposes in respect of which they are authorized to levy such Rate, showing the several Sums required, the rateable Value of the Property assessable, and the Rate on each Pound of such Value necessary to raise the Money required, which Estimate, after the same has been approved of by the Commissioners, shall be forthwith entered on the Rate Book to be kept by the Commissioners as herein-after provided. Commissioners to cause Estimates to be prepared before making a Rate.

CLXXI. Notice of the Intention of making every Rate authorized to be made under the Provisions of this or the special Act or any Act incorporated therewith, and of the Time at which the same is intended to be made, and of a Place where a Statement of the proposed Rate is deposited for Inspection by the Rate-payers, shall be given by the Commissioners by Placards posted up in public Places, and shall be advertised in some Newspaper circulating within the Limits of the special Act, in the Week immediately previous to such Rate being made, or as nearly so as may be. Notice of Rate to be given.

CLXXII. Every such Rate shall be fairly transcribed in a Book to be kept for that Purpose, and may be in the Form given in the Schedule (A.) annexed to this Act, or as near thereto as the Circumstances of the Case will admit of; and every such Rate shall contain an Account of every Particular set forth at the Head of the respective Columns so far as the same can be ascertained; and every such Rate shall be signed by not less than Six of the Commissioners. Form of Rate.

CLXXIII. The Statement of the proposed Rate, and the Rate immediately after the same is made, shall be open to the Inspection of any Person interested or rated in such Rate at all reasonable Times, and any such Person may take Copies or Extracts from such Statement or Rate without paying any thing for the same; and any Person having the Custody of such Statement or Rate who refuses or does not permit any Person so interested or rated as aforesaid to take Copies or Extracts from such Statement or Rate shall for every such Offence be liable to a Penalty not exceeding Five Pounds. Rate to be open to Inspection of Rate-payers, who may take Copies, &c.

CLXXIV. The Commissioners may from Time to Time amend any Rate made by virtue of this or the special Act by inserting therein the Name of any Person claiming and entitled to have his Name therein as Owner or Occupier, or by inserting therein the Name of any Person who ought to have been rated, or by striking out the Name of any Person who ought not to have been rated, or by raising or reducing the Sum at which any Person has been rated, if it appear to them that such Person has been under-rated or over-rated, or by making such other Amendments therein as will make such Rate conformable to this and the special Act, and no such Amendment shall be held to avoid the Rate: Provided always, that every Person aggrieved by any such Alteration shall have the same Right of Appeal therefrom as he would have had if his Name had been originally inserted in such Rate, and no such Alteration had been made; and as respects such Person the Rates shall be considered to have been made at the Time when he received Notice of such Alteration; and every Person whose Rates are altered shall be entitled to Seven Days Notice of such Alteration before the Rate shall be payable by him. Rates may be amended.

CLXXV. The annual Value of all Property rateable under this or the special Act shall be ascertained according to the next preceding Assessment for the Relief of the Poor within the Limits of the special Act, except in such Cases as are herein-after mentioned. Value of Property to be ascertained by Poor Rate.

CLXXVI. Provided always, That if at any Time the Rate for the Relief of the Poor within the Limits of the special Act be in the Judgment of the Commissioners an unfair Criterion by which the said Rates should be made, they may cause a Valuation to be made of all the rateable Property within the Limits of the special Act, or of any such separate District as aforesaid, by some competent Person appointed by them for that Purpose, and the Rates made by the Commissioners for the Purposes of this Act shall be made upon such Valuation; and in every such Valuation the Property rateable shall be computed at its net annual Value, as defined by an Act made in the Seventh Year of His late Majesty, intituled *An Act to regulate Parochial Assessments*, or any other Act for the Time being in force for regulating Parochial Assessment. If Poor Rate an unfair Criterion, a Valuation to be made. 6 & 7 W. 4. c. 96.

CLXXVII. Before any such Valuation shall be made the Person appointed to make it shall make and subscribe a solemn Declaration to make such Valuation fairly and impartially according to the best of his Judgment, and an Entry or Minute shall be made in the Book of Proceedings of the Commissioners of the making and subscribing of such Declaration, and of the Date thereof, and any Justice to whom Application is made for that Purpose shall administer such Declaration. Person appointed a Valuer to make a Declaration before acting.

CLXXVIII. The Commissioners, or any Person by them authorized, may from Time to Time inspect any of the Rates for the Relief of the Poor in any Parish, Township, or other District within the Limits of the special Act, and the Books in which are contained all the Assessments by which the same are made, and may take Copies thereof or Extracts therefrom respectively; and any Person having the Custody of such Rates or Assessments who does not suffer the Commissioners, or any Person authorized by them, Poor Rates to be open to Inspection by Commissioners.

Rates.

to inspect the same at reasonable Times, or to take Copies thereof or Extracts therefrom, shall be liable to a Penalty not exceeding Five Pounds for every such Offence.

Owner of Property unoccupied to be assessed to the Sewer Rate.

CLXXIX. When any Property in respect of which the Occupier would be liable to be rated to any Sewer Rate made under the Provisions of this or the special Act is unoccupied at the Time of making such Rate, the Commissioners shall rate and assess the Owner of such unoccupied Premises to such Rate, and every such Owner shall pay the Amount of such Rate: Provided always, that nothing herein contained shall affect the Right herein reserved to recover any Arrears of such Rates from any future Occupier of such Premises.

Unoccupied Premises to be included in the Rates; and if the Premises are afterwards occupied, a Portion of Rates to be paid.

CLXXX. When any Property in respect of which any Person is liable to be assessed as Occupier to any Rate under the Provisions of this or the special Act, or any Act incorporated therewith, other than the Sewer Rate, is unoccupied at the Time of making any such Rate, the Commissioners shall in every such Case include such Property in the said Rate, describing it in the Column appropriated to the Name of the Occupier as being "empty;" and if any Person afterwards occupy such Property during any Part of the Period for which such Rate was made, the Commissioners shall insert in such Rate the Name of such Occupier, and collect from such Occupier, or from the Owner if he be liable to pay the same, a Portion of the said Rate proportioned to the Time during which such Person occupies such Property, and every such Person shall thereupon be deemed to all Intents and Purposes to be properly rated; and all such Rates may be collected and recovered from the Person liable to pay the same under the Provisions of this or the special Act in the same Manner as other Rates made payable thereunder: Provided always, that any Person whose Name is so inserted in such Rate, and such Owner as last aforesaid, may appeal against such Rate to the Justices at Special Sessions, or to the next Quarter Sessions holden after such Insertion of his Name as aforesaid admitting of such Appeal, in the same Manner as he might have appealed if named in the Rate: Provided also, that, except as aforesaid, no Rate other than the Sewer Rate shall be payable by any Person in respect of unoccupied Premises.

Owners of Property not exceeding 10*l.* per Annum to pay Rates.

CLXXXI. The Owners of all rateable Property, of which the full net annual Value does not exceed the prescribed Sum, or (where no Sum is prescribed) the Sum of Ten Pounds, or which are let to weekly or monthly Tenants, or in separate Apartments, shall be rated to and pay the Rates by this or the special Act directed to be made, instead of the Occupiers thereof.

Not necessary to name the Owner where unknown.

CLXXXII. Whenever the Name of any Owner liable to be rated under the Provisions of this or the special Act is not known to the Commissioners, or to the Person making the Rates, it shall be sufficient to rate such Owner in the Rate Book of the Commissioners as the Owner of the Property to be rated by the Designation of "the Owner," without stating his Name.

Tenants under existing Leases to repay the Owner.

CLXXXIII. Provided always, That when any Owner is rated in respect of any rateable Property in the Occupation of any Tenant under any Lease or Agreement made prior to the passing of the special Act, such Tenant shall repay to the Owner all Sums paid by him during the Continuance of such Lease on account of any Rates under this or the special Act payable by the Occupier, unless it have been agreed that the Owner shall pay all Rates in respect of such Property; and every Sum so payable by the Tenant to the Owner may be recovered, if not paid upon Demand, as Arrears of Rent could be recovered from the Occupier by the said Owner.

Occupiers may be rated if they think fit.

CLXXXIV. Provided also, That the Occupiers of any rateable Property, being Tenants thereof from Year to Year, may demand to be assessed for the same, and to pay the Rates in respect thereof made under the Authority of this or the special Act, and the Commissioners shall assess every such Occupier so long as he duly pays the said Rates.

Appeal.

And with respect to the Appeal to be made against any Rate, be it enacted as follows:

Persons aggrieved may appeal to Petty Sessions on the ground of Incorrectness, &c. of Valuation.

CLXXXV. If any Person think himself aggrieved by any Rate on the ground of Inequality, Unfairness, or Incorrectness in the Valuation of any rateable Property included therein, or in the Amount assessed thereon, he may at any Time within One Month after such Rate is made appeal to the Justices at any Special Sessions holden for the Division within which the rateable Property is situated for the Purpose of considering Appeals against the Poor Rates, or in *Ireland* may appeal to the Justices of the Petty Sessions of the District, or to the Justices acting for the District within which the rateable Property is situated; but no such Appeal shall be entertained by such Justices unless Seven Days Notice in Writing of such Appeal be given by the aggrieved Party to the Commissioners; and at the Sessions for which such Notice is given, or any Adjournment thereof, the Justices there present shall hear and determine all Objections to any such Rate on the ground of Inequality, Unfairness, or Incorrectness in the Valuation of any Property included therein, or in the Amount assessed thereon, of which Notice has been so given, but no other Objection; and their Decision shall be final, unless the Party impugning such Decision, within Fourteen Days after the same is made, give Notice in Writing to the other Party of his Intention to appeal against such Decision, stating in such Notice the Nature and Grounds of such Appeal, and within Five Days after giving such Notice enter into a Recognizance before some Justice of the Peace, with sufficient Sureties conditioned to try such Appeal at the then next Quarter Sessions at which the same can be tried, and to abide the Order of and pay such Costs as shall be awarded by the Court at such Sessions, or any Adjournment thereof.

Their Decision to be final, unless appealed from to Quarter Sessions.

Parties may appeal to the Quarter Sessions against a Rate.

CLXXXVI. If any Person think himself aggrieved by any Rate made under the Authority of this or the special Act, or by any Matters included in or omitted from the same, he may, at any Time within One Month after the same is made, give Notice of his Intention to appeal to the next Quarter Sessions holden not less than Fourteen Days after such Notice; but no such Appeal shall be entertained at such Quarter Sessions

Sessions unless Fourteen Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given by the aggrieved Party to the Commissioners: Provided always, that no such Notice of Appeal shall prevent the issuing of the Warrant of Distress for Recovery of any such Rate as herein-after provided, or the Execution thereof. *Appeal.*

CLXXXVII. The Court shall hear and determine the Appeal in a summary Way at the Quarter Sessions for which any such Notice of Appeal is given, or at the following Sessions, when the Court thinks fit to adjourn the Appeal to the following Sessions, and the Decision of the Court shall be final and conclusive on all Parties. Quarter Sessions to hear Appeal, whose Decision final.

CLXXXVIII. No Order of the said Justices shall be of any Force pending any Appeal touching the same Subject Matter to the Court of Quarter Sessions having Jurisdiction to try such Appeal, or in opposition to the Order of any such Court on such Appeal. No Order to be in force pending Appeal.

CLXXXIX. The said Justices and the Court of Quarter Sessions respectively shall in any such Appeal as aforesaid have the same Powers of amending or quashing the Rate in respect of which the Appeal is made as are by Law vested in Courts of Quarter Sessions for amending or quashing the Rates for the Relief of the Poor within their Jurisdiction upon Appeals against such Rates, and shall likewise have respectively, in any Appeal against any Rate made under the Authority of this or the special Act, the same Powers of awarding Costs to be paid by or to any of the Parties to the Appeal, and of recovering such Costs, as are now vested in them respectively for awarding and recovering Costs in an Appeal against any Rate for the Relief of the Poor within their Jurisdiction: Provided always, that if the said Justices or Court shall quash the Rate in respect of which the Appeal is made, then, notwithstanding the quashing of such Rate, all Sums of Money charged by such Rate on any Person charged by such Rate may, if the Justices or Court so order, be levied by such Means and in the same Manner as if no Appeal had been made against such Rate; and the Money which any Person charged on such Rate pays, or which is recovered from him, shall be taken as a Payment on account of the next effective Rate made on him for the same Purposes for which the Rate so quashed was made. On Appeal, the Quarter Sessions and Petty Sessions to have same Power of amending and quashing Rates, and of awarding Costs, as in Appeals against Poor Rates.

CXC. No Order of the said Justices or Court of Quarter Sessions upon any such Appeal as aforesaid shall be removed by Certiorari or otherwise into any of Her Majesty's Courts of Record at *Westminster*. No Certiorari.

And with respect to the Recovery of Rates, be it enacted as follows: *Recovery of Rates.*

CXCI. If any Person rated under the Authority of this or the special Act fail to pay any of the said Rates due from him for the Space of Fourteen Days after Demand thereof in Writing by the Commissioners or their Collector, any Justice, on the Application of the Commissioners or their Collector, may summon such Person to appear before him at a Time to be mentioned in the Summons to show Cause why the Rates due from him should not be paid; and in case no sufficient Cause for the Nonpayment of such Rate be shown, the same shall be levied by Distress, and such Justice shall issue his Warrant accordingly, or the Commissioners may recover the same by Action of Debt; provided that if no sufficient Distress whereon to levy the Amount due in respect of such Rates can be found within the Jurisdiction of the said Justice, then, upon Oath thereof made before any Justice of any other County or Jurisdiction in which any Goods or Chattels of the Person not paying the said Rates may be found, such Justice shall certify the said Oath by endorsing the said Warrant, and thereupon the Amount due in respect of the said Rates, and unpaid by the said Person, may be levied by Distress of the Goods and Chattels of such Person as assessed in the last-mentioned County or Jurisdiction. Rates to be recovered by Distress.

CXCII. The Warrant of Distress for the Recovery of any Rate made payable by this or the special Act may be in the Form or to the Effect mentioned in Schedule (B.) to this Act annexed; and in all Cases where a Distress is hereby authorized to be made, every Constable authorized by the Warrant to levy any Sum mentioned therein shall, upon being required by a Collector of the Rates, aid in making a Distress or Sale pursuant to such Warrant; and every Constable who refuses to do so shall be liable to a Penalty not exceeding Five Pounds. Form of Warrant of Distress. Constables to assist in making Distress.

CXCIII. In any Proceeding to levy and recover or consequent on the levying or recovering of any Rate under the Provisions of this or the special Act, the Books of Rates of the Commissioners, and all Entries made therein in manner by this or the special Act directed, by the Production thereof alone, and without any Evidence that the Notices and other Requirements of this or the special Act have been given or complied with, or Proof of the Seal of the Commissioners if they are incorporated, or if not, then on Proof of the Signatures of the Commissioners whose Names appear thereon or subscribed therein, shall be received as Evidence of such Rate and of the Contents thereof. Rate Books to be Evidence.

CXCIV. If any Person quit or be about to quit any rateable Property before he has paid the Rates then payable by him in respect thereof, and do not pay the same to the Commissioners or their Collector on Demand, any Justice having Jurisdiction where such Person resides, or his Goods are found, may summon such Person to appear before him at a Time mentioned in the Summons to show Cause why the Rates should not be paid, and if no sufficient Cause for the Nonpayment of such Rates be shown accordingly the same shall be levied by Distress, and such Justice shall issue his Warrant accordingly. Remedy against Persons quitting before Payment of Rates.

CXCV. When any Rate has been made for a particular Period, and the Owner or Occupier who is rated to such Rate ceases to be the Owner or Occupier of the Property in respect whereof he is rated before the End of such Period, such Owner or Occupier shall be liable to pay a Portion only of the Rate payable for the whole of such Period proportionate to the Time during which he continued to be Owner or Occupier; and in every such Case if any Person after the making of such Rate become the Owner or Occupier of any Property so rated as aforesaid during Part of the Period for which such Rate was made, such Rates to be apportioned on Holder quitting.

Recovery of Rates.

such Person shall pay a Portion of such Rate proportioned to the Time during which he held or occupied the Property so rated, and the same shall be recovered from him in the same Manner as if he had been originally rated for such Property.

Rates due from Owner may be recovered from Occupier.

CXCVI. When the Owner of any rateable Property is rated in respect thereof under the Authority of this or the special Act, and the Rate remains unpaid for Three Months, the Commissioners or their Collector may demand the Amount of such Rate from the Occupier for the Time being of such rateable Property, and on Nonpayment thereof may recover the same by Distress and Sale of his Goods and Chattels in like Manner as Rates may be recovered from the Occupier of any Property liable to be rated; and every such Occupier shall be entitled to deduct from the Rent payable by him to such Owner so much as was so paid by or recovered from him.

Occupier not to be required to pay more than the Amount of Rent owing by him.

CXCVII. Provided always, That no such Occupier shall be required to pay, nor shall his Goods and Chattels be distrained for any further Sum than the Amount of Rent due from him at the Time of the Demand made upon him for such Amount of Rate, or which after such Demand, and after Notice not to pay the same to his Landlord, at any Time accrues and becomes payable by him, unless he refuse, on Application being made to him for that Purpose by or on behalf of the Commissioners, truly to disclose the Amount of his Rent, and the Name and Address of the Person to whom such Rent is payable; but the Burden of Proof that the Sum demanded from any such Occupier is greater than the Rent due by him at the Time of such Notice, or which has since accrued, shall lie upon such Occupier.

Occupier refusing to give Name of Owner liable to a Penalty.

CXCVIII. If, on the Request of the Commissioners, or of the Collector of the said Rates, the Occupier of any Property refuses or wilfully omits to disclose, or wilfully mis-states to the Commissioners or Collector making such Request, the Name of the Owner of such Property, or of the Person receiving or authorized to receive the Rents of the same, any Justice of the Peace, on Oath made before him of such Request, and of such Refusal or wilful Omission or Mis-statement, may summon the Person who has so refused or wilfully omitted or mis-stated as aforesaid to appear at a Time and Place to be mentioned in such Summons before such Justice, or before some other Justice; and if the Person so summoned neglect or refuse to attend at the Time and Place mentioned in the Summons, or if he attend and do not show good Cause to the Justice then present for such his Refusal or wilful Omission or Mis-statement, such Justice, upon Proof, in case of the Neglect or Refusal to attend as aforesaid, of the due Service of the said Summons, or on such Attendance, may impose a Penalty upon such Person who has so refused, or wilfully made such Omission or Mis-statement, not exceeding the Sum of Five Pounds.

Surveyors of Highways may proceed for the Recovery of Arrears of Highway Rates.

CXCIX. The several Persons who at the Time of the passing of the special Act are Surveyors of Highways for any Township, or other District within the Limits of the special Act, may proceed for the Recovery of any Highway Rate made in such Township or District, and then remaining unpaid, in the same Manner as they might have done if this and the special Act had not been passed, and they shall apply the Money which they so recover, in the first place, in reimbursing themselves any Expences which they have incurred as such Surveyors as aforesaid, and in discharge of any Debts legally owing from them in respect of the Highways within such Township or District; and the Surplus, if any, arising from any Buildings or Lands within the Limits of the special Act, or a proportionate Part thereof, shall be paid by them to the Treasurer to the Commissioners, and shall be applied to the same Purposes as the Rates by this or the special Act authorized to be levied are directed to be applied.

Bye Laws.

And with respect to the Bye Laws to be made by virtue of this or the special Act, be it enacted as follows:

Bye Laws.

CC. The Commissioners may from Time to Time make such Bye Laws as they think fit for the several Purposes for which they are herein-before or by the special Act empowered to make Bye Laws, and from Time to Time repeal, alter, or amend any such Bye Laws, provided such Bye Laws be not repugnant to the Laws of that Part of the United Kingdom where the same are to have effect, or the Provisions of this or the special Act, and be reduced into Writing, and have affixed thereto the Common Seal of the Commissioners if they be a Body Corporate, or the Signatures of Two of the Commissioners if they be not a Body Corporate, and, if affecting other Persons than the Officers or Servants of the Company, be confirmed and published as herein provided.

Bye Laws may be enforced by Imposition of Penalties.

CCI. The Commissioners, by the Bye Laws so to be made by them, may impose such reasonable Penalties as they think fit, not exceeding Forty Shillings for each Breach of such Bye Laws: Provided always, that such Bye Laws be so framed as to allow the Justices before whom any Penalty imposed thereby is sought to be recovered to order the whole or Part only of such Penalty to be paid, or to remit the whole Penalty.

Bye Laws to be confirmed.

CCII. No Bye Law made by the Commissioners under the Authority of this or the special Act, except such as relate solely to the Commissioners or their Officers or Servants, shall come into operation until the same be confirmed in the prescribed Manner, and if no Manner of Confirmation be prescribed, then not until it be allowed by some Judge of one of the Superior Courts, or by the Justices in Quarter Sessions; and it shall be incumbent on such Justices, on the Request of the Commissioners, to inquire into any Bye Laws tendered to them for that Purpose, and to allow or disallow of the same as they think meet.

Notice of Confirmation to be given.

CCIII. No such Bye Laws shall be confirmed unless Notice of the Intention to apply for a Confirmation of the same have been given in One or more Newspapers circulating within the Limits of the special Act One Month at least before the hearing of such Application; and any Person desiring to object to any such Bye Law, on giving to the Commissioners Notice of the Nature of his Objection Ten

Days

Days before the hearing of the Application for the Allowance thereof, may, by himself or his Counsel, Attorney, or Agent be heard thereon, but not so as to allow more than One objecting Party to be heard on the same Matter of Objection. *Bye Laws.*

CCIV. For One Month at least previous to any such Application for Confirmation of any Bye Law a Copy of the proposed Bye Laws shall be kept at the principal Office of the Commissioners, and all Persons may at all reasonable Times inspect such Copy without Fee or Reward; and the Commissioners shall furnish every Person who applies for the same with a Copy thereof, or of any Part thereof, on Payment of Sixpence for every One hundred Words so to be copied. A Copy of proposed Bye Laws to be open to Inspection.

CCV. Such Bye Laws, when confirmed, shall be published in the prescribed Manner, and when no Manner of Publication is prescribed they shall be printed, and the Clerk to the Commissioners shall deliver a printed Copy thereof to every Person applying for the same without Charge; and a Copy thereof shall be painted or placed on Boards, which shall be hung up on the Front or in some conspicuous Part of the principal Office of the Commissioners, and also on some conspicuous Part of the Works or Locality to which the same relate; and such Boards, with the Bye Laws thereon, shall be from Time to Time renewed as Occasion requires, and shall be open to Inspection without Fee or Reward; and any such Clerk who does not allow the same to be inspected at all reasonable Times shall for every such Offence be liable to a Penalty not exceeding Five Pounds. Publication of Bye Laws.

CCVI. Such Bye Laws, when so confirmed and published, shall be binding upon and be observed by all Parties, and shall be sufficient to justify all Parties acting under the same. Bye Laws to be binding.

CCVII. The Production of a written or printed Copy of the Bye Laws requiring Confirmation by a Judge of the Superior Courts or the Court of Quarter Sessions, authenticated by the Signature of the Judge or of the Chairman of the Court which approved of the same, and a written or printed Copy of the Bye Laws not requiring such Confirmation authenticated by the Common Seal of the Commissioners, if they be incorporated, or, if not incorporated, authenticated by the Signatures of Two Commissioners, shall be Evidence of the Existence and of the due making of such Bye Laws in all Prosecutions under the same, without adducing Proof of the Signature of such Judge or Chairman, or the Common Seal or Signatures of the Commissioners; and with respect to the Proof of the Publication thereof it shall be sufficient to prove that a Board containing a Copy thereof was affixed and continued in the Manner by this Act directed, and in case of its being afterwards displaced or damaged, that such Board was replaced or restored as soon as conveniently might be, unless Proof be adduced by the Party complained against that such painted Board did not contain a Copy of the Bye Law under which he is prosecuted, or that it was not duly affixed or continued as required by this Act. Evidence of Bye Laws.

CCVIII. Any Person who destroys, pulls down, injures, or defaces any Board on the Premises of the Commissioners on which any Bye Law of the Commissioners is painted or placed shall for every such Offence be liable to a Penalty not exceeding Five Pounds. Penalty on pulling down Boards.

CCIX. And with respect to the Tender of Amends, be it enacted, That if any Party have committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this or the special Act, or any Act incorporated therewith, or by virtue of any Power or Authority thereby given, and if before Action brought in respect thereof such Party make Tender of sufficient Amends to the Party injured, such last-mentioned Party shall not recover in any such Action; and if no such Tender have been made it shall be lawful for the Defendant by Leave of the Court where such Action is pending, at any Time before Issue joined, to pay into Court such Sum of Money as he thinks fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court. Tender of Amends.

Recovery of Damages and Penalties.

And with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices, be it enacted as follows:

CCX. The Clauses of the Railways Clauses Consolidation Act, 1845, with respect to the Recovery of Damages not specially provided for, and Penalties, and to the Determination of any other Matter referred to Justices, shall be incorporated in this and the special Act; and such Clauses shall apply to the Town or District within the Limits of the special Act, and to the Commissioners, and shall be construed as if the Word "Commissioners" had been inserted therein instead of the Word "Company." Incorporation of Clauses of 8 & 9 Vict. c. 20. as to Recovery of Damages, &c.

CCXI. Provided always, That in *Ireland*, in the Case of any Penalty imposed by Justices, where the Application is not otherwise provided for, such Justices may award not more than One Half of such Penalty to the Informer, and shall award the Remainder to the Guardians of the Poor of the Union within which the Offence was committed, to be applied in aid of the Poor Rates of such Union. In Ireland Part of Penalties to be paid to Guardians.

CCXII. All Things herein or in the special Act, or any Act incorporated herewith, authorized or required to be done by Two Justices, may and shall be done by any One Magistrate having by Law Authority to act alone for any Purpose with the Powers of Two or more Justices. One Magistrate may act for Two Justices.

CCXIII. Every Person who, upon any Examination upon Oath under the Provisions of this or the special Act, or any Act incorporated therewith, shall wilfully and corruptly give false Evidence, shall be liable to the Penalties of wilful and corrupt Perjury. Persons giving false Evidence guilty of Perjury.

Access to special Act.

And with respect to affording Access to the special Act, be it enacted as follows:

CCXIV. The Commissioners shall at all Times, after the Expiration of Six Months after the passing of the special Act, keep in their principal Office of Business a Copy of the special Act, printed by the Printers to Her Majesty, or some of them, and shall also within the Space of such Six Months deposit in the Office of the Clerk of the Peace of the County in which the Town or District within the Limits of Copies of special Act to be kept by Commissioners at

their Office, and deposited with the Clerks of the Peace, &c., and be open to Inspection.
7 W. 4. & 1 Vict. c. 83.

of the special Act is situated a Copy of such special Act, so printed as aforesaid; and the said Clerk of the Peace shall receive, and he and the Commissioners respectively shall retain, the said Copies of the special Act, and shall permit all Persons interested to inspect the same, and make Extracts or Copies therefrom, in the like Manner and upon the like Terms, and under the like Penalty for Default, as is provided in the Case of certain Plans and Sections by an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.*

Penalty for failing to keep or deposit such Copies.

CCXV. If the Commissioners shall fail to keep or deposit, as herein-before mentioned, any of the said Copies of the special Act, they shall forfeit Twenty Pounds for every such Offence, and also Five Pounds for every Day afterwards during which such Copy is not so kept or deposited.

Act may be amended, &c.

CCXVI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)—Sect. 172.

Form of Rate.

AN Assessment to the Sewer Rate [*or* other Rate, *&c., as the Case may be,*] for the [*name the District or Town*], made this Day of in the Year of our Lord 18 , after the Rate of pence in the Pound, by virtue of the [*name special Act*].

No. on the Rate.	Name of Person rated.	Name of the Owner of Property rated.	Description and Situation of Property.	Gross annual Value.	Full net annual Value.	Rate at d. in the Pound.	Amount of Drainage Rate (if any).

Signed by us, this Day of in the Year of our Lord .

A. B.
C. D.
E. F.
G. H.
I. K.
L. M.
Commissioners. Improvement

SCHEDULE (B.)—Sect. 192.

Form of Warrant of Distress for the Recovery of a Rate.

[County of
[*or* Borough, *&c.*] to wit.

WHEREAS Complaint hath been duly made by One of the Collectors of Rates to the Improvement Commissioners, that of, *&c.*, hath not paid and has refused to pay the Sum of duly assessed upon him in and by a certain Rate for the said Town [*or* District] called the [*here name the Rate*], bearing Date on or about the Day of in the Year of our Lord One thousand eight hundred and , and duly made according to the Directions and for the Purposes of [*here name the special Act*] although the same hath been duly demanded of him: And whereas it appears to me One of Her Majesty's Justices of the Peace in and for the said County [*or* Borough, *&c.*], as well upon the Oath of One of the said Collectors of Rates, as otherwise, that the said Sum of hath been duly demanded in Writing by him from the said and that the said hath refused to pay the same, for the Space of Fourteen Days after such Demand made, and doth refuse to pay the same: And whereas the said having appeared before me, in pursuance of my Summons for that Purpose, hath not shown to me any sufficient Cause why the same should not be paid [*or* And whereas it hath been duly proved to me upon Oath that the said hath been duly summoned to appear before me to show Cause why he refuseth

refuseth to pay the said Rate or Assessment, but he the said hath neglected to appear according to the said Summons, and hath not shown to me any sufficient Cause why the same should not be paid]: These are therefore, in Her Majesty's Name, to command you to levy the said Sum of by Distress of the Goods and Chattels of the said ; and if the same shall not be paid within the Space of Days next after such Distress by you taken, together with the reasonable Charges of taking and keeping the same, that then you do sell the said Goods and Chattels by you distrained, and out of the Money arising by such Sale that you do detain the Sum of and also your reasonable Charges of taking, keeping, and selling the said Distress, rendering to him the said the Overplus, on Demand; and if sufficient Distress cannot be found of the Goods and Chattels of the said whereon to levy the said Sum of that then you certify the same to me, together with this Warrant, to the end that such further Proceedings may be had therein as to the Law doth appertain. Given under my Hand and Seal, the Day of in the Year of our Lord 18 .

J. P. (L. S.)

CAP. XXXV.

An Act to continue until the Thirty-first Day of *July* One thousand eight hundred and forty-eight, and to the End of the then Session of Parliament, certain Acts for regulating Turnpike Roads in *Ireland*. [21st *June* 1847.]

[*Acts which will expire on the* 31*st of July* 1847, *or at the End of the present or next Session, continued as in Title.*]

CAP. XXXVI.

An Act for allowing the Subscriptions to the Loan of Eight Millions raised in the Year One thousand eight hundred and forty-seven to be paid up under Discount. [21st *June* 1847.]

"Contributors to the Loan of 8,000,000*l.* to be allowed Interest on Instalments paid on or before 10th *Sept.* "1847, § 1. Warrants to be issued for 3 *per Cent.* Consols to the Credit of Parties on or before 2d *July* "for Dividends due 5th *July* 1847, § 2."

CAP. XXXVII.

An Act for limiting the Time of Service in the Army. [21st *June* 1847.]

'WHEREAS it is expedient to amend the System of Enlistment now in use in Her Majesty's Land Forces:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That after the passing of this Act no Person shall be enlisted to serve Her Majesty, or in the Forces of the *East India* Company, as a Soldier for a longer Term than Ten Years in the Infantry, or Twelve Years in the Cavalry or Artillery or other Ordnance Corps, to be reckoned from the Day on which the Recruit shall have been attested, if he shall have stated himself to be then of the Age of Eighteen Years, or if not, then from the Day on which he will complete the Age of Eighteen Years, to be reckoned according to the Age stated in his Attestation.

After passing of this Act the Period for Enlistment for a Soldier limited.

II. And be it enacted, That such of the Questions relative to Enlistment as are contained in the Schedule of an Act passed in the present Year of Her Majesty's Reign, intituled *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters*, as relates to the enlisting and attesting of Soldiers, shall be repealed; and that in all Cases of Enlistment to serve Her Majesty or the *East India* Company the Question directed to be put on the Attestation of Recruits, as to their Willingness to serve, shall be in the Form contained in Schedule (A.) hereto annexed.

Repealing certain Questions in Schedule to 10 & 11 Vict. c. 12., and substituting others.

III. And be it enacted, That any Soldier, at any Time during the last Six Months of the Term of limited Service for which he shall have first engaged, or after the Completion of such Term, may, if approved by his Commanding Officer or other competent Military Authority as a fit Person to continue in Her Majesty's Service, or in the Service of the *East India* Company, as a Soldier, be re-engaged to serve for the further Term of Eleven Years in the Infantry, and Twelve Years in the Cavalry or Artillery or other Ordnance Corps, upon making a Declaration in the Form given in the Schedule marked (B.) and annexed to this Act before any One of Her Majesty's Justices of the Peace in *Great Britain* or *Ireland*, or, if not in *Great Britain* or *Ireland*, before any Person duly appointed by Her Majesty by any Warrant signed by the Secretary at War in that Behalf, to enlist and attest out of *Great Britain* and *Ireland* any Soldiers or Persons desirous of enlisting or re-enlisting into Her Majesty's Service.

Soldiers, at any Time during the last Six Months, or on Completion of Term of limited Service, may be re-engaged.

IV. Provided also, and be it enacted, That any Soldier who shall be ordered on Foreign Service, and who is within Three Years of the Expiration of his first Engagement, shall be at liberty, with the Approbation of his Commanding Officer, to re-engage, before he embarks for such Foreign Service, for such Period as shall complete a total Service of Twenty-one Years in the Infantry, or Twenty-four Years in the Cavalry or Artillery, according to the Form given in Schedule (B.) and annexed to this Act.

As to Re-engagement of Soldiers ordered on Foreign Service, &c.

If Terms of limited Services expire while Soldiers are on any Foreign Station, they may be prolonged for a further Time.

V. Provided always, and be it enacted, That if either the first or second Term of limited Service for which any Soldier shall have so engaged shall expire while he is serving on any Foreign Station, the said first or second Term of limited Service may be prolonged for such further Time, not exceeding Two Years, as shall be directed by the Commanding Officer on such Foreign Station; and that any Soldier who shall give Notice to his Commanding Officer, after completing his second Term of limited Service, that he is desirous of continuing in Her Majesty's Service, or in the Service of the *East India* Company, and being approved by his Commanding Officer or other competent Military Authority, may be continued in such Service as a Soldier so long as he shall desire to be so continued, and until the Expiration of Three Calendar Months after he shall have given Notice to his Commanding Officer of his Wish to be discharged, and for that Purpose shall be considered in all respects, during such Time, as if his Term of Service were still unexpired.

If at the Expiration of such Terms of Service Soldiers are unwilling to re-engage themselves, they shall be conveyed home.

VI. Provided further, and be it enacted, That if at the Expiration of such first or second Term of limited Service, or of such Term of prolonged Service, any Soldier entitled to his Discharge, being on any Foreign Station, shall not be willing to re-engage or to continue in Her Majesty's Service, or in the Service of the *East India* Company, the Commanding Officer of the Regiment in which he may be serving shall, as in the Case of Soldiers invalided, take the usual Measures, with all convenient Despatch, for the Conveyance of such Soldier to *England*, and on the Arrival of such Soldier in *England* he shall be finally discharged: Provided always, that during such Time as may elapse between the Expiration of such Terms of Service as aforesaid and his final Discharge in *England* such Soldier shall remain subject to all the Provisions of any Act which may be then in force for punishing Mutiny and Desertion, as fully as he may have been subject thereto before the Expiration of such Terms of Service: Provided also, that if at the Expiration of any such first or second Term of limited Service, or of such Term of prolonged Service, any Soldier being in any of Her Majesty's Colonies shall claim his Discharge, and shall signify to the Governor of such Colony, through the Commanding Officer of the Regiment in which he may be serving, his Desire to remain in such Colony, it shall be lawful for such Governor, if he shall think fit, with the Consent of such Commanding Officer, to permit such Soldier to remain therein, and thereupon such Soldier shall be finally discharged, and shall not be entitled to claim to be conveyed to *England* at the public Charge at any future Period.

If Soldiers desire to remain in the Colony, Governor, &c. may permit them so to do.

If Term of Enlistment of Soldier expire after any Offence committed, &c., he shall be deemed to be in the Service till after Trial, &c. for the same.

VII. And be it enacted, That if the Term for which any Non-commissioned Officer or Soldier shall have been enlisted or re-engaged, or for which his Term of Service may have been prolonged as aforesaid, shall expire after any Offence committed by him, and before he has been tried or punished for the same, such Non-commissioned Officer or Soldier shall, notwithstanding the Expiration of his Term of Service, be deemed and taken to be still in Her Majesty's Service, or in the Service of the *East India* Company, as the Case may be, for the Purpose of undergoing his Trial and Punishment, but for no other Purpose: Provided always, that no Non-commissioned Officer or Soldier shall be so tried after the Expiration of his Service, except by a General or District or Garrison Court-martial.

If Soldiers are absent from Duty by reason of Imprisonment, &c., such Portion of Time not to be reckoned as Part of limited Enlistment.

VIII. And be it enacted, That if any Non-commissioned Officer or Soldier shall have been absent from his Duty during any Portion of the Time limited by his Enlistment or Re-engagement, or Prolongation of Service by reason of his Imprisonment, whether under Sentence of a Court-martial or of any other Court duly authorized to pass such Sentence, or by reason of his Confinement for Debt, or by reason of his Desertion, such Portion of his Time shall not be reckoned as a Part of the limited Service for which such Non-commissioned Officer or Soldier was enlisted or re-engaged, or for which his Term of Service may have been prolonged as aforesaid; and if any Non-commissioned Officer or Soldier shall have been absent from his Duty during any Portion of the Time limited by his Enlistment or Re-engagement or Prolongation of Service by reason of his having been made a Prisoner of War, the Circumstances under which he was so made a Prisoner shall, on his rejoining Her Majesty's Service, or the Service of the *East India* Company, be subjected to Inquiry by a Court-martial, and if it shall appear to the Satisfaction of the Court that he was taken Prisoner through his own wilful Neglect of his Duty, or that he has or has not returned to his Duty so soon as he could and ought to have returned, the Court may by its Sentence direct that all or any Part of the Time during which such Non-commissioned Officer or Soldier shall have been so absent may be deducted from his Term of Service.

Act may be amended, &c.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

QUESTIONS to be put by the JUSTICE to a RECRUIT on ENLISTING.

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County, were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?

8. Are

8. Are you willing to be attested to serve in the Regiment of for the Term of [*this Blank to be filled up by the Justices with Ten Years for Infantry, and Twelve for Cavalry or Artillery or other Ordnance Corps, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Ten or Twelve Years (as the Case may be)*], provided Her Majesty should so long require your Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station?
9. At what Place, on what Day, at what Hour of the Day, and by whom were you enlisted?
10. For what Bounty did you enlist?
11. Have you any Objection to make to the Manner of your Enlistment?
12. Do you now belong to the Militia?
13. Do you belong to any other Regiment, or to the Marines, Ordnance, or Navy, or to the Forces of the East India Company?
14. Have you ever served in the Army, Marines, Ordnance, or Navy, or in the Forces of the East India Company?
15. Have you ever been rejected as unfit for Her Majesty's Service, or for the Service of the East India Company, upon any prior Enlistment?

Note.—The Justice is directed, in putting the Twelfth Question to the Recruit, and before he receives his Answer, distinctly to apprize the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to Six Months Imprisonment.

Enlisting for Service in Her Majesty's Colonies.

Question 8. is to be put by the Justice as follows:

8. Are you willing to be attested to serve in Her Majesty's Colony of for the Term of [*this Blank to be filled up by the Justices with Ten Years for Infantry, and Twelve for Cavalry or Artillery or other Ordnance Corps, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Ten or Twelve Years (as the Case may be)*], provided Her Majesty should so long require your Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station?

Enlisting for either Her Majesty's or the East India Company's Service.

Question 8. is to be put by the Justice as follows:

8. Are you willing to be attested to serve in Her Majesty's Army, or in the Forces of the East India Company, according as Her Majesty shall think fit to order, for the Term of [*this Blank to be filled up by the Justices with Ten Years for Infantry, and Twelve for Cavalry or Artillery or other Ordnance Corps, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Ten or Twelve Years (as the Case may be)*], provided your Services should so long be required, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station?

Enlisting for the East India Company's Service.

Question 8. to be put by the Justice as follows:

8. Are you willing to be attested to serve in the East India Company's* for the Term of [*this Blank to be filled up by the Justices with Ten Years for Infantry, and Twelve for Cavalry or Artillery or other Ordnance Corps, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Ten or Twelve Years (as the Case may be)*], provided the said Company should so long require your Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station?

* The Blank to be filled up with the Words Infantry or Artillery, as the Case may be.

SCHEDULE (B.)

I, Number do declare, That I am at present (*or* was, *as the Case may be,*) in Captain Company in the Regiment; that I enlisted on the Day of for a Term of Years; that I am of the Age of Years; and that I will serve Her Majesty, Her Heirs and Successors, [*or* in the Forces of the East India Company, *as the Case may be,*] for a further Term of Years [*to be filled up with Eleven Years in the Infantry, and Twelve in the Cavalry or Artillery or other Ordnance Corps, and in the Case of a Soldier about to embark for Foreign Service, with such Number of Years as shall be required to complete a total Service of Twenty-one Years in the Infantry, or Twenty-four in the Cavalry or Artillery or other Ordnance Corps*], provided my Services should so long be required, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

Declared before me,

Signature of Soldier.
Signature of Witness.

CAP. XXXVIII.

An Act to facilitate the Drainage of Lands in *England* and *Wales*. [21st *June* 1847.]

'WHEREAS it is expedient that Provision should be made for promoting the Drainage of Lands in *England* and *Wales*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Inclosure Commissioners for *England* and *Wales* shall be the Commissioners to carry this Act into execution, and that the Assistant Commissioners, Secretary, Clerks, Messengers, and Officers who may be from Time to Time appointed under the Provisions of an Act passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to facilitate the Inclosure and Improvement of Commons and Lands held in common, the Exchange of Lands and the Division of intermixed Lands, to provide Remedies for defective or incomplete Executions, and for the Non-execution of the Powers of general and local Inclosure Acts, and to provide for the Revival of such Powers in certain Cases*, shall assist in carrying this Act into execution, in like Manner as if the Matters and Proceedings by this Act directed or authorized were Matters and Proceedings directed or authorized by the said recited Act.

Inclosure Commissioners to be the Commissioners to carry this Act into execution, and Officers, &c. appointed under 8 & 9 Vict. c. 118. to assist in the same.

II. And be it enacted, That all the Powers by the said recited Act given to the Assistant Commissioners to require the Attendance of Witnesses, to administer or receive Declarations and examine Witnesses, and to cause to be produced before them Writings and Documents, and the Power given to the said Commissioners to delegate to the Assistant Commissioners, or to any One or more of them, the Powers given to such Commissioners, except the Power to do any Act required to be done under the Seal of the Commissioners, shall be applicable to and may be exercised for the Purposes of this Act as fully and effectually as if the Matters and Proceedings hereby authorized or directed to be done and taken by the Commissioners, or by any Assistant Commissioner, were Matters and Proceedings authorized or directed to be done and taken under the said recited Act.

Powers of recited Act to extend to this Act.

III. And be it enacted, That the said Commissioners shall from Time to Time give to any one of Her Majesty's Principal Secretaries of State such Information respecting their Proceedings under this Act as such Principal Secretary of State shall require, and shall once in every Year send to one of the Principal Secretaries of State a general Report of such Proceedings, and every Year such general Report shall be laid before both Houses of Parliament within Six Weeks after the Receipt of the same by such Principal Secretary of State if Parliament be sitting, or if Parliament be not sitting then in Six Weeks after the next Meeting thereof.

Commissioners to make Reports to Secretary of State, and to both Houses of Parliament.

IV. And be it enacted, That where any Land shall be capable of being drained or improved by Drainage or Warping, by means of Works to be executed on the same and other Lands, for obtaining or improving the Outfall or otherwise, it shall be lawful for any Persons interested in the Land so capable of being drained or improved, and who shall be desirous for that Purpose to execute all or any of the Works herein-after mentioned, and shall be unable to execute such Works by reason of the Objection or Disability of any Person whose Land would be entered upon, cut through, or interfered with by or for the Purpose of such Works, to apply by Memorial to the Commissioners, showing the Means by which such Land may be drained or such Improvement may be effected, and praying for Authority to effect such Drainage or Improvement under the Provisions of this Act; and to such Memorial shall be annexed a Map or Plan showing the Land to which such Application shall relate, and the Land and Property required to be entered upon, cut through, or interfered with for the Purposes of such Drainage or Improvement, or likely to be affected by the proposed Works, and also the Rivers, Watercourses, Ditches, and Drains intended to be cleared, scoured, deepened, or embanked, and the proposed Variations, Diversions, Abridgments, or Enlargements of the same, and the new Cuts, Embankments, Drains, Watercourses, and other Works proposed to be made, and the Engines and Machinery proposed to be erected for the Purposes of such Drainage or Improvement, and also Schedules showing the reputed Proprietors, Lessees, and Occupiers of the Lands proposed to be drained and improved, and the Lands and Property required to be entered upon, cut through, or interfered with respectively for the Purposes of such Drainage or Improvement, and also an Estimate of the Expence of the proposed Works, Engines, and Machinery, including the probable Amount of Money payable as Purchase and Compensation Money in respect of the Land and Property required to be entered upon, cut through, or interfered with, and also a Statement of the actual Condition of the Lands proposed to be drained or improved, and of the probable increased Value of the Land consequent upon the proposed Works; or in case it shall appear to the Commissioners that a correct Judgment can be formed on the proposed Means of Drainage or Improvement without a Map or Plan and Estimates, including the whole of the Land to which such Memorial shall relate, then a Map or Plan showing only the proposed Works, or such other Map or Plan as the Commissioners shall think necessary, and such Memorial, or some Schedule thereto, shall also show the Persons by whom the Works are proposed to be executed; and the Persons by whom such Application shall be made shall, upon the Request of the Commissioners, furnish such further Details in respect of the said Map or Plan, Schedules, Estimates, and Statements, or any of them, as the Commissioners shall think fit for their Guidance in the Matter of the Memorial; and the Persons by whom such Application shall be made shall cause Copies of the said Memorial, Map, or Plan, Schedules, Estimates, and Statements, or of such of them as shall have been furnished to the Commissioners under the Provisions herein-before contained, to be deposited in such convenient Place or Places as the Commissioners

Persons desirous of draining Land may memorialize Commissioners for Authority to effect the same under Provisions of this Act.

Map or Plan, Schedules, and Estimates to be annexed to Memorial.

Memorial, &c. to be deposited, and open to Inspection.

sioners shall approve within or near the Parish or One of the Parishes in which the Land to which such Application shall relate shall be situate, there to remain open for public Inspection for a Period of One Month; and the Deposit of such Copies shall be certified to the Commissioners in such Manner as they shall require; and all Persons shall be at liberty to inspect and make Copies of or Extracts from the said Memorial, Map, or Plan, Schedules, Estimates, and Statement, or any of them, and Copies thereof or Extracts therefrom shall be made by such Person as the Commissioners shall direct for any Person who shall require the same, on Payment of the Costs of making such Copies or Extracts.

Notices to be given that Memorial, &c. has been deposited.

V. And be it enacted, That the Commissioners shall require the Persons making such Application as aforesaid to cause a Notice of such Memorial having been presented, and of the Parishes in which Works are by such Memorial proposed to be executed, and of the Places in which Copies of the said Memorial, Map, or Plan, Schedules, Estimates, and Statements have been deposited as aforesaid, to be given by Advertisement twice in One or more Newspapers circulated in the County in which such Works are proposed to be executed, and to cause a like Notice to be served on all Persons not Parties to the said Application whose Lands are proposed to be entered upon, cut through, or interfered with; and such Service shall be either personally on the Lessee or Occupier of such Land, or by leaving such Notice at the usual or last known Place of Abode of such Lessee or Occupier, and also cause a like Notice to be served on the Proprietor or reputed Proprietor of such Land, or his Agent, either personally or by leaving the same at his usual or last known Place of Abode; and by such Notice all Parties interested or in any way affected by the proposed Works shall be required, on or before a Day to be therein named, not sooner than Six Weeks from such Publication and Service as aforesaid of such Notice, to transmit in Writing to the Commissioners all Objections which such Parties shall think fit to make with respect to any thing by the said Memorial proposed to be done under the Provisions of this Act.

Notices of Objections to be sent to Commissioners in Writing.

Commissioners may require Security for Payment of Costs of Inquiries.

VI. And be it enacted, That the Commissioners may in every Case, before they shall proceed to act or inquire on or in relation to any such Memorial as aforesaid, require such Provision or Security to be made or given as they shall think fit for the Payment by the Parties making the Application of all Costs incident to or to be occasioned by the Inquiries and Proceedings in relation thereto.

Commissioners to appoint an Assistant Commissioner to examine and hear Objections.

VII. And be it enacted, That in every Case in which there shall have been transmitted to the Commissioners Objections to any thing by the said Memorial proposed to be done the Commissioners shall appoint an Assistant Commissioner to inspect the Lands proposed to be drained or improved, and the Lands intended to be entered upon, cut through, interfered with, or affected by the Works in such Memorial mentioned; and the Commissioners shall, if they shall think necessary, call One or more public Meetings, of which Twenty-one Days Notice at the least shall be given to any Person who may have notified his Objection to the Commissioners, and by Advertisement in One or more Newspapers circulated in the County in which such Works are proposed to be executed, of all Persons likely to be affected by any of the Works proposed to be executed for such Drainage or Improvement, to be held on such Day or Days subsequent to the Expiration of such Period of Six Weeks, and at such convenient Place or Places within the Parish or One of the Parishes wherein such Land so to be drained or improved shall be situate, or in the Vicinity thereof, as the said Commissioners shall specify in such Notice; and at the Time and Place named in such Notice as aforesaid the Assistant Commissioner, so appointed as aforesaid, shall attend and shall have Power to adjourn any Meeting from Time to Time, or hold any new Meeting as he may find necessary, and shall inquire into the Correctness of the Schedules containing the Names of such reputed Proprietors, Lessees, and Occupiers as aforesaid, and shall inquire whether the Notices by the Act required shall have been duly given and served, and shall hear and inquire into all such Objections as shall have been or shall be then and there made by any Person or Persons interested in any Land likely to be affected by any thing by such Memorial proposed to be done; and the said Assistant Commissioner shall receive and hear all such Evidence as may be offered to him in relation to the several Matters aforesaid.

Assistant Commissioner to report to Commissioners, who shall consider proposed Drainage.

VIII. And be it enacted, That the Assistant Commissioner appointed as aforesaid shall report his Opinion on the proposed Drainage or Improvement, and on the Objections thereto, with the Evidence taken by him at the Meeting or Meetings (if any shall be held as aforesaid), or otherwise, to the Commissioners, and the Commissioners shall consider the proposed Drainage or Improvement, and such Objections as may have been made thereto, and may make further Inquiries, and take further Evidence in relation thereto, if they shall think fit; and in case they shall be of opinion that such Drainage or Improvement may be effected without material Detriment to the Lands proposed to be cut through or affected, or that the Damage to the Lands so proposed to be cut through or affected may be adequately and effectually compensated under the Provisions of this Act, they may allow such Works according to the Proposal in such Memorial contained, or with such Alterations therein as they may think fit; and it shall be lawful for the Commissioners, by an Order under their Seal, to authorize the Persons by whom such Application shall have been made, or any of them, or any other Person or Persons to be named or described by the Commissioners in such Order, to execute the proposed Works, as the same shall have been allowed as aforesaid, within a Time to be limited in such Order; and such Order, or some Plan thereunto annexed, shall specify or describe the Works thereby authorized to be executed; and the Person or Persons authorized in this Behalf by such Order, or the Person or Persons who shall be authorized by any supplementary Order of the Commissioners, shall have full Power to execute the Works in such Order specified and authorized according to the Terms and Intent of such Order, and to maintain such Works for ever thereafter, subject nevertheless to the Provisions herein-after contained, and making Compensation, to be ascertained

Commissioners may, by Order under their Seal, authorize the Execution of the proposed Works as allowed by them.

ascertained in manner herein-after mentioned, to all Persons for any Damage occasioned to them by the Exercise of the Powers granted by such Order, or any of them.

Persons authorized to execute Works may enter upon Lands for that Purpose.

IX. And be it enacted, That it shall be lawful for the Person or Persons authorized as aforesaid to enter into and upon any Land in the Order of the Commissioners, or the Plan thereunto annexed, described or shown, and in conformity with the Terms of such Order, but not otherwise, to widen, straighten, deepen, divert, scour, or cleanse any River, Stream, Ditch, or Drain, Brook, Pool, or Watercourse, and to make, open, and cut any new Watercourse, Side Cut, Ditch, or Drain, and to alter or remove any Bank, Sluice, Floodgate, Clough, Hatch, Weir, Dam, or other Obstruction, and to make or erect any Bank, Sluice, Floodgate, Hatch, Ditch, Drain, Tunnel, or other Works necessary or convenient for Drainage or for warping, and to dam, bar, and stop up with any Weir or Dam any River or Watercourse, and to erect and maintain on such Land Steam and other Engines and Machinery: Provided always, that no Entry shall be made on any Land for the Purposes aforesaid, except with the Consent of the Proprietors thereof, until the Amount of Compensation for the Damage to be occasioned by such Entry, and by the Execution and Maintenance of the Works authorized as aforesaid, shall have been agreed upon or ascertained, as the Case may be, and paid, under the Provisions herein-after contained or agreed to.

No Entry to be made on Land without Consent until Compensation is made.

Power to purchase Lands for Sites of Engine Houses, &c.

X. And be it enacted, That it shall be lawful for the Commissioners by any such Order as aforesaid to authorize any Person or Persons therein mentioned to purchase and take, as the Site of any Engine House, or for any other Purpose necessary for the Works thereby authorized, any Land, not being in any Park or Pleasure Ground, in such Order to be described; provided always, that not more than Three Acres be purchased or taken under this Clause otherwise than by Agreement; and all the Provisions of "The Lands Clauses Consolidation Act, 1845," with respect to the Purchase of Land otherwise than by Agreement shall apply to the Purchase of any Land not exceeding Three Acres which shall be specially described in such Order, and which shall be thereby authorized to be taken otherwise than by Agreement; and the Provisions of the last-mentioned Act with respect to the Purchase of Land by Agreement shall apply to the Purchase of any Land by such Order authorized to be purchased, except as aforesaid; and all Lands to be purchased or taken under this Clause shall be conveyed to or held by such Persons and upon such Trusts as the Commissioners shall by such Order direct.

The Lands Clauses Consolidation Act, 1845, (8 & 9 Vict. c. 18.,) incorporated with this Act.

XI. And be it enacted, That the Compensation to be paid for the Damage or Injury to any Lands which may be entered upon, cut through, or interfered with under any such Order of the Commissioners as aforesaid, may be agreed upon with the Persons and in the Manner provided by "The Lands Clauses Consolidation Act, 1845," with respect to the Purchase of Land otherwise than by Agreement; and the Persons who in such Order of the Commissioners shall be authorized to execute the Works in such Order mentioned shall, for the Purposes of the last-mentioned Act and of this Act, be deemed the Promoters of the Undertaking; and all other the Provisions of "The Lands Clauses Consolidation Act, 1845," shall be incorporated with this Act, and shall apply thereto, and to the Works and Purchases to be authorized by the Commissioners, in such and the same Manner as if the Works and Purchases which shall be authorized by the Commissioners had been set forth and authorized to be executed and made by this Act.

Streams supplying ornamental Waters not to be interfered with.

XII. Provided always, and be it enacted, That no Order of the Commissioners under this Act shall authorize any Work whereby the Streams, Reservoirs, or Feeders, supplying any ornamental Waters shall be cut through, diverted, or interfered with, otherwise than by Agreement and with the Consent of the Persons to whom such ornamental Waters belong.

Copies of Orders of Commissioners authorizing Execution of Works to be deposited.

XIII. And be it enacted, That Two Copies of every Order of the Commissioners by which they shall authorize the Execution of Works under the Provisions of this Act shall be made and sealed with the Seal of the Commissioners, and one such Copy shall be deposited with the Clerk of the Peace of the County in which the Land authorized to be drained, or the greater Part thereof, shall be situate, who is hereby required to deposit and keep the same among the Records of the said County, so that Recourse may be had thereto by any Person interested in the Premises, and the other Copy shall be deposited with the Church or Chapel Wardens for the Time being of the Parish in which the said Land or the greater Part thereof shall be situate, to be kept by them and their Successors in Office with the public Books, Writings, and Papers of the Parish, or shall be deposited with such other fit Persons as the Commissioners shall approve; and all Persons interested therein may have Access to and be furnished with Copies of or Extracts from any such Copy, on giving reasonable Notice to the Person having Custody of the same, and on Payment of Two Shillings and Sixpence for such Inspection, and after the Rate of Threepence for every Seventy-two Words contained in such Copy or Extract; and all such Copies of and Extracts from any such Copy of any such Order as aforesaid as shall be furnished by the Clerk of the Peace shall be signed by the Clerk of the Peace or his Deputy, purporting the same to be a true Copy or Extract; and every such Copy and Extract so signed shall be received in Evidence without further Proof thereof.

Copies of Orders to be open to Inspection, &c.

Where, by Neglect of Parties to join in maintaining, &c. Banks lying near certain Lands, Occupiers may,

XIV. 'And whereas by reason of the Neglect of or Want of Co-operation among the Occupiers of 'Lands to maintain the Banks and cleanse and scour the Channels of existing Drains, Streams, or Water-'courses lying in or forming the Boundaries of such Lands, and being or leading to the Outfall from 'such Lands and from other Lands, much Injury is occasioned and Improvement prevented, but sufficient 'Powers do not at present exist to remedy the Evil aforesaid;' be it therefore enacted, That in all Cases where by reason of the Neglect of any such Occupier to maintain or join in maintaining the Banks, or to cleanse and scour or join in cleansing and scouring the Channels of existing Drains, Streams, or Watercourses

courses lying in or bounding the Lands of such Occupier, Injury shall be caused to any other Land, it shall be lawful for the Proprietor or Occupier of any Land so injured to require the Proprietor or Occupier so neglecting as aforesaid, by a Notice in Writing delivered to him or left at his usual Place of Abode, effectually to maintain such Banks or cleanse or scour such Channels, or to join in effectually maintaining such Banks or cleansing and scouring such Channels, of such Drains, Streams, and Watercourses; and in case he shall neglect so to do it shall be lawful for the Occupier of the Land to which such Injury shall be caused, immediately after the Expiration of One Calendar Month from the Service of such Notice as aforesaid, to execute or cause to be executed, or to join with any other Person in executing or causing to be executed, all necessary Works for maintaining or repairing such Banks, or cleansing or scouring such Channels as aforesaid; and in case the Expences paid or incurred in executing or causing to be executed such Works as aforesaid, or the just Proportion thereof which should have been paid or borne by the Occupier so neglecting as aforesaid, shall not be paid to the Person by whom the same shall have been paid or incurred by the Occupier so neglecting as aforesaid within One Calendar Month after Demand, it shall be lawful for any Justice, upon the Application of the Person by whom such Expences shall have been paid or incurred, to summon the Proprietor or Occupier so neglecting as aforesaid to appear before Two Justices at a Time and Place to be named in such Summons; and upon the Appearance of the Person so summoned, or in his Absence upon due Proof of the Service of such Summons, it shall be lawful for such Two Justices, upon Proof of such Neglect as aforesaid, and of the Injury occasioned thereby, and of the Expences paid or incurred as aforesaid, to make an Order for the Payment by the Occupier so neglecting of the Expences aforesaid, or of such just Proportion of the same as such Occupier so neglecting ought in the Opinion of the said Justices to contribute and pay; and it shall be lawful for the said Justices, upon any such Application as aforesaid, to award such Costs to be paid by such Party and in such Manner as to such Justices shall seem reasonable, and the Amount of such Expences and Costs respectively may be recovered by Distress.

after giving Notice, maintain the same, and recover the Expences.

XV. Provided always, and be it enacted, That, unless such Drain, Stream, or Watercourse as aforesaid shall be a Boundary of or immediately adjoining to the Land of the Occupier whose Land shall have been injured by such Neglect as aforesaid, it shall not be lawful for the Occupier whose Land shall have been so injured to enter upon the Land of any other Person in the Execution of the Works aforesaid without a Warrant or Authority in Writing so to do from Two or more Justices, which Warrant or Authority such Justices shall grant upon Inquiry had before them, after a Summons served upon the Occupier of the Land so to be entered upon, if it shall appear to such Justices that the Neglect of the Occupier of the Land so to be entered upon has occasioned Injury to the Lands of the Occupier applying for such Warrant or Authority: Provided also, that it shall be lawful for the Justices before whom any Occupier of Land shall be summoned to appear under this Act, and whether such Proprietor or Occupier shall or shall not have appeared, to adjourn the Hearing or further Hearing of any Application for any Order, or for any Warrant or Authority under this Act, to a subsequent Day, and to appoint a competent Person to view in the meantime the Drain, Stream, or Watercourse, and to report thereon to the Justices on the Day to which such Hearing shall have been adjourned, or the said Justices or any of them may in the meantime attend and view such Drain, Stream, or Watercourse.

No Entry to be made on the Lands of Occupier neglecting to maintain Banks, &c. without Warrant of Two Justices.

XVI. And be it enacted, That if upon any Adjudication of the Justices the Amount of the Expences ordered to be paid, and of such Costs as aforesaid, be not paid, the Amount of such Expences and Costs shall be levied by Distress, and such Justices or either of them, or any other Justice, shall issue their or his Warrant of Distress accordingly; and every Sum of Money to be levied by Distress as aforesaid shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same; and the Surplus arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money, and the Expences of the Distress and Sale, shall be returned, on Demand, to the Party whose Goods shall have been distrained.

Expences and Costs of Adjudication of Justices may be levied by Distress.

XVII. And be it enacted, That no Distress levied by virtue of this Act shall be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Adjudication, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

Distress not unlawful for Want of Form.

XVIII. Provided always, and be it enacted, That nothing in this Act contained shall affect the Rights, Duties, Privileges, Powers, or Authorites vested in or to be discharged by any Commissioners of Sewers appointed by any Commission under the Great Seal, or under the Seal of the Duchy of *Lancaster*, or by any other lawful Commission of Sewers, or the Commissioners appointed under any local or private Act of Parliament for Sewers or Drainage, or shall extend to or affect any Charter, Law, Usage, or Custom concerning *Romney Marsh*, or concerning the Great Level of the Fens called the *Bedford Level*, or any Part thereof: Provided nevertheless, that if the Persons interested in any Lands authorized to be drained under local or private Act of Parliament for the Inclosure and Drainage of any Lands, or of any Portion, not being less in Number and Value than Two Thirds of the Persons so interested, shall be desirous of having such Lands drained under the Provisions of this Act, and shall notify such their Desire by Writing under their Hands to the Commissioners under this Act, then such Commissioners and their Assistant Commissioners respectively shall and may, notwithstanding any Provision in any such local or private Act contained, have and exercise all the Powers given to them by virtue of this Act with reference to the

Nothing to affect Rights of Commissioners, &c. of Sewers or Drainage.

Persons interested in Lands authorized to be drained under any local Act may have the same drained under the Pro-

visions of this Act.

the Lands authorized to be drained by such local or private Act as if all the Clauses therein contained for or regarding the Drainage of such Lands were repealed by this Act.

No Person acting under this Act to construct Works, &c. on the Sea-shore without Consent of the Admiralty.

XIX. Provided always, and be it enacted, That it shall not be lawful for any Person acting or pretending to act under this Act to make or construct, alter or extend, on the Shore of the Sea, or of any Creek, Bay, or Arm of the Sea, or any navigable River communicating therewith, where and so far up the same as the Tide flows, any Work which might not have been lawfully made or constructed in case this Act had not been passed without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom aforesaid for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only according to such Plan and under such Restrictions and Regulations as the said Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral aforesaid, may approve of, such Approval being signified as last aforesaid; and if any such Work shall be commenced or completed contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, at his or their Discretion, to abate and to remove the same, and to restore the Site thereof to its former Condition, at the Cost of the Person, or of any One or more of the Persons by whom the same shall have been so commenced or completed; and nothing herein contained shall authorize or enable any Person acting or pretending to act under this Act to make or construct any Work injurious to the Navigation of any navigable River or Canal, or to use or occupy Land between High and Low Water Mark, without the Consent of Her Majesty's Commissioners of Woods and Forests.

Definition of Terms.

XX. And be it enacted, That in the Construction of this Act (except where the Nature of the Provision or the Context of the Act is repugnant to such Construction) "the Commissioners" shall mean the said Inclosure Commissioners for *England* and *Wales;* and the Word "Plan" shall extend to Drawings and Sections; and the Word "River" shall extend to all Rivers, Rivulets, Lakes, Canals, Streams, and Estuaries; and the Word "Person" and the Word "Proprietor" shall extend to the Queen's Majesty, and to all Bodies Politic, Corporate, or Collegiate, and also all Bishops, Parsons, and other Ecclesiastical Persons; the Words "Persons interested in the Land" shall mean such Persons as would be deemed to be so interested under the Provisions of the said Act of the Eighth and Ninth Years of Her present Majesty; the Word "Agent" shall extend to any Person employed to receive Rents; the Word "Justice" shall mean Justice of the Peace acting for the County, Riding, City, Division, Liberty, or other Place where the Matter requiring the Cognizance of any such Justice shall arise, and who shall not be interested in the Matter; and the Words "Churchwarden" and "Parish" shall respectively extend to any Chapelwarden, or other Officer executing any similar Duties, and to any Township or other Division or extra-parochial Place for which such Officer is appointed; and where any Matter shall be authorized or required to be done by Two Justices the Expression "Two Justices" shall be understood to mean Two or more Justices assembled and acting together in Petty Sessions; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing; and every Word importing the Plural Number shall extend and be applied to one Person or Thing as well as several Persons or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male.

Act may be amended, &c.

XXI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

CAP. XXXIX.

An Act to amend an Act to enable Burghs in *Scotland* to establish a general System of Police, and another Act for providing for the Appointment and Election of Magistrates and Councillors for certain Burghs and Towns of *Scotland*. [21st *June* 1847.]

3 & 4 W.4. c.46. 3 & 4 W.4. c.77.

'WHEREAS an Act was passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of His Majesty King *William* the Fourth, intituled *An Act to enable Burghs in Scotland to establish a general System of Police:* And whereas an Act was passed in the same Session of Parliament in the said Third and Fourth Years of the Reign of His said Majesty, intituled *An Act to provide for the Appointment and Election of Magistrates and Councillors for the several Burghs and Towns of* Scotland *which now return or contribute to return Members to Parliament, and are not Royal Burghs:* And whereas it is expedient that the Burghs and Towns to which Magistrates and Councillors were by the said last-recited Act provided should have the Power of adopting the Powers and Provisions of the said first-recited Act in the Manner and to the Effect by the said first-recited Act provided in relation to Royal Burghs, Burghs of Regality, and Burghs of Barony: And whereas it is expedient that in all Cases in which the Powers and Provisions of the said first-recited Act shall be in whole or in part adopted the Execution and Administration thereof should be vested in the Magistrates and Councillors of Royal Burghs, Burghs of Regality, and Burghs of Barony, and of the Burghs and Towns to which Magistrates and Councils were by the said second-recited Act provided that shall adopt the same, and that the Majority of the Electors upon whose Decision such Adoption is provided by the said first-recited Act to take place should be diminished: And whereas by the said second-recited Act no Provision is made for defraying the necessary Expences of the Municipal Establishments thereby constituted, and the other Expences attending the Administration of the Affairs of the said Burghs and Towns, and some of the said Burghs and Towns do not possess any Common Good or Means,

'or

'or do not possess adequate Means of defraying such Expences, and it is necessary that the said first-'recited Act should in this and other respects be altered and amended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifteenth Day of *November* One thousand eight hundred and forty-seven it shall be lawful to all Burghs and Towns to which Magistrates and Councils were by the said second-recited Act provided, and on which Municipal Governments are thereby conferred, to adopt in whole or in part with and under the Powers, Provisions, and Conditions therein contained the Powers, Provisions, and Authorities of the said first-recited Act, and for the Purposes and to the Effect therein provided in relation to Royal Burghs and Burghs of Regality and of Barony adopting the same.

Power to Burghs and Towns to adopt Provisions of General Police Act.

II. And be it enacted, That where any Royal Burgh or any Burgh of Regality and Burgh of Barony having Magistrates and Councils, and where any Burgh or Town to which Magistrates and Councils were provided under the said second-recited Act, intends to adopt in whole or in part the Powers and Provisions of the said first-recited Act, it shall be lawful for the Magistrates and Council of any such Burghs or Towns, without any such Application of Householders as is by the said first-recited Act prescribed, to convene the Occupiers of Premises of the yearly Value of Ten Pounds in the Manner by the said Act directed to consider and determine whether the Provisions of the said first-recited Act shall be in whole or in part adopted, and the Determination of such Question shall be ascertained in the Manner by the said first-recited Act prescribed.

Magistrates and Council may convene Occupiers to determine whether Act shall be adopted.

III. Provided always, and be it enacted, That the Resolution to adopt the Powers and Provisions of the said first-recited Act in whole or in part shall in all Cases be effectual if it shall be carried by a Majority of Two Thirds of the Number of Persons qualified and voting.

Resolution to adopt to be carried by Majority of Two Thirds.

IV. And be it enacted, That in any Case where the Powers and Provisions of the said first-recited Act shall be in whole or in part adopted in any Royal Burgh, Burgh of Regality, or Burgh of Barony having Magistrates and Council, and in any Case where the Majority of Electors aforesaid in any Burgh or Town having a Right by the said second-recited Act to elect Magistrates and Councils shall as aforesaid vote for the Adoption of and shall adopt the Provisions of the first-recited Act in whole or in part, all the Powers and Provisions so adopted shall, instead of being put in execution by Commissioners elected as by the said first-recited Act is prescribed, be put in execution by the Magistrates and Councils of such Burghs and Towns respectively; and all the Powers and Duties by the said Act conferred upon the Commissioners thereby authorized to be elected shall be enjoyed and exercised by the Magistrates and Councils of such Burghs and Towns respectively as the same could have been enjoyed and exercised by the said Commissioners; and the said first-recited Act shall, as far as the same is applicable, be applied to and construed with this Act, and be available to the Magistrates and Councils of such Burghs and Towns, in all respects as if the said Act had been herein re-enacted.

General Police Act to be executed by Magistrates and Council.

V. And be it enacted, That it shall be in the Option of any Burgh which has already adopted in whole or in part the Provisions of the said first-recited Act either to continue the Execution of the Powers and Provisions of the said Act as far as adopted in the Commissioners elected and to be elected under the Provisions thereof, or at a Meeting of the Electors of such Burgh, to be called in the Manner by this Act directed, and proceeded in in the Manner prescribed by the said first-recited Act, to consider and determine whether the Execution of such Powers and Provisions should not be vested in the Magistrates and Councils of such Burgh; and in the event of their determining that such Powers and Provisions shall be so vested, then and in such Case the Powers and Provisions of the said first-recited Act theretofore vested in such Commissioners shall, after the Expiration of Two Months from the Date of such Determination, cease and be at an end, and thereafter all such Powers and Provisions, and also all the Property and Effects vested in such Commissioners as such Commissioners, shall vest in and belong to such Magistrates and Council in the Manner and to the Effect herein-before provided in respect of future Adoptions of the said first-recited Act.

Powers of General Police Act where adopted may be vested in Magistrates and Council.

VI. And be it enacted, That as regards Burghs of Baroey and Burghs of Regality not incorporated, and not having Magistrates and Councils, which may resolve to adopt the Powers and Provisions of the said first-recited Act in whole or in part, the Procedure thereto shall remain and be as well in regard to the Meetings to be held for that Purpose as the Execution of the Powers and Provisions of the said first-recited Act by Commissioners in all respects as by the said first-recited Act is authorized and prescribed.

Procedure in Burghs not having Magistrates and Council.

VII. And be it enacted, That it shall be lawful for the Magistrates and Councils of the Burghs and Towns respectively to which Magistrates and Councils are provided by the said second-recited Act in which there are no Means or no adequate Means of defraying the necessary Expences of their Municipal Establishments and other Expences attending the Administration of the Affairs of such Burghs and Towns respectively, to assess all Tenants, Occupiers, and Possessors of Premises within such Burghs and Towns respectively valued at Two Pounds or upwards of yearly Rent in the Sums necessary for defraying the Expences of such Municipal Establishments and Administration aforesaid, but in no Case to an Amount exceeding Three-pence in the Pound of the yearly Rent of such Premises; and such Assessment shall be levied and recovered by the Magistrates and Councils of such Burghs and Towns respectively in such and the like Manner, from the same Descriptions of Persons and Property, and under the like Provisions and Exceptions, as the Assessments leviable under the said first-recited Act for

Assessments may be levied in certain Burghs and Towns for Municipal Purposes.

Police and other Purposes by the Commissioners therein directed to be chosen are authorized to be levied and recovered.

General Police Act applied to this Act.

VIII. And be it enacted, That the said first-recited Act shall, in so far as the same or any Part thereof is inconsistent with the Provisions of this Act, but no farther, be repealed, and the said Act shall, to the Extent necessary for carrying the Provisions of this Act into effect, be applied to and construed with this Act, and, except in so far as the same is hereby altered, shall remain in full Force and Effect.

Act may be amended, &c.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

CAP. XL.

An Act to continue until the Thirty-first Day of *July* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, an Act of the Fifth and Sixth Years of Her present Majesty, for amending the Law relative to private Lunatic Asylums in *Ireland*. [21st *June* 1847.]

5 & 6 Vict. c. 123.

CAP. XLI.

An Act to continue until the Thirty-first Day of *July* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, certain of the Allowances of the Duty of Excise on Soap used in Manufactures. [25th *June* 1847.]

3 & 4 W. 4. c. 16.

'WHEREAS by an Act passed in the Third Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to repeal the Duties, Allowances, and Drawbacks of Excise on Soap, and to grant other Duties, Allowances, and Drawbacks in lieu thereof*, certain Allowances of the Duties of Excise paid on Soap were granted in respect of Soap used in certain Manufactures and Processes set forth in the said Act, and which Allowances were to cease at the End of the Session of Parliament next after the Thirty-first Day of *May* One thousand eight hundred and thirty-five: And whereas by subsequent Acts, and particularly by an Act of the Seventh and Eighth Years of the Reign of Her Majesty Queen *Victoria*, the said Allowances (except the Allowance for the whitening of new Linen in the Piece for Sale) were continued until the End of the Session of Parliament next after the Thirty-first Day of *July* One thousand eight hundred and forty-six: And whereas it is expedient that the said Allowances (except as aforesaid) should be further continued:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Allowances (except the Allowance of the Duty on Soap used, employed, or consumed in the whitening of new Linen in the Piece for Sale) shall continue and remain payable until the End of the Session of Parliament next after the Thirty-first Day of *July* One thousand eight hundred and forty-eight, in like Manner as if the same had been made payable until that Time by the said first-recited Act.

Certain Allowances of the Duty on Soap to be continued.

CAP. XLII.

An Act to transfer the Collection and Management of the Duties in respect of Stage Carriages, Hackney Carriages, and Railway Passengers from the Commissioners of Stamps and Taxes to the Commissioners of Excise. [25th *June* 1847.]

'WHEREAS the Collection and Management of the several and respective Duties herein-after specified and described are now by Law vested in the Commissioners of Stamps and Taxes, and it is expedient to transfer the same to the Commissioners of Excise:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of *September* One thousand eight hundred and forty-seven the several and respective Duties herein-after specified and described; (that is to say,) the Duties granted and now payable in *Great Britain* by and under an Act passed in the Fifth and Sixth Years of the Reign of Her present Majesty, for and in respect of Stage Carriages, and Licences for keeping, using, or employing Stage Carriages, and for and in respect of Passengers conveyed upon Railways, and also the Duties granted and now payable by and under an Act passed in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, for and upon and in respect of Licences to keep, use, employ, and let to hire Hackney Carriages within the Distance of Five Miles from the General Post Office in the City of *London*, shall be and the same are hereby transferred to and placed under the Care and Management of the Commissioners of Excise for the Time being; and the said several and respective Duties shall thenceforth be denominated and deemed to be Duties of Excise, and shall be raised, levied, collected, and accounted for by and under the Authority of the Commissioners of Excise and their Officers, any thing in any former Act or Acts contained to the contrary notwithstanding.

Duties in respect of Stage and Hackney Carriages, and Licences for the same respectively, and in respect of Railway Passengers transferred to the Commissioners of Excise.

II. And be it enacted, That from and after the said Fifth Day of *September* all the Powers, Provisions, Regulations, and Directions now in force contained in the said several Acts herein-before mentioned or referred to, or in any other Act or Acts, and which at the Time of the passing of this Act may lawfully be executed and enforced by the Commissioners of Stamps and Taxes or their Officers, in relation to the said

Powers and Provisions of the said Acts to be executed by Commission-

said respective Duties hereby transferred as aforesaid, or any of them, or in relation to Stage Carriages or Hackney Carriages, or the Drivers or Conductors of any such Carriages, shall be executed and enforced by the Commissioners of Excise and their Officers respectively, as fully and effectually to all Intents and Purposes as if such Powers, Provisions, Regulations, and Directions had been repeated and re-enacted in this Act, and expressly given to the said Commissioners of Excise and their Officers respectively; and that all the Powers, Provisions, Regulations, and Directions, Forfeitures, Pains, and Penalties contained in or imposed by any Act or Acts now in force relating to the said respective Duties hereby transferred as aforesaid, as well as the Powers, Provisions, Regulations, and Directions, Forfeitures, Pains, and Penalties contained in or imposed by any Act or Acts in force in relation to any of the Duties of Excise, so far as such last-mentioned Powers, Provisions, Regulations, and Directions, Forfeitures, Pains, and Penalties shall be applicable to the said respective Duties hereby transferred as aforesaid, and so far as the same shall not be inconsistent with the special Powers, Provisions, Regulations, and Directions, Forfeitures, Pains, and Penalties now in force in relation to the said respective Duties hereby transferred as aforesaid, shall be of full Force and Effect, and shall be applied, enforced, and put in execution for raising, collecting, levying, recovering, and securing the said last-mentioned Duties, and for preventing, detecting, and punishing all Frauds, Forgeries, and other Offences relating thereto, as fully and effectually to all Intents and Purposes as if such Powers, Provisions, Regulations, and Directions, Forfeitures, Pains, and Penalties were repeated and specially enacted in this Act with reference to the said respective Duties hereby transferred as aforesaid; and wherever in any Act or Acts now in force in relation to the said last-mentioned respective Duties, or to Stage Carriages or Hackney Carriages, or the Drivers or Conductors of any such Carriages, the Head Office for Stamps or for Stamps and Taxes, or the Solicitor of Stamps or for Stamps and Taxes, or any Officer of Stamp Duties or for Stamps and Taxes, is mentioned or designated, the same shall in relation to the said respective Duties hereby transferred as aforesaid, and to Stage Carriages and Hackney Carriages, and the said Drivers and Conductors respectively, be deemed and taken to mean the Chief Office of Excise in *London*, the Solicitor of Excise, and any Officer of Excise respectively.

ers and Officers of Excise.

III. And be it enacted, That every Bond which before or upon the said Fifth Day of *September* shall have been given by the Proprietor or Company of Proprietors of any Railway for accounting for and paying to the Receiver General or any other Officer or Officers of Stamps and Taxes the said Duties for or in respect of Passengers conveyed upon Railways, and every Transfer of Stock or Deposit of Exchequer Bills which shall have been made in lieu of giving any such Bond as aforesaid, shall, so far as relates to such Duties as shall become payable at any Time and from Time to Time after the said last-mentioned Day respectively, be and remain a good and valid Security for accounting for and paying over the said last-mentioned Duties to the Receiver General or other Officer or Officers of Excise, and for that Purpose, wherever in the Condition of any such Bond, or in any Declaration relating to any such Transfer or Deposit as aforesaid, the Terms and Expressions following occur; (that is to say,) "Commissioners of Stamps and Taxes," "Receiver General of Stamps and Taxes," "Officer of Stamp Duties," or "Head Office for Stamps and Taxes in the City of *Westminster*," the same, so far as relates to the said Duties which shall become payable after the said last-mentioned Day, shall be severally construed and read as if the following Terms and Expressions had been inserted in the said Condition or Declaration, and severally substituted for and in lieu of the said former Terms and Expressions; (that is to say,) "Commissioners of Excise" for and in lieu of "Commissioners of Stamps and Taxes," "Receiver General of Excise" for and in lieu of "Receiver General of Stamps and Taxes," "Officer of Excise" for and in lieu of "Officer of Stamp Duties," and "Chief Office of Excise in the City of *London*" for and in lieu of "Head Office for Stamps and Taxes in the City of *Westminster*;" and in all Proceedings at Law or in Equity touching or concerning any of the said Duties which shall become payable after the said last-mentioned Day the Condition of any such Bond and every such Declaration as aforesaid shall respectively be pleaded and read as if such substituted Terms and Expressions had been originally inserted therein for and in lieu of the said other Terms and Expressions.

Bonds and Securities given by Railway Companies to account for Duties to be applicable to the Duties when transferred to the Commissioners of Excise.

IV. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to terminate, affect, or alter any Licence which shall have been granted with relation to any of the said respective Duties on or before the said Fifth Day of *September*, and which shall then be unexpired and in full Force, but that every such Licence shall remain and continue as valid and effectual for the Purposes for which the same was granted, until the Expiration thereof by Effluxion of Time or otherwise, as it would have been if this Act had not been passed.

Act not to affect existing Licences.

V. Provided also, and be it enacted, That nothing herein contained shall extend or be deemed or construed to extend to any Arrears of the said Duties or to any Penalties which shall respectively have been or be or become due or payable, or have been or be incurred, before or upon the said Fifth Day of *September*, or to any Offence committed before or upon the said last-mentioned Day, but that all such Arrears of Duty and all such Penalties as aforesaid shall respectively be collected, received, sued for, and recovered, and all such Offences shall be dealt with and punished, as if this Act had not been passed.

Act not to extend to Arrears of Duty or Penalties incurred, &c. on or before 5th Sept. 1847.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

CAP. XLIII.

An Act for the Amendment of the Laws relating to the Provision and Regulation of Lunatic Asylums for Counties and Boroughs in *England*. [25th *June* 1847.]

8 & 9 Vict. c. 126.

'WHEREAS by an Act passed in the Ninth Year of the Reign of Her present Majesty, intituled '*An Act to amend the Laws for the Provision and Regulation of Lunatic Asylums for Counties* '*and Boroughs, and for the Maintenance and Care of Pauper Lunatics in* England, it was among other 'things enacted, that the Justices of every County and Borough which had no Asylum for the Pauper 'Lunatics thereof should, after the passing of the said Act, either erect or provide an Asylum for the 'Pauper Lunatics of such County or Borough alone, or should unite with some County or Borough '(whether such last-named County or Borough should or should not have a Lunatic Asylum), or with 'the Subscribers to some Lunatic Asylum theretofore established by voluntary Subscriptions, in erecting 'or providing an Asylum for the Pauper Lunatics of such County or Borough: And whereas Doubts 'have been entertained whether the above-mentioned Provisions extend to the Case of more than Two 'Counties or Boroughs uniting with each other, or with each other and with the Subscribers to a Lunatic 'Asylum, for the Purpose aforesaid, and it is desirable that such Doubts should be removed: And 'whereas it is expedient that the Provisions of the said Act should be extended to the Case of Counties 'or Boroughs uniting for the Purpose aforesaid with the Subscribers to a Lunatic Asylum, although the 'same may not have been actually established before the passing of the said Act; and it is expedient 'that the said Act should be in other respects amended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act shall be deemed and taken to have authorized and empowered and to authorize and empower the Justices of any County or Borough to unite for the Purposes of the said Act as follows; (that is to say,) any One or more County or Counties may be united either alone or with any One or more Borough or Boroughs, and any One or more Borough or Boroughs may be united either alone or with any One or more County or Counties, and any One or more County or Counties, and One or more Borough or Boroughs, whether united or not, may unite with the Subscribers to any Lunatic Asylum established or in course of Erection, or afterwards to be established, by voluntary Subscriptions, in erecting or providing an Asylum for the Pauper Lunatics of all or any of such Counties or Boroughs, whether such Union shall have taken place or shall take place at one and the same Time or at different Times.

Recited Act to extend to Cases of more than Two Counties, &c. uniting to establish a Lunatic Asylum, or to their uniting with Subscribers to a Lunatic Asylum not theretofore established.

II. And be it enacted, That all the Powers and Authorities, of what Nature or Kind soever, contained in the said recited Act, or any Act amending the same, except as hereby expressly altered, shall extend to every Matter and Thing to be done under or by virtue of this Act.

Powers, &c. given by recited Act to extend to this Act.

III. And be it enacted, That all Agreements, Acts, and Proceedings entered into, done, or had before the passing of this Act, and notwithstanding any Error or Omission whatsoever, shall be and the same are hereby declared to be valid, binding, and effectual, to all Intents and Purposes whatsoever, and in all respects, as if the Provisions of the said Act had been strictly complied with.

Former Proceedings by Justices, &c. declared valid.

IV. And be it enacted, That where any Agreement for an Union has been made or shall be hereafter made, and in such Agreement the Proportion in which the Expences necessary for carrying into execution the Powers and Purposes of the said recited Act or of this Act were or are to be charged and assessed upon the several Counties and Boroughs and Subscribers so uniting shall have been or shall be specified, in pursuance of the Directions of the said recited Act, but by reason of some other Union the Proportions of Expences to be charged and assessed as aforesaid shall have been or shall be altered and diminished, the Agreement for such Alteration and Diminution shall nevertheless be deemed and taken to be valid, and to authorize and empower the Justices of every such County at the General or Quarter Sessions for the same, or the Council of every such Borough, to raise and levy, by the Ways and Means mentioned in the said recited Act, or any Act amending the same, such smaller Proportion and Sums of Money as shall under the Circumstances aforesaid be necessary for carrying into effect the Provisions of the said recited Act and of this Act.

Where by the Union of additional Counties or Boroughs the Proportion of Expences to be borne by those already united is less than that agreed upon, the Agreement nevertheless to be valid.

V. And be it enacted, That when, in the Case of any such Union as aforesaid, any Monies shall become repayable to any County or Borough by reason of the Addition thereto of any other County or Borough or Subscribers, then such Excess shall be repaid to the respective Treasurers of such Counties or Boroughs according to the Proportions in which the original Sums were contributed, and shall be applied in Liquidation and Payment, *pro tanto*, of the Monies which shall have been raised and levied by such Counties and Boroughs, for the Purposes and under the Powers of the said recited Act, or of any Act amending the same, or of this Act, in such Manner as the Justices of any such County at any General or Quarter Sessions for the same, or the Council of any such Borough, shall respectively order and direct; or if all such Monies shall have been paid, then the same shall be applied in diminution of any Rate to be made in pursuance of the said recited Act, or any Act amending the same.

Where a County or Borough unites with others, &c., a Proportion of Expences assessed to be paid to the Treasurers of the other Counties, &c.

VI. And be it enacted, That where any Union shall have been made before the passing of the said recited Act, or where any Union comprising more than Two Counties or Boroughs shall be made after the passing of this Act, and by the Agreement thereupon made and entered into the Number of Visitors for any County or Borough has been or shall be fixed at less in the Case of a County than Seven, or in the Case of a Borough than Three, such Agreement shall and is hereby declared to be valid to all Intents and

Regulating Number of Visitors where Counties or Boroughs have united, and

and Purposes, any thing in the said recited Act to the contrary notwithstanding; and in case such Union shall hereafter be joined by any other County or Borough, it shall be lawful, in the Agreement to be thereupon made and entered into, to fix a less Number of Visitors for any such County than Seven, and for any such Borough than Three. *have been joined by any other County or Borough.*

VII. And be it enacted, That where any Union has been or shall be made for the Purposes of the said recited Act, it shall not be necessary, after the passing of this Act, that the Plans, Estimates, Contracts, and Agreements for Purchase, or any of them shall be submitted for or be subject to the Approbation of the Court or Courts of General or Quarter Sessions of the County or Counties, or the Justices of the Borough or Boroughs, uniting, before the same shall be completed or carried into execution; provided that the Sum to be so expended shall not exceed an Amount previously authorized by the said Court or Courts of General or Quarter Sessions. *Plans, &c. not to be subject to the Approbation of Quarter Sessions, &c. before carried into execution.*

VIII. And be it enacted, That, notwithstanding the Provisions of the said recited Act, it shall not be necessary to specify in the Agreement to be executed in pursuance thereof the Numbers of every Committee of the County or Counties, Borough or Boroughs, or Subscribers, uniting, but that the said Agreement may be entered into in the Form or to the Effect of the Agreement in Schedule (A.) to the said Act annexed, except that it shall not be necessary that such Agreement should be under the Seals of the Parties signing the same, any thing in the said Act to the contrary notwithstanding. *Agreements to be entered into in the Form in Schedule (A.) of recited Act, except, &c.*

IX. And be it enacted, That all Proposals, Agreements, Contracts, and Plans made or to be made in pursuance and execution of the said recited Act or of this Act, which shall have been or shall be approved of by One of Her Majesty's Principal Secretaries of State under his Hand, shall be deemed and are hereby declared to be valid, binding, and effectual, although the same shall not have been or may not be submitted to and approved by such Secretary of State until after the signing and Execution thereof by any Committee of Justices or Visitors. *Proposals, &c. approved by Secretary of State, after Execution by Justices, &c., to be valid.*

X. And be it enacted, That when any Committees of Justices elected and appointed, or of Subscribers appointed, as in the said Act is mentioned, shall have agreed or shall agree to unite for the Purposes of the said Act, it shall be lawful for such Committees to insert in the Form of Agreement set forth in the Schedule (A.) annexed to the said Act any Stipulations or Conditions, in addition to the Matters by the said Act required to be specified in such Agreement, so that such additional Stipulations or Conditions do not in any way subject the Acts of the Committee of Visitors to the Approval or Control of any Court of General or Quarter Sessions, or of any Justices, in any Case not provided for by the said Act as amended by this Act; and the additional Stipulations and Conditions so inserted in the said Agreement shall be of the same Force and Effect as the Matters so required to be specified, notwithstanding that such additional Stipulations or Conditions may control, in any other Manner than is herein-before specified and excepted, the Discretion and Acts of the Committee of Visitors as regulated by the said Act, or may require the Consent or Approval of, or may subject the Acts or Orders of the Visitors to be disallowed, modified, or controlled by One of Her Majesty's Principal Secretaries of State in Cases not provided for by the said Act; but any Stipulations or Conditions subjecting the Acts of the Committee of Visitors to the Approval or Control of any Court of General or Quarter Sessions, or of any Justices, in any Case not provided for by the said Act as amended by this Act, shall be void and of none Effect. *Committees of Justices, &c. may insert additional Stipulations or Conditions in Form of Agreement in Schedule (A.); but Acts of Visitor not to be subject to Control of General or Quarter Sessions.*

XI. And be it enacted, That, with the Consent in Writing under the Hands of the greater Number of Visitors of each County, Borough, or Body of Subscribers united for the Purposes of the said Act, and with the previous Consent in Writing under the Hand and Seal of One of Her Majesty's Principal Secretaries of State, the Committee of Visitors may from Time to Time repeal or alter any of the said additional Stipulations or Conditions inserted in the said Agreement. *With Consent of Visitors, additional Stipulations or Conditions may be repealed.*

XII. And be it enacted, That the several Persons lending Money for the Purposes of the said Act shall not be bound to require Proof that the several Provisions of the said Act, or of this Act, or of any Act amending the same, have been duly complied with; and that if there be an Order of the Justices of any County in General or Quarter Session, or of the Council of any Borough, making Application for the Loan, and any Mortgage be thereupon duly executed as by the said recited Act is provided, the Justices or Council (as the Case may be) shall have full Power to levy the Rates so mortgaged, for Repayment of the Money so borrowed, with Interest, notwithstanding that the Provisions of the said recited Act, or any Act amending the same, may not have been complied with; and it shall not be competent to any Rate-payer or other Person to question the Validity of any such Rate or Mortgage on the Ground that the aforesaid Provisions had not been complied with. *Persons lending Money not bound to require Proof of Compliance with Provisions of Acts, &c. and Justices empowered to levy Rates mortgaged.*

XIII. And be it enacted, That this Act shall be construed and read with and as Part of the said recited Acts. *Act to be construed with recited Act.*

XIV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. *Act may be amended, &c.*

CAP. XLIV.

An Act to render permanent certain Parts of the Act for amending the Constitution of the Government of *Newfoundland*. [25th *June* 1847.]

'WHEREAS by an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for amending the Constitution of the Government of* Newfoundland, it was amongst other things enacted, that it should be lawful for Her Majesty, in or by any Commission or Commissions under the Great Seal of the United Kingdom, to be thereafter *5 & 6 Vict. c. 120.*

'thereafter issued for the Government of *Newfoundland*, and in and by any Instructions under Her 'Majesty's Signet and Sign Manual accompanying and referred to in any such Commission or Commissions, to establish a Qualification in respect of Income or Property in right of which any Person might 'be thereafter elected to serve as a Member of the Assembly of *Newfoundland*; provided that no such 'Qualification should be fixed at more than a net annual Income arising from any Source whatsoever of 'One hundred Pounds, or the Possession of Property, clear of all Incumbrances, exceeding Five hundred 'Pounds in Amount or Value; and that it should be lawful for Her Majesty, in manner aforesaid, to fix 'and determine the Length of the Period of Residence within any Electoral District in the said Island 'which should be required, in addition to any other Qualification, for voting at Elections within such 'District, or for being elected to serve as a Member of the Assembly; provided that such Period should 'not extend beyond the Period of Two Years next preceding any such Election; and that it should be 'lawful for Her Majesty, in manner aforesaid, to restrain the said Assembly from appropriating to the 'public Service within the Island of *Newfoundland* any Part of the public Revenue thereof in Cases 'where such Services should not have been previously recommended, or such Grants of Money should 'not have been previously asked by or on the Behalf of Her Majesty; and that it should be lawful for 'Her Majesty, in manner aforesaid, to restrain and prohibit the Election of Members to serve in the said 'Assembly in different Districts on successive or different Days, and to require that all such Elections 'should be simultaneous, and should be completed within a Time to be limited, and that any such future 'Commission or Instructions as aforesaid should be laid before both Houses of Parliament within Thirty 'Days next after the Date thereof, should Parliament then be in Session, or if not, then within 'Thirty Days next after the Commencement of the then next Session of Parliament; and it was thereby 'provided that no Change which should be made in the Constitution of the said Island under the said 'Act should continue for a longer Time than the First Day of *September* One thousand eight hundred 'and forty-six, unless Parliament should otherwise order: And whereas by an Act passed in the Session 'of Parliament holden in the Ninth and Tenth Years of Her Majesty's Reign, intituled *An Act to 'continue till the First Day of* September *One thousand eight hundred and forty-seven certain of the 'Provisions of an Act of the Fifth and Sixth Years of Her present Majesty, for amending the Constitution of the Government of* Newfoundland, it was enacted, that the Changes made in the Constitution 'of the said Island under the said recited Act should continue in force until the First Day of *September* 'One thousand eight hundred and forty-seven: And whereas upon and from the said First Day of '*September* One thousand eight hundred and forty-seven the Changes made in the Constitution of the 'said Island under the first-recited Act will cease to be in force unless further Provision in that Behalf 'be made by Parliament; and it is expedient that from and after the said First Day of *September* One 'thousand eight hundred and forty-seven the first-recited Act should cease to be in force, save only so 'far as the same is herein-before recited:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much as is herein-before recited of the first-recited Act shall be permanent, and that upon and from and after the First Day of *September* One thousand eight hundred and forty-seven so much of the said Act as is not herein-before recited shall cease to be in force.

9 & 10 Vict. c. 45.

So much of 5 & 6 Vict. c. 120. as is herein-before recited declared permanent, and so much as is not recited to cease to be in force.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed during this Session of Parliament.

Act may be amended, &c.

CAP. XLV.

An Act to authorize for One Year, and to the End of the then next Session of Parliament, the Removal of Prisoners from the several Gaols in *Ireland* in Cases of epidemic Diseases.

[25th *June* 1847.]

'WHEREAS Fever and other epidemic Diseases have for some Time prevailed in several Parts of '*Ireland:* And whereas the Progress of such Diseases is likely to be much augmented by the 'Want of proper Accommodation in the Gaols in *Ireland*, and the Number of Persons confined therein: 'And whereas the Removal of such Prisoners to other Prisons or Places cannot, as the Law now stands, 'take place without Risk to the Persons to whose Custody such Prisoners respectively may be committed: 'And whereas Persons remanded or ordered to be imprisoned by the Commissioners of Her Majesty's 'Court for the Relief of Insolvent Debtors in *Ireland* cannot by any Order of the said Court or otherwise 'be removed to other Custody; and it is expedient that the Law should in such Cases be amended, for 'the Benefit and Safety of the Public:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That when and so often as any Fever, or other contagious, epidemic, or endemic Disease, shall exist or be apprehended in any City, Town, or Place in *Ireland*, it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by his or their Order, to be signified by his or their Chief Secretary or Under Secretary, to direct that any Person or Persons, being imprisoned in any Gaol, Prison, Bridewell, or other Place of Confinement in any City, Town, or Place in *Ireland*, under or by virtue of any Process, civil or criminal, or under or by virtue of any Order or Writ of any Court of Justice in *Ireland*, shall and may be removed from such Gaol, Prison, Bridewell, or other Place of Confinement to such other Gaol, Prison, or Place of Custody as to such Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall seem fit and proper,

In case of Fever or Contagion existing in any Place in Ireland Prisoners may be removed from one Gaol to another by Order of the Lord Lieutenant.

proper, for and during such Time as to him or them shall appear expedient; and every such Person, when so removed, shall be to all Intents and Purposes deemed and considered to be in the proper legal Custody for and during the Time of such Removal, and for and during such Time as he or she shall be in the Place to which he or she shall be so removed, in like Manner to all Intents and Purposes, as if such Person had continued in his or her original Place of Confinement, and had not been by any such Order or otherwise removed from the same; and that no Right, Duty, Authority, Liability, Jurisdiction, Franchise, Power, Privilege, or Function of any Person whatsoever, which if such Removal had not taken place would have existed, or could or might have been used or exercised, shall be in any respect or degree affected, altered, diminished, prejudiced, or varied by or in consequence of any such Removal: Provided always, that in case any such Prisoners shall be removed under the Provisions of this Act from any County, County of a City, or County of a Town, into any other County, County of a City, or County of a Town, the Expences of the Support and Maintenance of such Prisoners in the Place to which they shall be so removed shall be paid and provided for by the County, County of a City, or County of a Town from which respectively they shall have been so removed, as the same were or ought to be paid or provided for before such Removal; and the Expences of any such Removal under this Act, and of any further Removal of Prisoners, to the original Place of Custody, shall be charged and chargeable on the County, County of a City, or County of a Town from which they shall have been so removed, and shall be paid and provided for in like Manner and subject to like Provisions as are contained in an Act of the First and Second Years of the Reign of Her present Majesty, intituled *An Act to regulate the Expences of conveying Prisoners in Ireland.* 1 & 2 Vict. c. 6.

II. And be it enacted, That this Act shall commence and take effect from and after the passing of the same, and shall continue and be in force for the Space of One Year, and from thence to the End of the then next Session of Parliament. Commencement and Continuance of Act.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament. Act may be amended, &c.

CAP. XLVI.

An Act to facilitate the temporary Investment of Trust Monies in the Improvement of Landed Property in *Ireland.* [25th *June* 1847.]

'WHEREAS it is expedient that further Facilities should be given for the permanent Improvement of Lands in *Ireland:* And whereas it may happen that there are now or hereafter may be in the Hands or standing to the Account of Trustees or a Trustee of a Settlement or Will or Codicil Monies produced by the Sale or received for Equality of Exchange of settled Estates or Hereditaments in *Ireland*, under a Power of Sale or Exchange, or under Trusts for Sale, in such Settlement or Will or Codicil contained, or Stocks or Securities purchased with such Monies, and which Monies are liable to be laid out in the Purchase of other Estates or Hereditaments in *Ireland* or elsewhere, to be settled to the same or the like Uses or upon and for the same or the like Trusts and Purposes as the Estates or Hereditaments from the Sale or Exchange of which such Monies were produced, and there may be now or hereafter Monies in the Hands or standing to the Account of Trustees or a Trustee of a Settlement, Will, or Codicil produced by a Sale or Sales of settled Lands or Hereditaments in *Ireland*, compulsorily or otherwise, made to or for the Purposes of a Railway or other public Work, or other Monies, Stocks, or Securities liable to be laid out in the Purchase of Lands or Hereditaments, and which Monies respectively may be advantageously advanced for the Purpose of being laid out in [the permanent Improvement of the Lands or Hereditaments remaining unsold or in Settlement for the Time being, and there may be now or hereafter Monies or Stocks or Securities in the Hands or standing to the Account of Trustees or Guardians for Infants or others under legal Disability, or Monies of Persons of unsound Mind, which may be advantageously advanced for the Purpose of being employed in the permanent Improvement of the Estates of such Infants, Persons of unsound Mind, or others under legal Disability:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for any such Trustee or Trustees (with the Consent of any Person or Persons beneficially interested, in possession, if of full Age), or Guardian or Guardians, and for the Committee or Committees of any Persons of unsound Mind, and they are hereby authorized, to apply to the High Court of Chancery in *Ireland*, by Petition to the Lord High Chancellor, praying that he or they may be authorized to make any such permanent Improvements of any such Lands or Hereditaments in *Ireland* respectively as aforesaid, by laying out and expending thereon any Sum or Sums proposed by such Petition, in such Manner as therein may be mentioned and described, and in such Petition to pray that the Expences of making any such permanent Improvements may be defrayed by Advances out of any such Monies or Funds in the Hands or to the Account of such Trustees or Guardians or others as aforesaid. Trustees, &c. of settled Estates may petition the Court of Chancery in Ireland for Permission to lay out Money in Improvements.

II. And be it enacted, That upon the Presentation of any such Petition as aforesaid it shall be lawful for the said Court, without requiring the Attendance of any Counsel or Solicitor, to refer it to One of the Masters of the said Court to make all necessary and proper Inquiries, and to consider all such Evidence, Estimates, and Valuations as shall be produced before him in relation to the Matter of such Petition, and thereupon to report whether in his Opinion it will be beneficial to all Persons interested in the Lands that such permanent Improvements as last aforesaid should be made under the Provisions of this Act, and whether, having regard to the Nature of such Improvement, the Money so to be expended, Court may refer such Petition to a Master, and obtain his Report.

or

or any Part thereof, should be repaid, and, if to be repaid, by any and what Instalments, and with any and what Interest, and with what Priority.

Master to give Notice, and shall hear all Parties, on the Matters referred to him, and report on the same to the Court, who may confirm the same.

III. And be it enacted, That in proceeding under such Order of Reference the said Master shall cause such Notice thereof to be given by Advertisement or otherwise as he shall think fit or the Court of Chancery shall by any general or other Order direct, and shall hear all Parties interested in the Subject Matter of such Reference who may appear before him, and shall report on the Matters so to him referred, and such Report shall be filed according to the Practice of the said Court, and that thereupon it shall be lawful for the said Court, without requiring the Attendance of any Counsel or Solicitor, upon the Petition of the Party obtaining the same, to confirm the said Report absolutely or make such Alteration therein as shall be fit, and to make an Order authorizing or permitting such permanent Improvements to be made, and the Expences of making the same, together with the Expences of obtaining the Authority of the said Court, to be accordingly advanced out of such Monies respectively aforesaid, and which Order shall be registered in the Office of the Registrar of Judgments, in like Manner and on Payment of like Fees as those upon which any Decree or Order may be registered, and that thereupon it shall be lawful for such Trustees or Guardians, or other Person or Persons to whom such Monies or Funds as aforesaid shall have been paid, or in whose Care, Custody, or Possession the same shall be and remain for the Time being in the several Cases respectively aforesaid, to advance and lay out such Monies accordingly.

Master to inquire and report on the due Expenditure on Improvements as ordered.

IV. And be it enacted, That after such Monies shall have been so advanced and laid out as aforesaid, it shall be lawful for such Trustees or Guardians or others from Time to Time to apply to the said Court, by Petition to the Lord High Chancellor, for a Reference to the said Master to ascertain that the same have been properly expended in or about the making of such Improvements, and in paying or providing for the Expences incurred and to be incurred of obtaining the Authority of the said Court; and that upon the said Master making his said Report, and thereby finding that such Monies or any Part thereof had been so properly expended as aforesaid, and upon the said Report being duly filed according to the Practice of the said Court, that then it shall be lawful for the said Court, without requiring the Attendance of any Counsel or Solicitor, to make an Order to confirm the said Report absolutely, and thereupon such Trustee or Trustees, Guardian or Guardians, or Committees, or other such Persons as aforesaid, shall be for ever fully released, exonerated, and discharged from all and every Liability or Responsibility on account of or concerning any such Application of any such Trust or other Monies, or such Part thereof in respect of which such Order shall have been so made as last aforesaid, subject nevertheless to any Orders or Provisions of the Lord Chancellor from Time to Time in that Behalf made or provided.

Advances to be charged on Lands improved.

V. And be it enacted, That in every Case in which such Advances shall be made as last herein-before authorized, and the Master shall have reported that such Advances ought to be repaid, the Lands intended to be improved by means thereof shall, from the respective Times of making such Advances, become and be charged with the Repayment to such Trustees, Guardians, or Committees or others, for the Time being making or entitled to be repaid such Advances, of the Amount of such respective Advances, with Interest, if any, for the same, in such Manner, with such Priority, and subject to such Conditions, Provisoes, and Restrictions as the Lord Chancellor by any Order or Provision in that Behalf shall from Time to Time direct.

Tenants for Life bound to pay Charges, &c. ordered by the Court, and maintain Works in good Condition.

VI. And be it enacted, That Tenants for Life and others having only a limited Interest in the Land charged shall be bound to pay such Charges, Interest, or Instalments as may be directed by any such Order or Provision as last aforesaid, which shall from Time to Time become due and payable by them during the Continuance of their respective Estates or Interests, and shall be bound to uphold and maintain in good Order and Condition the Works on account of which the Lands shall have been so charged as aforesaid, as if such Persons respectively were Tenants for Life, subject to Impeachment for Waste; and in case such Tenants for Life and others shall not pay such Charges, Interest, and Instalments as may be directed by any such Order or Provision, at the Time when the same shall so become due and payable, such Trustees, Guardians, or Committees or others shall apply to the said Court of Chancery by Petition for the Appointment of a Receiver, to collect the Rents of such Lands until such Charges, Interests, and Instalments shall have been duly paid, and that upon such Petition it shall be lawful for the said Court to appoint such Receiver, and to make such further Order or Provision in the Premises as to the said Court may seem fit.

After a Petition has been presented any further Application may be made by Motion, &c.

VII. And be it enacted, That after a Petition shall have been presented under this Act any further Application to the Court may be made by Motion, without Petition; and that the Court shall have Power to order Costs to be paid to or by any Party; and that it shall be lawful for the Lord Chancellor of *Ireland*, with the Advice and Consent of the Master of the Rolls for the Time being, from Time to Time and as often as Circumstances shall require, to make and prescribe such Provisions, Rules, and Orders, either general or with respect to any particular Proceedings to be had and taken in Chancery under or for the Purposes of this Act, and the Practice to be observed by the Court in relation to such Proceedings or any Matters incident thereto, as shall from Time to Time seem necessary or expedient.

Act may be amended, &c.

VIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. XLVII.

An Act to amend the Law and Practice in *Scotland* as to the Service of Heirs. [25th *June* 1847.]

'WHEREAS it is expedient to amend the Law and Practice in *Scotland* relative to the Service of Heirs:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifteenth Day of *November* One thousand eight hundred and forty-seven the Practice of issuing Brieves from Chancery for the Service of Heirs shall cease, and it shall not be competent to any Person to obtain himself served Heir by virtue of any such Brieve, or otherwise than according to the Provisions of this Act.

From 15th Nov. 1847 the Practice of issuing Brieves from Chancery for Service of Heirs to cease.

II. And be it enacted, That from and after the Date aforesaid every Person desirous of being served Heir to a Person deceased, whether in general or in special, and in whatsoever Character, shall, instead of applying, as heretofore, for a Brieve from Chancery, present a Petition of Service to the Sheriff in manner herein-after set forth.

Services to proceed by Petition to the Sheriff.

III. And be it enacted, That in every Case in which a general Service only is intended to be carried through, such Petition shall be presented to the Sheriff of the County within which the Deceased had at the Time of his Death his ordinary or principal Domicile, or, in the Option of the Petitioner to the Sheriff of Chancery to be appointed under the Authority of this Act, and if the Deceased had at the Time of his Death no Domicile within *Scotland*, then in every such Case to the Sheriff of Chancery; and in every Case in which a special Service is intended to be carried through, such Petition shall be presented to the Sheriff within whose Jurisdiction the Lands or other Heritages are situated, or, in the Option of the Petitioner, to the Sheriff of Chancery, and in the event of the Lands or Heritages being situated in different Counties then in every such Case to the Sheriff of Chancery.

Petition to be presented to Sheriff of the County or to the Sheriff of Chancery.

IV. And be it enacted, That such Petition shall be subscribed by the Petitioner, or by a Mandatory specially authorized for the Purpose, and shall be in the Form, or as nearly so as the Case will admit, of one or other of the Schedules (A.) and (B.) hereunto annexed, and shall, under the Exceptions after mentioned, set forth the Particulars which, according to the Law and Practice heretofore existing, have been in use to be set forth with reference to a Service sought to be carried through in any Claim presented to a Jury summoned under a Brieve of Inquest, and shall pray the Sheriff to serve the Petitioner accordingly: Provided always, that it shall not be necessary in such Petition to set forth in any Case the Value of the Lands, either according to new or old Extent, or the valued Rent thereof, or of whom the Lands are held, or by what Service or Tenure they are held, or in whose Hands the same have been since the Death of the Ancestor, or whether or how long the same have been in Non-entry, or that the Petitioner is of lawful Age, or that the Ancestor died at the Faith and Peace of the Sovereign; but that in setting forth the Death of the Ancestor there shall also be set forth the Date at or about which the said Death took place; and that in every Case in which the Petitioner claims to be served Heir of Provision, whether in general or special, the Deed or Deeds under which he so claims shall be distinctly specified.

Nature and Form of the Petition.

V. And be it enacted, That in all Cases of Special Service, where the Lands are held under a Deed of Entail, it shall be lawful and competent in such Petition of Service, and in the Decree of Service to follow thereon, and in the Precepts, Sasines, or other Instruments necessary to complete the Investiture of the Lands which shall follow on such Decree, to omit the full Insertion of the Conditions and Provisions, and prohibitory, irritant, and resolutive Clauses of such Deed of Entail, provided such Conditions and Provisions, and prohibitory, irritant, and resolutive Clauses, shall be therein specially and directly referred to as set forth at full Length in the recorded Instrument of Sasine in favour of the deceased Person served to, or as set forth at full Length in the Deed of Entail itself, if the same shall have been recorded in the Register of Tailzies, or as set forth at full Length in any recorded Instrument of Sasine forming a Part of the Title Deeds of the Lands held under such Deed of Entail, such Reference being made in the Form or as nearly as may be in the Form shown in Schedule (B.) hereunto annexed; and the Reference thus made to such Conditions and Provisions, and prohibitory, irritant, and resolutive Clauses, shall be held legally equivalent to the full Insertion thereof, and shall to all Intents, and in all Questions whatever, whether *inter hæredes* or with Third Parties, have the same legal Effect as if the same had been inserted exactly as they may be expressed in the recorded Deed or Instrument referred to, notwithstanding of any Injunction to the contrary contained in such Deed of Entail, and notwithstanding of any Law or Practice to the contrary, and notwithstanding the Enactments or Provisions to the contrary contained in an Act of the Parliament of *Scotland* made in the Year One thousand six hundred and eighty-five, intituled *Act concerning Tailzies*, or in any other Act or Acts of the Parliament of *Scotland* or of *Great Britain* now in force, all which are hereby repealed to the Extent of making this Enactment operative, but no further.

Conditions of Entail and other Conditions may be referred to instead of being inserted at length.

VI. And be it enacted, That in all Cases of special Service, where the Lands are held under any Real Burdens or Conditions or Limitations whatsoever appointed to be fully inserted in the Investitures of such Lands, it shall, notwithstanding such Appointment, and notwithstanding any Law or Practice to the contrary now existing, be lawful and competent in the Petition of Service, and in the Decree of Service to follow thereon, and in the Precepts, Sasines, or other Instruments necessary to complete the Investiture which shall follow on such Decree, to omit the full Insertion of such Real Burdens or Conditions or Limitations; provided such Real Burdens or Conditions or Limitations shall be therein specially and directly referred to as set forth at full Length in the recorded Instrument of Sasine in favour of the deceased

Burdens, Conditions, and Limitations may be referred to.

Person served to, or as set forth at full Length in the recorded Instrument of Sasine or of Resignation *ad remanentiam* of the said Lands in which the same were first inserted, or in any other intermediate recorded Instrument of Sasine, such Reference being made in the Form or as near as may be in the Form shown in Schedule (B.) hereunto annexed; and the Reference thus made to such Real Burdens or Conditions or Limitations shall be held as legally equivalent to the full Insertion thereof, and to all Intents and in all Questions whatever, whether with the Disponer or Superior or Third Parties, shall have the same legal Effect as if the same had been inserted exactly as they may be expressed in the recorded Instrument referred to, notwithstanding any Law or Practice or any Act or Acts of Parliament to the contrary, all which are hereby repealed to the Extent of making this Enactment operative, but no further.

Services not to proceed till Publication be made.

VII. And be it enacted, That when any such Petition shall be presented to the Sheriff of any County the Service shall not proceed until Publication shall be made in such County, nor until the Sheriff Clerk of the County shall have received from the Sheriff Clerk of Chancery official Notice that Publication has been made edictally in *Edinburgh;* and when such Petition shall be presented to the Sheriff of Chancery the Service shall not proceed until Publication shall have been made edictally in *Edinburgh*, nor until the Sheriff Clerk of Chancery shall have received official Notice that Publication has been made in the County of the Domicile of the Party deceased, or the County or Counties in which the Lands are situated, as the Case may be; and the edictal Publication in *Edinburgh* shall be at the Office of the Keeper of Edictal Citations in the General Register Office, and in the same Mode and Form as in Edictal Citations; and in the County of the Domicile, and in the County or Counties where the Lands are situated, by affixing on the Doors of the Court-house, or in some conspicuous Place of the Court or of the Office of the Sheriff Clerk, as the Sheriff may direct, a short Abstract of the Petition, and there shall be no farther Publication; and the Form of such Abstract, and the Mode or Form of the official Notice of such Publications, shall be fixed and declared by the Court of Session, in virtue of the Powers herein-after mentioned.

Caveats to be received.

VIII. And be it enacted, That the Sheriff Clerk of Chancery to be appointed in virtue of this Act, and the Sheriff Clerks of each County, shall be bound to receive any Caveat against any Petition of Service to be presented to them respectively, and on the Receipt of the Petition of Service referred to in the Caveat, or of any official Notice of any such Petition which may be communicated to such Sheriff Clerk of Chancery or such Sheriff Clerks respectively, such Sheriff Clerk of Chancery or Sheriff Clerks shall within Twenty-four Hours thereafter write and put into the Post Office a Notice of such Petition addressed either to the Agent by whom or to the Person on whose Behalf the Caveat is entered, according to the Name and Address which shall be stated in such Caveat, the Clerk receiving therefor a Fee for his own Use of such Amount as shall be fixed by Act of Sederunt as aforesaid.

Petition of Service to be equivalent to a Brieve and Claim.

IX. And be it enacted, That a Petition of Service so presented shall, after Expiration of the Period herein-after mentioned, be equivalent to and have the full legal Effect of a Brieve of Service duly executed, and of a Claim duly presented to the Inquest, according to the Law and Practice heretofore existing; and every Petition of Service, without further Publication than is herein provided and may be directed by Act of Sederunt, shall be held as duly published to all Parties interested, and the Decree to follow upon such Petition shall not be questionable or reducible upon the Ground of Omission or Inaccuracy in the Observance by any Officer or official Person of any of the Forms or Proceedings herein prescribed or which shall be prescribed by Act of Sederunt made in relation to such Petitions of Service.

Procedure before the Sheriff, and the Effect of his Judgment.

X. And be it enacted, That in regard to all Petitions of Service presented to the Sheriff of Chancery or to the Sheriff of a County respectively where the Deceased died in *Scotland*, no Evidence shall be led, nor Decree pronounced thereon by such Sheriff until after the Lapse of Fifteen Days from the Date of the latest Publication, or where Publication is to be made in *Orkney* or *Shetland*, or the Petition is presented to the Sheriff of *Orkney* or *Shetland*, until after the Lapse of Thirty Days from such Date, and in regard to all Petitions of Service to be presented to the Sheriff of Chancery where the Deceased died abroad, no Evidence shall be taken nor Decree pronounced thereon by him until after the Lapse of Thirty Days from the Date of Publication in *Edinburgh;* and it shall be lawful, after the Lapse of the Times respectively above mentioned, to the Sheriff to whom such Petition of Service shall have been presented, by himself or by the Provost or any of the Bailies of any City or Royal Burgh, who is hereby authorized to act as Commissioner of such Sheriff without special Appointment, or by any Commissioner whom such Sheriff may appoint, to receive all such Evidence, documentary and parole, as according to the Law and Practice heretofore existing might competently be laid before the Jury summoned under the Brieve of Inquest, and any parole Evidence so received shall be taken down in Writing according to the existing Practice in the Sheriff Courts of *Scotland*, and a full and complete Inventory of the Documents produced shall be made out, and shall be certified by the Sheriff or his Commissioner aforesaid; and on considering the said Evidence the Sheriff shall, without the Aid of a Jury, pronounce Judgment, serving the Petitioner in Terms of the Petition, in whole or in part, or refusing to serve the said Petitioner, and dismissing the Petition, in whole or in part, as shall be just; and the said Judgment shall be equivalent to and have the full legal Effect of the Verdict of the Jury under the Brieve of Inquest according to the Law and Practice heretofore existing.

Competing Petition may be presented, and Sheriff, after receiving Evidence, give Judgment.

XI. And be it enacted, That it shall be lawful to any Person who may conceive that he has Right to be served preferable to that of the Person petitioning the Sheriff as aforesaid, also to present a Petition of Service to the Sheriff in manner and to the Effect aforesaid, and which shall be proceeded with in manner herein-before directed; and it shall be lawful to the Sheriff, if he shall see Cause, to sist Procedure on the first Petition in the meantime, and to conjoin the said Petitions, and thereafter to proceed

to

to take Evidence in manner herein-before directed, allowing to each of the Parties not only a Proof in chief with reference to his own Claim but a conjunct Probation with reference to the Claim of such other Parties; and the Sheriff shall, after receiving the Evidence, pronounce Judgment on the said Petitions, serving or refusing to serve as may be just, and shall at the same Time dispose of the Matter of Expences.

Recording and Extract of Judgment.

XII. And be it enacted, That on the Application of the Petitioner in whose Favour a Judgment shall have been pronounced by the Sheriff as aforesaid the Sheriff Clerk shall forthwith transmit to the Office of the Director of Chancery the Petition on which such Judgment was pronounced, together with such Judgment, the Proof taken down in Writing as aforesaid, and the Inventories of written Documents made up and certified as aforesaid, and also any other Parts or Steps of the Process, excepting any original Documents or Extracts of recorded Writs produced therewith, which after Judgment is pronounced shall be returned, on Demand, to the Parties producing the same; and on the Proceedings being so transmitted to Chancery such Judgment shall be recorded by the Director of Chancery, or his Depute, in the Manner and Form to be directed or approved of from Time to Time by the Lord Clerk Register; and on such Judgment being so recorded the Director of Chancery, or his Depute, shall prepare an authenticated Extract thereof, and transmit the same without Delay, and without Charge or Expence against the Party in respect of the Transmission and Retransmission, to the Sheriff Clerk of the County, to be by him delivered to the Party or his Agent in the Sheriff Court; and such Proceedings and Judgment shall, both prior and subsequent to the said Transmission, be at all Times patent and open to Inspection in the Office of the Sheriff Clerk and of the Director of Chancery respectively; and certified Copies shall be given to any Party demanding the same, on Payment of such Fees as shall be fixed as aforesaid.

The Extract Decree to be equivalent to an Extract Retour.

XIII. And be it enacted, That the Decree of Service so recorded and extracted shall have the full legal Effect of a Service duly retoured to Chancery, and shall be equivalent to the Retour of a Service under the Brieve of Inquest according to the Law and Practice heretofore existing; and the Extract of such Decree, or any second or later Extract thereof, under the Hand of the proper Officer entitled to make such Extracts for the Time, shall be equivalent to and have the full legal Effect of the certified Extract of the Retour now in use according to the existing Law and Practice; and the Decree of Service so recorded and extracted shall not be liable to Challenge, nor be set aside, except by a Process of Reduction to be brought before the Court of Session as heretofore in use with regard to Services duly retoured to Chancery.

Transmission of Records.

XIV. And be it enacted, That the Book or Books in Chancery in which such Decree shall be recorded as aforesaid shall be issued under the Direction and Authority of the Lord Clerk Register, for which no more than the prime Cost shall be charged; and it shall not be lawful for the Director of Chancery to use any other Book or Books in framing the said Records; and the said Book or Books shall be intituled "The Record of Services," and shall have an Index or Abridgment connected therewith, to be prepared in Chancery in the Form and Manner to be pointed out or approved of by the Lord Clerk Register; and such Index shall be completed as soon as possible after the End of each Year, and shall be printed and published, and printed Copies thereof shall be distributed and disposed of in such Manner as shall be directed or approved of by the Lord Clerk Register; provided always, that if a more general Distribution or Publication of such Index or Abridgment other than to the official Individuals to be fixed by the Lord Clerk Register shall be made, then and in that Case Copies of the Index or Abridgment aforesaid shall be sold to the Public at the lowest Rate which will defray the Expence of printing the same, and an Account of the Sums to be received shall be exhibited by the Director of Chancery, and be examined and audited along with his other Accounts; and such Index or Abridgment shall be so prepared, printed, and distributed at latest by the First Day of *July* in each Year, beginning with the Year One thousand eight hundred and forty-eight; and the said Record of Services and other Proceedings shall be at all Times patent and open to Inspection in the Office of Chancery, on Payment of such a Fee as shall be regulated by Act of Sederunt, and Extracts from the said Record, or certified Copies of the said Proceedings, shall be given to any one demanding the same, on Payment of such Fees as shall be fixed by Act of Sederunt, by virtue of the Powers herein conferred; and the Director of Chancery shall have the Power and is hereby required to direct and regulate the Sheriff Clerks in the several Counties and the Sheriff Clerk of Chancery in regard to the Manner of arranging and transmitting the Petitions of Service and Procedure thereon, and also to prepare and furnish to the Sheriff Clerks of the several Counties the requisite printed Forms of the Intimations to be sent by them through the Post Office to the Sheriff Clerk of Chancery when Petitions of Service shall be presented in their respective Courts, or when they shall have received Notice to publish Petitions that have been presented to the Sheriff of Chancery.

Clerks of Chancery to be remunerated for keeping Register, &c. by Act of Sederunt.

XV. And be it enacted, That the Amount of the Remuneration to the Clerks of Chancery for keeping the Record of Services, and arranging the Warrants, and preparing the Indexes and Abridgments, shall be fixed by Act of Sederunt, to be made by the Lords of Council and Session in virtue of the Powers herein conferred; and such Remuneration, together with the Expence of printing the Index or Abridgment aforesaid, shall be paid from the Fees collected in the Office of Chancery, and an Account thereof shall be exhibited by the Director of Chancery, and be examined and audited along with his other Accounts.

No Person entitled to oppose a Service who could not appear against a Brieve of Inquest.

XVI. And be it enacted, That no Person shall be entitled to appear and oppose a Service proceeding before the Sheriff in Terms of this Act who could not competently appear and oppose such Service proceeding under the Brieve of Inquest according to the Law and Practice heretofore existing; and all Objections shall be presented in Writing, and shall forthwith be disposed of in a summary Manner by the Sheriff; but without prejudice to the Sheriff, if he see Cause, allowing Parties to be heard *vivâ voce* thereon.

Proceedings may be advocated for Jury Trial.

XVII. And be it enacted, That in all Cases in which there are competing Petitions conjoined as aforesaid, or in which any Person has competently appeared to oppose any Petition of Service presented to the Sheriff in Terms of this Act, it shall be competent to such of the Parties as may conceive the Case proper to be disposed of by Jury Trial, at any Time before the Proof is begun to be taken by the Sheriff in manner before provided, to present a Note of Advocation to the Court of Session praying the Court to advocate the Proceedings in order that the Case may be tried by a Jury, which Note of Advocation shall be proceeded with in like Manner with Notes of Advocation presented with a view to Jury Trial against Judgments of the Sheriff Courts of *Scotland* according to the existing Practice, and such Judgment shall be pronounced on the said Note of Advocation as shall be just; and in the event of its appearing proper that the Case should be tried by a Jury, the Lord President of either of the Two Divisions of the said Court, or such other of the Lords of Session as the Court may appoint, or as may be arranged by the Lord President of the Division, shall be the Judge at the Trial and preside thereat in like Manner as is done according to the existing Practice in Trials by Jury, and the Jury shall be chosen and summoned in like Manner as on such Trials; and the Verdict to be returned by the Jury shall be equally final and conclusive with the Verdicts at present returned in Trials by Jury in the said Court, but with all and the like Remedies by Bill of Exceptions, Motion for new Trial, or otherwise at present competent: Provided always, that in every Case in which the Jury shall find a Verdict in favour of a Party petitioning to be served the Court shall, at the same Time with applying such Verdict, remit to the Sheriff from whom the Case was advocated, with Instructions to pronounce a Decree serving the said Party in Terms of this Act, which Decree may thereafter be extracted, and the Extract thereof recorded and given out in manner and to the Effect before provided.

Where Sheriff refuses to serve Petitioner, &c. Judgment may be reviewed.

XVIII. And be it enacted, That in every Case in which the Sheriff has refused to serve a Petitioner, or dismissed his Petition, or repelled the Objection of an opposing Party, it shall be lawful to bring the said Judgment under Review by Note of Advocation presented to the Court of Session: Provided always, that such Note shall be presented within Fifteen, or, where the Proceedings have been taken in the Courts of *Orkney* or *Shetland*, Thirty Days from the Date of the said Judgment; and that where the Judgment has been pronounced after Opposition duly entered or in competition, such Note shall be intimated to the opposite Party, and a Bond of Caution for Expences be lodged with the Sheriff Clerk, in like Manner and under the same Regulations as in the Case of Advocations of final Judgments of the Sheriff Courts of *Scotland* according to the presently existing Practice, and such Note shall be proceeded with in like Manner with the Notes of Advocation against final Judgments aforesaid; and it shall be competent to the said Court, if it shall appear necessary for the right Determination of the Case, to allow further or additional Evidence to be taken, or to remit to the Sheriff to take the same, or to appoint the Case, or special Issues therein, to be tried by a Jury in manner and to the Effect and with all and the like Remedies as are before provided, and such Judgment shall be pronounced on such Note of Advocation as shall be just: Provided always, that in every Case in which the Sheriff has refused to serve but in which the Court of Session shall be of opinion that the Party ought to be served, a Remit shall be made to the Sheriff, with Instructions to pronounce a Decree serving the said Party in Terms of this Act, which Decree may be thereafter recorded and extracted in manner and to the Effect before provided: Provided also, that nothing herein contained shall prejudice the Right of any Person whose Petition of Service shall be refused without any opposing or competing Party having appeared and been heard on the Merits of the Competition to present a new Petition at any Time thereafter, or the Right of either Party in any of the Proceedings hereby authorized in the Court of the Sheriff to bring under Challenge whatever Judgment may be pronounced therein, by Process of Reduction before the Court of Session on any competent Ground.

Procedure when a Decree of Service is brought under Reduction.

XIX. And be it enacted, That in every Case in which a Process of Reduction of any Decree of Service shall be brought before the Court of Session it shall be competent to the said Court, if it shall appear necessary for the right Determination of the Case, either to allow further or additional Evidence to be taken in such Manner as may appear proper, or to appoint the Case, or special Issues therein, to be tried by a Jury; and such Jury Trial shall proceed in the same Manner and to the like Effect and with all and the like Remedies as are before provided in regard to Jury Trials under Notes of Advocation, and such Judgment shall be pronounced in the said Process as shall be just: Provided always, that wherever the Judgment of the Sheriff brought under Reduction has proceeded on competing Petitions conjoined as aforesaid, and the Court of Session shall determine that a different Person should be served from the Person preferred by the Sheriff, a Remit shall be made to the Sheriff, with Instructions to pronounce a Decree serving the said Person in Terms of this Act, which Decree may be thereafter recorded, and an Extract thereof given out in manner and to the Effect before provided; and in any Case of Reduction of a Service the Judgment shall be conclusive, as between the Parties to the Suit, against the Party whose Service is reduced, and shall have the same Effect as if the Action had contained a Conclusion of Declarator that the Party served was not entitled to be served in the Character claimed, and Judgment had been pronounced in Terms of that Conclusion.

Effect of the Decree of Reduction.

Forms and Effect of Procedure in the Court of Session.

XX. And be it enacted, That all Proceedings authorized by the present Act to be taken in the Court of Session shall commence and be carried on in the same Manner with the same Description of Proceedings in ordinary Civil Cases, and any Judgment pronounced by the Lord Ordinary therein may be brought under Review of the Inner House by Reclaiming Note in like Manner as in such Cases, and all Judgments to be pronounced by the Court of Session in Terms of this Act shall be equally final and conclusive as the Judgments pronounced by the said Court in ordinary Civil Cases, and shall not be liable

liable to Review by Reduction or otherwise, save and except to such Extent and Effect as Judgments by the said Court in ordinary Civil Cases are so liable: Provided always, that it shall be competent to appeal against the said Judgments to the House of Lords in like Manner as against Judgments of the Court in ordinary Civil Cases aforesaid.

A Decree of Special Service, besides operating as a Retour, shall have the Operation and Effect of a Disposition from the Deceased to his Heirs.

XXI. And be it enacted, That for the Purpose of completing the feudal Title of the Heir so served, but of such Heir only, every Decree of Special Service shall contain a Precept of Sasine, and such Decree, being recorded and extracted as aforesaid, shall to all Intents and Purposes, unless and until reduced, be held equivalent to and have the full legal Operation and Effect of a Disposition in ordinary Form granted by the Party deceased being last infeft of the Lands contained in such Service to and in favour of the Heir so served, and to his other Heirs and Successors entitled to succeed under the Destination of the Lands contained in the Deceased's Investiture thereof, but under the whole Conditions and Qualifications of such Investiture as set forth or referred to in such extracted Decree of Special Service, containing Obligation to infeft by Two several Infeftments and Manners of holding, one thereof to be holden of the Deceased and his Heirs in Free Blench for Payment of a Penny *Scots* in Name of Blench Farm at *Whitsunday* yearly upon the Ground of the said Lands, if asked only, and freeing and relieving the Deceased and his Heirs of all Feu Duties and Services exigible out of the said Lands by their immediate lawful Superiors thereof, and the other of the said Infeftments to be holden from the Deceased and his Heirs of and under their immediate lawful Superiors in the same Manner that the Deceased, his Predecessors and Authors, held or might have holden the same, and that by Confirmation, with Assignation to the whole Writs and Rents of the Lands, and Precept of Sasine for infefting the Party served and his Successors in the Lands, all in common Form; and in order that such Sasine may be so taken by and the feudal Title be completed in the Person of the Heir so serving, it shall be lawful and competent for him to use such Decree of special Service in the same Manner and to the same Effect as if such Decree were actually a Disposition of the Nature above mentioned, and in particular he shall be entitled to obtain Infeftment in the said Lands in virtue of the Precept of Sasine in such Decree of special Service, any Notary Public to whom such extracted Decree may be presented being hereby authorized to give Infeftment in virtue thereof accordingly, which Infeftment may be in the Form given in the Schedule (C.) hereunto annexed, and shall, with such Decree of Special Service, form as effectual an Investiture in the said Lands, holding Base of the Deceased and his Heirs, until Confirmation thereof shall be granted by the Deceased's Superior or his Successors, as if such Investiture had been created by a Disposition from the Deceased as aforesaid, with an Infeftment passed on the Precept of Sasine therein contained; but such Service shall not be transmissible for the Purpose of infefting in manner and to the Effect aforesaid the Heir or Assignee of the Person so served: Provided always, that such Decree and Sasine, notwithstanding of any Prohibition against Sub-infeudation or alternative Holding contained in the Charter or Contract or other Deed by which the Vassal's Right is constituted, shall form a valid feudal Investiture in favour of such Heir, without Prejudice to the Right of the Superior to require such Heir to enter forthwith as accords of Law, and to deal otherwise with such Heir as a Vassal unentered.

The Deceased's Incapacity to be no Hindrance.

XXII. And be it enacted, That such Decree of Special Service shall have the full Effect and Operation aforesaid, although the Deceased should have died in Nonage, or been of insane Mind, or laboured under any other Disability whatever, and as if a Disposition in the Terms aforesaid had been granted by the Party deceased when of full Age and Capacity to grant it.

A Special Service not to infer a general Representation, either active or passive.

XXIII. And be it enacted, That no Decree of Special Service to be obtained in virtue of this Act shall operate or be held as equivalent to or as implying a General Service to the Deceased in the same Character, except as to the particular Lands and other Heritages thereby embraced; and every such Decree of Special Service shall infer only a limited passive Representation of the Deceased, and the Person thereby served as Heir shall be liable for the Deceased's Debts and Deeds only to the Extent or Value of the Lands and other Heritages embraced by such Special Service and no farther.

Heir of Line or Heir Male may petition for General Service.

XXIV. And be it enacted, That in any Petition for Special Service as Heir of Line or Heir Male it shall be competent to the Petitioner to pray for General Service in the same Character, and Decree may be pronounced in Terms of such Prayer as well as for Special Service; and no farther Notice or Publication of the Petition of Service shall in such Case be necessary than is hereby required for such Petition of Special Service.

A General Service may be applied for and obtained to a limited Effect by annexing a Specification;

XXV. And be it enacted, That from and after the Fifteenth Day of *November* One thousand eight hundred and forty-seven it shall be lawful for any Person presenting a Petition for General Service to a deceased Person to state in such Petition, in the Form, as nearly as the Case will admit, pointed out in Schedule (D.) hereunto annexed, that he desires the Effect thereof to be limited to certain Lands or other Heritages which belonged to the Deceased, and which shall be embraced in a particular Specification thereof, to be annexed to such Petition for General Service, which Specification shall be in the Form, or as nearly as may be in the Form, given in the said Schedule (D.), and shall be subscribed by the Petitioner or his Mandatory; and in preparing an Abstract of such Petition for Insertion in the Minute Book of the Court in which it shall be presented, and for Publication, it shall be described as a Petition for General Service, with Specification annexed; and the Sheriff to whom such Petition for General Service, with a Specification annexed, shall be presented, in pronouncing Decree of Service on such Petition shall make reference to the Specification annexed thereto, and shall limit such Decree of Service to the Lands and other Heritages described in the said Specification, and the Effect of such Decree shall accordingly be taken and held in Law as so limited; and a Copy of such Specification shall be embodied in the Extract of the said Decree, and shall be signed by the Sheriff Clerk, and recorded as Part thereof; and

and it shall infer only a limited passive Representation.

and every such Decree of General Service, with Specification annexed, shall infer only a limited passive Representation of the Deceased, and the Person thereby served as Heir shall be liable for the Deceased's Debts and Deeds only to the Extent or Value of the Lands or other Heritages contained in the relative Specification.

Precepts of Clare constat and Entries more burgi not affected.

XXVI. And be it enacted, That nothing herein contained shall in any way affect the Law or Practice presently existing in regard to the Entry of Heirs by Precept of Clare constat, or the Service and Entry of Heirs *more burgi*, in Burghs, in Tenements holden in Burgage, or by any similar Mode of Tenure known and effectual in Law.

Jurisdiction of the Sheriff of Chancery.

XXVII. And be it enacted, That the Sheriff of Chancery shall have and possess such and the like Authority and Jurisdiction to entertain, try, and adjudicate, but in the Manner prescribed and directed by this Act, all Questions of and relating to the Service of Heirs, as any Sheriff or Judge Ordinary now has and possesses in any Case competent before such Sheriff or Judge Ordinary, or in any Case competent before the Sheriff of *Edinburgh* acting on Special Commission; and such Sheriff of Chancery and his Substitute shall hold their Courts in any Court Room within the Parliament or new Session House of *Edinburgh* which may be assigned by the Lords of Session for that Purpose, or in which the Sheriff of *Edinburgh* is in use to sit for the Trial of any Brieve.

Power to the Court of Session to pass Acts of Sederunt.

XXVIII. And be it enacted, That it shall be competent to the said Court of Session, and they are hereby authorized and required, from Time to Time to pass such Acts of Sederunt as shall be necessary or proper for regulating in all respects the Proceedings under this Act before the Sheriff of Chancery or Sheriffs of Counties, and following out the Purposes of this Act; and the Fees to be paid in respect of any of the Proceedings to be taken in virtue hereof, and also the Charges to be made by Agents and Solicitors, whether in the Inferior Court or Court of Session, for any Proceedings under this Act, shall be audited and taxed in the same Manner as Charges for other judicial Proceedings in the said Courts respectively are audited and taxed.

Appointment of Sheriff of Chancery.

XXIX. And be it enacted, That it shall be lawful for Her Majesty from Time to Time to appoint a fit Person, being a Person qualified for the Office of Sheriff of a County in *Scotland*, to be the Sheriff of Chancery for the Purposes of this Act, and also to appoint a fit Person to act both as Sheriff Clerk of Chancery and as Clerk to the Presenter of Signatures in Exchequer.

Sheriff of Chancery may discharge Duties of Presenter of Signatures.

XXX. Provided always, and be it enacted, That the Sheriff of Chancery shall, when authorized and required by the Lord Justice General and President of the Court of Session, discharge the Duties at present or which may hereafter be attached to the Office of Presenter of Signatures, or any Part of these Duties, and that during such Part of the Year as may be required of him.

Agents may practise before Sheriff Courts.

XXXI. And be it enacted, That it shall be lawful and competent for Agents qualified to practise before the Court of Session or before any Sheriff Court to practise before the Sheriff of Chancery as well as in the ordinary Sheriff Courts in Petitions of Service.

Payment of the Sheriff and Sheriff Clerk of Chancery.

XXXII. And be it enacted, That the Sheriff of Chancery and Sheriff Clerk of Chancery shall respectively receive such Salaries in respect of their Offices as shall be from Time to Time fixed by the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, or by the Commissioners of Her Majesty's Treasury of the said United Kingdom, or any Three or more of them, and such Salaries shall be payable out of the Fees receivable in the Office of Chancery, and form a Part of the incidental Expences of the said Office, and shall be stated and audited in the public Accounts of the Director and Clerks of Chancery.

Salary to be regulated by the Commissioners of the Treasury on Vacancy.

XXXIII. And be it enacted, That whenever any Vacancy shall occur in the Office of Sheriff of Chancery it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, to regulate the Salary of the Sheriff of Chancery as the then Circumstances of the Office may require.

Compensation, how to be applied for.

XXXIV. And be it enacted, That it shall be lawful for any Person who conceives that he is entitled to Compensation for Loss to be suffered through the Operation of this Act to make Application to the Lord High Treasurer, or to the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being, claiming such Compensation; and it shall be lawful for the said Lord High Treasurer or Commissioners of Her Majesty's Treasury to investigate such Claim, and call for such Evidence in relation thereto as he or they may think necessary; and upon such Claim being established to his or their Satisfaction the said Lord High Treasurer or Commissioners of Her Majesty's Treasury, or any Three of them, is and are hereby authorized and empowered to award to such Person such Compensation as he or they shall think him entitled to, either by the Payment of a gross Sum or by way of Annuity, as he or they shall think proper: Provided always, that a Copy of every such Award for Compensation shall be laid before both Houses of Parliament within Ten Days from the Date thereof, if Parliament shall be then sitting, and if not, then within Ten Days after the Commencement of the Session next ensuing, and no such Award shall be final and conclusive until Two Months after the same shall have been so laid before Parliament; provided also, that if any Person to whom Compensation shall be so awarded by way of Annuity shall be afterwards appointed to any other public Office, such Compensation shall be accounted *pro tanto* of the Salary payable to such Person in respect of such other Office while he shall continue to hold the same.

Compensation, how to be paid.

XXXV. And be it enacted, That the several Compensations which may be awarded under the Authority of this Act shall be payable and paid out of the Monies which by the Acts of the Seventh and Tenth Years of the Reign of Her Majesty Queen *Anne* were made chargeable with the Fees, Salaries, and

and other Charges allowed or to be allowed for keeping up the Courts of Session, Justiciary, or Exchequer in *Scotland.*

Interpretation of Act.

XXXVI. And be it enacted, That the following Words and Expressions in this Act shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural shall include the Singular Number:

Words importing the Masculine Gender shall include Females:

The Word "Month" shall mean Calendar Month:

The Word "Lands" shall extend to and include Teinds, Fishings, Patronages, Houses, Lands, Tenements, and Heritages of every Description, and generally all Rights and Subjects which may competently be taken up by General or Special Service:

The Word "Sheriff" shall include Sheriff Substitutes and the Sheriff of Chancery appointed in virtue of this Act, and the Presenter of Signatures acting as his Substitute.

Act may be amended, &c.

XXXVII. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

Form of Petition of General Service.

Unto the Honourable the Sheriff of [*specify the County, or say* "of Chancery,"] the Petition of *A.B.*, [*here name and design the Petitioner,*]

Humbly showeth,

That the late *C.D.* [*here name and design the Ancestor to whom Service is sought*] died on or about the Day of , and had, at the Time of his Death, his ordinary or principal Domicile in the County of [*or* furth of Scotland, *as the Case may be*].

That the Petitioner is the eldest Son and nearest lawful Heir [*or state what other Relationship or Character of Heir the Party bears, and if the Service is as Heir of Provision, say* "nearest lawful Heir of Provision, under and by virtue of a Deed executed by *E.F.*, dated the Day of "] in General of the said *C.D.*

May it therefore please your Lordship to serve the Petitioner nearest and lawful Heir in General to the said *C.D.*, [*or whatever other Character of Heir is sought to be established here set it forth.*]

According to Justice, *&c.*

(*Signed by the Petitioner or his Mandatory.*)

SCHEDULE (B.)

Form of Petition of Special Service.

Unto the Honourable the Sheriff of [*specify the County, or say* "of Chancery,"] the Petition of *A.B.*, [*here name and design the Petitioner,*]

Humbly showeth,

That the late *C.D.* [*here name and design the Ancestor*] died on or about the Day of last vest and seised in [*here describe the Lands or Subjects with reference to which the Service is sought*] conform to Charter, [*or* Disposition, *or* Precept of Clare constat, *or whatever else was the Deed on which the Ancestor's Infeftment proceeded here specify it,*] dated the Day of , and to Instrument of Sasine following thereon, recorded in the Register of Sasines, at the Day of .

That the Petitioner is the eldest Son and nearest lawful Heir [*or state what other Relationship or Character the Party bears, and if the Service is as Heir of Provision, say,* "nearest lawful Heir of Provision," *or* "of Tailzie and Provision"] in Special of the said *C.D.* in the Lands and others foresaid.

(*If it is wished to embrace a Service in General where the Service in Special is as Heir of Line or Heir Male, say,* "That the Petitioner is likewise Heir in General [*or* Heir Male in General] of the said *C.D.*" *and at the End of the Prayer add,* "and likewise as Heir in General [*or* Heir Male in General] of the said *C.D.*")

May it therefore please your Lordship to serve the Petitioner nearest and lawful Heir in Special of the said deceased *C.D.* in the Lands and others above described [*or whatever else is the Character of Heir sought to be established here set it forth as above*].

According to Justice, *&c.*

(*Signed by the Petitioner or his Mandatory.*)

Note.—When the Lands are held under a Deed of Entail, here add, "But always with and under the Conditions and Provisions, and prohibitory, irritant, and resolutive Clauses, contained in a Deed of Entail granted by G.H. [here name and design the Granter] on the Day of in favour of I.K. and the Heirs [here insert the whole Destination of the Entail], and which Conditions and Provisions, and Clauses prohibitory, irritant, and resolutive, are herein referred to, as at Length set forth in the said Deed of Entail, which is recorded in the Register of Entails on the Day of [or as at Length set forth in the above-mentioned registered Sasine in favour of the Deceased, or as at Length set forth in any other Instrument of Sasine duly registered," or, if the Petitioner prefer it, he may here fully insert them.] And where there are

are any Real Burdens, Restrictions, or Qualifications of any Kind, either proper to be inserted or referred to, insert them here, or refer to them as at Length set forth in the registered Sasine of the Deceased, or in some previous Instrument of Sasine duly registered.

When there is an Entail, say, at the End of the Prayer of the Petition, "But always under the Conditions, Provisions, Restrictions, Clauses prohibitory, irritant, and resolutive, and others above referred to or above written;" and where there are Real Burdens, &c., say, "But always with and under the Real Burdens, &c. above referred to or above written."

SCHEDULE (C).

(1.)

Form of an Instrument of Sasine on an Extract Decree of Special Service.

At there was [*by or*] on behalf of *A.B.* [*here state the Heir's Name and Designation*] presented to me, Notary Public, subscribing an Extract Decree of Special Service, obtained before the Sheriff of [*or* the Sheriff of Chancery], on the [*here insert the Date of the Decree*], whereby the said Sheriff found that the late *C.D.* [*here name and design the Ancestor*] died last vest and seised as of Fee in [*here describe the Lands or other Subjects*], and that the said *A.B.* is the nearest and lawful Heir in Special of the said deceased *C.D.* in the Lands and others aforesaid [*or whatever else is the Character of Heir mentioned in the Decree here set it forth; and if there is an Entail, &c., add the qualifying Words as in the Decree,*] and which Extract Decree of Special Service contains a Precept of Sasine in the following Terms, videlicet [*here insert the Precept verbatim*]. In virtue of which Precept I hereby give Sasine to the said *A. B.* of the Lands and others above described. In witness whereof I have subscribed these Presents, written on this and the preceding Pages by *E.F.*, my Clerk, before these Witnesses, the said *E. F.* and *G. H.* my Apprentice.

E. F., Witness.

G. H., Witness. (Signed) *L. K.*, Notary Public.

Note.—When the Lands are held under a Deed of Entail, or when there are Real Burdens, Restrictions, Reservations, or other Qualifications, insert or refer to them as in the Decree.

SCHEDULE (D.)

Forms for a General Service where it is to be limited in its Effects by a Specification annexed.

(1.)

The Petition will be in the Form of Schedule (A.), adding at the Close of the Statement of the Petitioner, "But the Petitioner desires that his General Service shall be limited to the Contents of the Specification annexed;" *and adding at the Close of the Prayer of Petition,* "but under Limitation as aforesaid to the Contents of the Specification annexed."

(2.)

Specification of the Lands and other Heritages which belonged to the deceased C.D. referred to in the Petition for General Service presented to the Sheriff of by A.B. as Heir of in General to the said deceased C. D.

[*Here insert a Description of the Lands and other Heritages intended to be included in the Service, distinguishing each separate Property or Heritage, if there are more than One, by a separate Number.*]

(*Signed by the Petitioner or his Mandatory.*)

CAP. XLVIII.

An Act to facilitate the Transference of Lands and other Heritages in *Scotland* not held in Burgage Tenure. [25th *June* 1847.]

'WHEREAS it is expedient to facilitate the Transference of Lands and other Heritages in *Scotland*, and to render the same less expensive, and for that Purpose to amend the Law of *Scotland* relative thereto:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in all Dispositions and Conveyances and other Deeds and Instruments necessary for the Transmission of Lands and other Heritages in *Scotland* not held Burgage, in which all or any of the following Clauses are necessarily or usually inserted, (*videlicet,*) a Clause declaring the Term of Entry, a Clause of Obligation to infeft, a Procuratory of Resignation, a Clause of Assignation of Writs and Evidents, a Clause of Assignation of Rents, a Clause of Obligation to free and relieve of Feu Duties and Casualties due to the Superior, and of public Burdens, a Clause of Warrandice, a Clause of Registration for Preservation, or for Preservation and Execution, and a Precept of Sasine, it shall be lawful and competent to insert all or any of such Clauses in the Form, or as nearly as may be in the Form, set forth in Schedule (A.) hereunto annexed; and all or any of such Clauses, if so inserted in any such Disposition or Conveyance or other Deed or Instrument, shall be as valid, effectual, and operative to all Intents, Effects, and Purposes as if they had been expressed in the fuller Mode or Form now generally in use.

In Conveyances of Land, &c. certain Clauses may be inserted in the short Forms given in Schedule (A.)

II. And be it enacted, That the Clause of Obligation to infeft, if the Clause shall be limited to an Obligation to infeft *a me* only, shall be held to imply an Obligation on the Disponer to infeft the Disponee

Explanation of the Import of

Disponee and his Heirs and Assignees in the Subjects conveyed upon their own Expences, to be holden from the Disponer and his Heirs and Successors of and under their immediate lawful Superiors in the same Manner as the Disponer himself, or his Predecessors or Authors, held, hold, or might have holden the same, and that either by Resignation or Confirmation, or both, the one without Prejudice of the other; and the Obligation to infeft, if granted to be holden *a me vel de me*, shall be held to imply an Obligation on the Disponer to infeft the Disponee and his Heirs and Successors upon their own Expences by Two several Infeftments and Manners of holding, one thereof to be holden of the Disponer and his Heirs and Successors in Free Blench for Payment of a Penny *Scots* in Name of Blench Farm at *Whitsunday* yearly upon the Ground of the Lands, if asked only, and freeing and relieving him and them of all Feu Duties, and other Duties and Services exigible out of the said Lands and others, by their immediate lawful Superiors thereof, and the other of the said Infeftments to be holden from the Granter and his foresaids of and under their said immediate lawful Superiors in the same Manner as the Granter, or his Predecessors or Authors, held, hold, or might have holden the same, and that either by Resignation or Confirmation, or both, the one without Prejudice of the other.

the Clause of Obligation to infeft.

III. And be it enacted, That the Clause for resigning the Lands shall be held and taken to be equivalent to a Procuratory of Resignation in the Terms now in Use, and in the Case of Conveyances by a Vassal to his Superior as equivalent to a Procuratory of Resignation *ad remanentiam;* and the Clause of Assignation of Writs and Evidents, unless specially qualified, shall be held to import an absolute and unconditional Assignation to such Writs and Evidents, and to all open Procuratories and Precepts therein contained to which the Disponer has Right; and the Clause of Assignation of Rents, unless specially qualified, shall be held to import Assignation to the Rents to become due for the Possession following the Term of Entry, according to the legal and not the conventional Terms, unless in the Case of forehand Rents, in which Case it shall be held to import an Assignation to the Rents payable at the conventional Terms subsequent to the Date of Entry; and the Clause of Warrandice, unless specially qualified, shall be held to imply absolute Warrandice as regards the Lands, and Writs and Evidents and Warrandice from Fact and Deed as regards the Rents; and the Obligation to free and relieve from Feu Duties, Casualties, and public Burdens, unless specially qualified, shall be held to import an Obligation to relieve of all Feu Duties or other Duties and Services or Casualties payable to the Superior, and of all public, parochial, and local Burdens due from or on account of the said Lands, prior to the Date of Entry; and the Clause of Consent to Registration, unless specially qualified, shall import a Consent to Registration and a Procuratory of Registration in the Books of Council and Session, or other Judges Books competent, therein to remain for Preservation, and also, if for Execution, that Letters of Horning and all necessary Execution shall pass thereon upon Six Days Charge, on a Decree to be interponed thereto in common Form.

Explanation of the Import of other Clauses in Schedule (A.)

IV. And be it enacted, That in all Cases where Lands or other Heritages are or shall hereafter be held under a Deed of Entail, it shall be lawful and competent, in Dispositions and Conveyances of such Lands, and in the Procuratories, Charters, Precepts of Clare constat, Decrees of Adjudication, Instruments of Sasine, and all other Deeds and Instruments of what Nature soever necessary to transmit, renew, or complete a Title under such Entail in such Lands, to omit the full Insertion of the Conditions and Provisions, and prohibitory, irritant, and resolutive Clauses, of such Deed of Entail, provided such Conditions and Provisions, and prohibitory, irritant, and resolutive Clauses, shall be in such Dispositions and Conveyances, Procuratories, Charters, Precepts of Clare constat, Decrees of Adjudication, Instruments of Sasine, and other Deeds and Instruments aforesaid, specially referred to as set forth at full Length in the recorded Deed of Entail, if the same shall have been recorded in the Register of Tailzies, or as set forth at full Length in any recorded Instrument of Sasine forming Part of the Progress of Title Deeds of the said Lands under the said Entail, such Reference being made in the Terms, or as nearly as may be in the Terms, set forth in Schedule (B.) hereunto annexed; and the Reference thus made to such Conditions and Provisions, and prohibitory, irritant, and resolutive Clauses, shall be held to be equivalent to the full Insertion thereof, and shall to all Intents and in all Questions whatever, whether *inter hæredes* or with Third Parties, have the same legal Effect as if the same had been inserted exactly as they may be expressed in the recorded Deed or Instrument referred to, notwithstanding any Law or Practice to the contrary, or any Injunction to the contrary contained in such Deed of Entail, and notwithstanding the Enactments or Provisions to the contrary contained in an Act of the Parliament of *Scotland* made in the Year One thousand six hundred and eighty-five, intituled *Act concerning Tailzies*, or any other Act or Acts of Parliament now in force, all which are hereby repealed to the Extent of making this Act operative, but no further.

Conditions of Entail may be referred to as already in the Register of Entails or Register of Sasines.

V. And be it enacted, That in all Cases where Lands or other Heritages are or shall hereafter be held under any Real Burdens or Conditions or Limitations whatsoever appointed to be fully inserted in the Investitures of such Lands, it shall, notwithstanding such Appointment, and notwithstanding any Law or Practice to the contrary now existing, be lawful and competent, in Dispositions and Conveyances of such Lands, Procuratories, Charters, Precepts of Clare constat, Decrees of Adjudication, Instruments of Sasine, and other Deeds and Instruments of what Nature soever necessary to transmit, renew, or complete the feudal Title thereto, to omit the full Insertion of such Real Burdens or Conditions or Limitations, provided such Real Burdens or Conditions or Limitations shall, in such Dispositions and Conveyances, Procuratories, Charters, Precepts of Clare constat, Decrees of Adjudication, Instruments of Sasine, and other Deeds and Instruments aforesaid, be specially referred to as set forth at full Length in the recorded Instrument whether of Sasine or of Resignation *ad remanentiam* wherein the same were first inserted, or in

Real Burdens may be referred to as already in the Register of Sasines.

in any recorded Instrument of Sasine of subsequent Date forming Part of the Progress of Titles of the said Lands, such Reference being made in the Terms, or as nearly as may be in the Terms, set forth in Schedule (C.) hereunto annexed; and the Reference thus made to such Real Burdens or Conditions or Limitations shall be held to be equivalent to the full Insertion thereof, and shall to all Intents and in all Questions whatever, whether with the Disponer or Superior or Third Parties, have the same legal Effect as if the same had been inserted exactly as they may be expressed in the recorded Instrument referred to, notwithstanding any Law or Practice to the contrary, and notwithstanding any Act or Acts of Parliament to the contrary which are hereby repealed to the Effect of making this Enactment operative, but no further.

Superior may be compelled to grant Entries by Confirmation.

VI. 'And whereas the Entry of Heirs and Disponees by Charter of Confirmation from the Superior is 'in daily Use and Practice, and such Form and Mode of Entry is in many Cases more convenient than 'Entry by Resignation, without being of Prejudice to the Interests of the Superior;' be it enacted, That where any Person shall be infeft in Lands or Heritages in *Scotland* holden of a Subject Superior upon a Disposition or other Deed of Conveyance granted by the Person last entered and infeft, or granted by a Person whose own Title to such Lands and Heritages is capable of being made public by Confirmation according to the existing Law and Practice, which Disposition shall contain an Obligation to infeft *a me* or *a me vel de me*, or upon a Decree of special Service, or upon a Decree of Adjudication or of Sale, containing a Warrant of Infeftment in Terms of this Act, it shall be lawful and competent for such Person, upon Production to the Lord Ordinary on the Bills in the Court of Session of his Sasine in the said Lands and Warrants of the same, and upon showing the Terms and Conditions under which the said Lands are holden of the Superior thereof, to obtain Warrant for Letters of Horning to charge the Superior to grant in favour of such Party a Charter of Confirmation in the same Way and Form as is provided and in Use for compelling Entry by Resignation: Provided always, that the Charger shall at the same Time pay or tender to such Superior such Duties or Casualties as he is by Law entitled to receive upon the Entry of the Charger; and that it shall be lawful for every such Superior to show Cause why he ought not to be compelled to give Obedience to such Charge by offering a Note of Suspension to the Court of Session in the usual Manner: Provided also, that such Superior shall be entitled to insert in the Charter to be granted by him the Clauses of Tenendas and Reddendo contained in the former Charters of such Lands and Heritages, and all other Clauses and Conditions contained therein, in so far as the same are usual and necessary, and are not set forth in such Instrument of Sasine, or duly referred to in Terms of this Act, or of an Act passed in the present Session of Parliament, intituled *An Act to amend the Law and Practice of* Scotland *as to the Service of Heirs:* Provided also, that where such Clauses and Conditions are set forth in such Instrument of Sasine, or duly referred to in Terms of this Act, or any other Act, the same shall not, without the Vassal's Consent, be repeated at Length in such Charter of Confirmation.

10 & 11 Vict. c. 47.

Charters of Confirmation in the Form of Schedule (D.) to imply a general Confirmation of all the Title Deeds of the Lands.

VII. And be it enacted, That where any Charter of Confirmation, whether granted by Her Majesty or Her Royal Successors, or by the Prince of *Scotland*, or by a Subject Superior, shall confirm the Lands therein contained themselves, and the Instrument of Sasine therein in favour of the Person receiving such Charter, such Charter may be expressed in the Form set forth in Schedule (D.) hereunto annexed, and in whatever habile Form expressed shall be held to confirm in favour of such Person, so far as regards such Lands, the whole Dispositions and Instruments of Sasine, and other Deeds, Instruments, and Writings of and concerning the same necessary to be confirmed in order to complete such Person's Investiture in the Lands as immediate Vassal of such Superior, and that although such Deeds, Instruments, and Writings may not be enumerated or set forth in such Charter.

Where Superior's Title incomplete, Owner may in certain Cases apply to Lord Ordinary on the Bills to ordain him to complete his Title and grant an Entry, under pain of Forfeiture.

VIII. 'And whereas the Remedy afforded for obtaining an Entry under the present Procedure by 'Declarator of Tinsel of Superiority is in many respects defective;' be it enacted, That where the Person having Right to the Superiority of any Lands, which Superiority is not defeasible at the Will of the Vassal or Disponee, shall not have completed his feudal Title thereto so as to enable him to enter any Heir or Disponee of the Vassal last publicly infeft in the said Lands, or any Adjudger or other Party deriving Right from him, and where such Heir, Disponee, Adjudger, or other Party, if such Person had been infeft in the Superiority, would have been entitled to compel Entry in virtue of this Act, or of an Act passed in the Twenty-eighth Year of the Reign of His Majesty King *George* the Second, or otherwise, it shall be competent to such Heir, Disponee, Adjudger, or other Party, provided the annual Reddendo attached to such Superiority shall not exceed Five Pounds Sterling in Value or Amount, to present a Petition to the Lord Ordinary on the Bills in the Form, or as nearly as may be in the Form, given in Schedule (E. N° 1.) hereunto annexed, praying for Warrant of Service on such Person, and for Decree in the Terms set forth in such Petition, and the Lord Ordinary on the Bills shall pronounce an Order for Service of such Petition in Terms, or as nearly as may be in Terms, of the Interlocutor given in Schedule (E. N° 2.) hereunto annexed; and if after such Service, and the Expiration of the Days of Intimation, such Person shall not comply with the Demand of the Petition by completing his Title and granting Entry to the Petitioner as aforesaid, or shall not show reasonable Cause to the Lord Ordinary why he delays or refuses so to do, he shall for himself and his Heirs, whether of Line, Conquest, Taillie, or Provision, forfeit and amit all Right to the said Superiority, and the Lord Ordinary shall pronounce Decree or Judgment accordingly to the Effect of entitling the Petitioner, and his Heirs and Successors in the said Lands in all Time thereafter, to hold the same as Vassals immediately of and under the next Over-superior by the Tenure and for the Reddendo by and for which the forfeited Superiority was held, all in the Form, or as nearly as may be in the Form, given in Schedule (E. N° 3.) hereunto annexed; and such Decree or Judgment, when extracted and recorded in the Register of Sasines

Sasines appropriate to the Lands, shall be held absolutely to extinguish such Right of Superiority, and shall enable the Petitioner to apply to such Over-superior, as his immediate Superior, for an Entry accordingly; and it is hereby provided, that in the renewed Investiture to be so obtained by the Petitioner under the Authority of the said Decree, the Tenendas and Reddendo contained in the Title Deeds of the forfeited Superiority shall be inserted in room of those contained in the Investiture of the Petitioner's Predecessor or Author, and the Lands shall be held by the Petitioner and his Successors according to the Tenure of the forfeited Superiority in all Time thereafter; and the Charter or Precept in the Petitioner's Favour shall be expressed as nearly as may be in one or other of the Forms given in Schedule (I.) hereunto annexed.

Or Owner may, in such Case, apply to Lord Ordinary on the Bills to authorize Application for an Entry to the Crown or Prince or mediate Superior as in vice of the recusant Superior.

IX. And be it enacted, That if in the Case aforesaid the annual Reddendo shall exceed in Value or Amount the Sum of Five Pounds Sterling, or in the Option of the said Heir, Disponee, Adjudger, or other Party, whether the said annual Reddendo shall exceed the said Sum of Five Pounds Sterling or not, it shall be lawful for such Heir, Disponee, Adjudger, or other Party to present a Petition to the Lord Ordinary on the Bills in the Form, or as nearly as may be in the Form, of Schedule (F. N° 1.) hereunto annexed, praying for Warrant and Decree as there set forth, and the Lord Ordinary shall pronounce an Order for Service in the Terms or as nearly as may be in the Terms of the Interlocutor given in Schedule (F. N° 2.) hereunto annexed; and if after such Service and Expiration of the Days of such Charge such Person shall not comply with the Demand of the Petition by completing his Title and granting Entry to such Petitioner as aforesaid, or shall not show reasonable Cause to the Lord Ordinary why he delays or refuses so to do, he shall for himself and his Heirs, whether of Line, Conquest, Taillie, or Provision, forfeit and amit all Right to the Dues and Casualties payable on the Entry of such Petitioner, who shall also be entitled to retain his Feu Duties or other annual Prestations until fully paid and indemnified for all the Expences of the Petition and Procedure thereon, and all the Expences of completing his Title in Terms of this Act; and the Lord Ordinary shall pronounce interim Decree to that Effect, and grant interim Warrant for such Petitioner applying for and obtaining an Entry from the Crown or Prince of *Scotland*, or, in the Option of the Petitioner, from the mediate Over-superior as acting in the Vice of such Superior, all in the Form, or as nearly as may be in the Form, given in Schedule (F.), N° 3., hereunto annexed; and such Petitioner shall be entitled forthwith to lodge, along with an Extract of the said Decree, in the Office of the Presenter of Signatures, a Draft of a proposed Charter or Precept from the Crown or Prince as in Vice of such Superior, with a short Note in Terms of the Act passed in the present Session of Parliament, to alter and amend the Practice in *Scotland* with regard to Crown Charters and Precepts from Chancery; and such Charter or Precept, for which the said Extract Decree shall be a sufficient Warrant, may be in the Form given in the Schedule (H.) hereunto annexed, and shall be as effectual as if granted by the mediate Superior of the Feu when duly infeft in the Superiority; and when there is a mediate Over-superior such Extract Decree shall, in the Option of the Petitioner, be directed against such mediate Over-superior, and shall be a sufficient Warrant for Letters of Horning to charge such Over-superior to enter the Petitioner by granting a valid Charter or Precept as in Vice of such Superior; and after Completion of his Title such Petitioner shall be entitled, if he thinks fit, to lodge, as Part of the Proceedings under the said Petition, an Account of the Expences of that Process, and of completing his Title, and the Lord Ordinary shall, if required on the Part of such Petitioner, modify the Amount thereof, and decern for Retention as aforesaid, in the Form given in Schedule (F.), N° 4., hereunto annexed.

Lands to be held temporarily of the Crown or Prince or mediate Superior.

X. And be it enacted, That the Lands and others contained in such Charter or Precept to be so obtained shall be holden of the Crown or Prince, or the mediate Over-superior, as in the Vice of the unentered immediate Superior, while and so long as he and his Successors, the immediate Superiors thereof, shall remain unentered, and thereafter until a new Entry in favour of the Vassal or his Successors shall become requisite.

The Party in Right of the Superiority may lodge a Minute tendering Relinquishment of his Right, and if accepted by the Petitioner, the Lord Ordinary may interpone his Authority.

XI. And be it enacted, That when a Petition shall be presented as aforesaid praying for Warrant of Service and for Decree against any Person so having a Right to the Superiority of any Lands, and not having completed his feudal Title thereto, whether the annual Reddendo shall be above or below the Value or Amount of Five Pounds Sterling, it shall be competent for him at any Time before Expiration of the Days of Intimation, or before interim Decree shall have been extracted as aforesaid, to lodge, as Part of the Proceedings under such Petition, a Minute, signed by himself or by his Mandatory or Agent, duly authorized by him in Writing, stating that he tenders Relinquishment of the Right of Superiority which he holds on Apparency in favour of the Petitioner and his Heirs and Successors, and such Minute shall be in the Form, or as nearly as may be in the Form, given in Schedule (G.), N° 1., hereunto annexed; and if the Petitioner shall by himself or his Counsel or Agent subscribe or endorse upon such Minute an Acceptance of the same in the Form given in Schedule (G.), N° 2., hereunto annexed, the Lord Ordinary is hereby authorized and required, on the Petitioner's Motion, to interpone his Authority to such Minute and Acceptance, and to decern and declare the Right of Superiority thus relinquished to be extinguished, to the Effect of making the Petitioner and his Successors in the said Lands hold the Lands as Vassals immediately of and under the Superior of the relinquished Superiority in Permanency and by the Tenure and for the Reddendo by and for which such relinquished Superiority was held, the Decree so to be pronounced to be in the Form, or as nearly as may be in the Form, of Schedule (G.), N° 3., hereunto annexed; and the said Decree, when extracted and recorded in the Register of Sasines appropriate to the Lands, shall entitle the Petitioner and his foresaids to apply for an Entry to such Superior accordingly as his immediate Superior; and in the renewed Investiture to

be obtained by the Petitioner under the Authority of the said Decree, the Tenendas and Reddendo contained in the Title Deeds of the relinquished Superiority shall be inserted in room of those contained in the Investiture of the Petitioner's Predecessor or Author, and the Lands shall be held by himself and his Successors according to the Tenure of the relinquished Superiority in all Time thereafter; and the Charter or Precept, as the Case may be, in the Petitioner's Favour may be expressed in one or other of the Forms given in Schedule (I.) hereunto annexed; but nothing herein contained shall be held as rendering it imperative on the Petitioner to accept of the offered Relinquishment, and to take the Place of his immediate Superior, it being hereby provided, that if he prefers it he shall be entitled to refuse the same, and to complete his Title by Entry from the Crown or Prince of *Scotland*, or the mediate Over-superior, as in the Vice of his immediate Superior.

Over-superior's Rights not to be extended or affected.

XII. And be it enacted, That the Investiture thus completed upon the Forfeiture of such Heir Apparent, or upon the Relinquishment of the Superiority by such Heir Apparent, and Acceptance by the Petitioner, shall in all respects, and to all Intents and Purposes, be as effectual as if such apparent Heir had completed his Titles to the Superiority, and thereafter conveyed the same to the Petitioner, and the latter, after completing his Titles under the Over-superior, had resigned *ad remanentiam* in his own Hands: Provided always, that the Title so completed shall not in any respect extend the Interests of such Over-superior, and that he shall be entitled to no more than the Casualties, whether taxed or untaxed, to which he would have been entitled if such apparent Heir had remained his Vassal.

Vassal obtaining or accepting Forfeiture or Relinquishment of Superiority to be liable for its Value, but Forfeiture or Relinquishment not to infer Representation.

XIII. Provided always, and be it enacted, That in the Case of such Forfeiture or Relinquishment of Superiority by any apparent Heir in manner above mentioned, the Vassal obtaining or accepting the same, and making up Titles under the Over-superior, shall be liable, but subject always to Retention of Expences as aforesaid, for the Value of the said Superiority to the said Heir Apparent, or any Person in his Right, or having Interest, as accords of Law; and such Forfeiture or Relinquishment by such Heir Apparent shall not infer a passive Representation on his Part, nor any Liability for the Debts of the Person last infeft therein, beyond the Price, if any, which he may receive for such Forfeiture or Relinquishment; and the Vassal, if he accepts thereof, shall not be accountable in any Case for more than the Value or Price of the forfeited or relinquished Right.

Forfeiture to take effect and Relinquishment lawful although Superiority form Part of an Estate held under Prohibitions against Alienation, &c.

XIV. Provided always, and be it enacted, That such Forfeiture, whether of the Right itself, of Superiority, or of the Dues and Casualties payable on the Entry of such Petitioner, shall take effect, and such Relinquishment shall be lawful and competent, although the Superiority shall form Part of an Estate held under Prohibitions against Alienation, or under Clauses prohibitory, irritant, and resolutive of Entail; but such Forfeiture, if incurred, or such Relinquishment, if made, shall not be construed as nor be held or taken to imply any Contravention of such Prohibition against Alienation, or of such Clauses prohibitory, irritant, and resolutive of Entail, any thing contained in the Deeds forming the Investiture of such Estate of Superiority, or in the said recited Act of the *Scottish* Parliament, notwithstanding; and the Price or Value of such Superiority, when relinquished, shall be applicable and applied in such and the like Manner, and to such and the like Purposes, as Purchase Money or Compensation coming to Parties having limited Interest is made applicable under the Lands Clauses Consolidation (*Scotland*) Act, 1845; and in the event of the Petitioner holding his Estate under Entail, such Price or Value paid for the relinquished Superiority shall be taken and held to be Entailer's Debt, and all Remedies competent to the Creditor for Recovery of Entailer's Debt, and all Remedies, Powers, and Faculties competent to an Heir of Entail in possession for Payment of Entailer's Debt, whether at Common Law, by Statute, or otherwise, shall be competent to such Creditor and to such Petitioner, and their Heirs and Representatives respectively.

Precepts of Clare constat not to fall by Death of the Granter.

XV. 'And whereas by the Law of *Scotland* as now existing a Precept of Clare constat from a Subject 'superior to his Vassal is held to lapse and become ineffectual if Sasine is not passed thereon in the 'Lifetime of the Granter, which is attended with Inconvenience;' be it enacted, That all Precepts of Clare constat already made and granted, and still subsisting in force, and all Precepts of Clare constat to be made and granted hereafter, shall, notwithstanding the Death of the Granter thereof, remain in full Force and Effect during the whole Lifetime of the Grantee, and shall continue effectual as a Warrant for giving Infeftment to the Grantee in Terms thereof at any Time during the Grantee's Life.

General and special and general special Charges to be no longer competent.

XVI. And be it enacted, That it shall no longer be competent to use Letters of general Charge or special Charge or general special Charge, but in an Action of Constitution of an Ancestor's Debt or Obligation against his unentered Heir the Citation on and Execution of the Summons in such Action shall be held to imply and be equivalent to a general Charge, the Induciæ of which shall expire with the Induciæ of such Summons, and shall infer the like Certification with such general Charge; and it shall thereafter be competent to adopt under such Summons the same Procedure in all respects, and to pronounce the same Decree, which would have been competent had such Summons been preceded by Letters of general Charge duly executed against such Heir according to the Law and Practice heretofore in Use, which Decree shall be a valid Decree of Constitution; and in an Action of Adjudication against such Heir following on such Decree of Constitution, or in an Action of Adjudication against an unentered Heir founded on his own Debt or Obligation, the Citation on and Execution of the Summons of Adjudication shall be held to imply and be equivalent to a special Charge or general special Charge, as the Circumstances may require, the Induciæ of which Charge shall expire with the Induciæ of such Summons, and shall infer the like Certification with such special Charge or general special Charge, as the Case may be; and it shall thereafter be competent to adopt under such Summons the same Procedure in all respects, and to pronounce the same Decree, which would have been competent had such Summons been

been preceded by Letters of special Charge or general special Charge, as the Case may be, duly executed against such Heir according to the Law and Practice heretofore in Use, which Decree shall be a valid Decree of Adjudication; and in an Action of Constitution and Adjudication combined in the same Summons against an unentered Heir, it shall be competent to adopt the same Procedure in all respects, and to pronounce the same Decree, which would have been competent had such Summons been preceded by Letters of general Charge duly executed against such Heir according to the Law and Practice heretofore in Use; and in such combined Action of Constitution and Adjudication it shall be competent to pronounce Decree of Constitution and Adjudication in one and the same Interlocutor, and to extract the same in one and the same Extract, which Decree shall be a valid Decree of Constitution and Adjudication; any thing in an Act of the Parliament of *Scotland* passed in the Year One thousand five hundred and forty, and in another Act of the Parliament of *Scotland* passed in the Year One thousand six hundred and twenty-one, or in any other Act of Parliament, or any Law or Practice, to the contrary notwithstanding, the said Acts being hereby repealed to the Extent of making these Enactments operative, but no further.

Bill for Summonses, &c. abolished.

XVII. And be it enacted, That it shall no longer be necessary that a Summons of Adjudication or of Ranking and Sale be preceded by a Bill, such Bill being hereby abolished.

Unnecessary to libel and conclude for Decree of special Adjudication.

XVIII. 'And whereas it has been found inconvenient in Practice to libel and conclude for general 'Adjudication of Lands as the Alternative only of special Adjudication in Terms of an Act of the Parliament of *Scotland* passed in the Year One thousand six hundred and seventy-two;' be it enacted, That it shall no longer be necessary to libel or conclude for special Adjudication, and it shall be lawful to libel and conclude and decern for general Adjudication without such Alternative, any thing in the said last-mentioned Act or in any other Act of Parliament to the contrary notwithstanding, the said last-mentioned Act and such other Acts being hereby repealed to the Effect of making this Enactment operative, but no further.

Decrees of Adjudication and of Sale to contain Warrant for Infeftment a me vel de me, and Infeftment may follow accordingly.

XIX. 'And whereas a Party who has obtained Decree of Adjudication or Decree of Sale is frequently 'exposed to Inconvenience from the Delay which may occur in obtaining Infeftment;' be it enacted, That in all Cases it shall be lawful for the Judges of the Court of Session, when pronouncing Decree of Adjudication, whether for Debt or in Implement, or Decree of Sale, to grant Warrant in Terms, or as nearly as may be in Terms of Schedule (K.) hereunto annexed, for infefting the Adjudger or Purchaser, and his Heirs and Successors, in the Lands and others contained in such Decree, to be holden by them alternatively by Two several Infeftments and Manners of Holding, one thereof to be holden of the Party adjudged from and his Heirs in Free Blench for Payment of a Penny *Scots* in Name of Blench Farm at *Whitsunday* yearly upon the Ground of the said Lands, if asked only, and freeing and relieving the Party adjudged from and his Heirs of all Feu Duties and Services exigible out of the said Lands by their immediate lawful Superiors thereof, and the other of the said Infeftments to be holden from the Party adjudged from and his Heirs of and under their immediate lawful Superiors in the same Manner that the Party adjudged from, his Predecessors and Authors, held or might have holden the same, and that by Confirmation; and the Adjudger or Purchaser, and his foresaids, shall, in virtue of such Decree of Adjudication or Decree of Sale, be entitled to complete their Title by obtaining Charter of Adjudication or of Sale from the Superior of the Lands and passing Infeftment thereon, or, where the Person adjudged from is entered with his Superior or in a Situation to charge such Superior under the Powers herein contained to grant Entry by Confirmation, by taking Infeftment in virtue of the Warrant contained in such Decree, which Infeftment may be in the Form given in Schedule (L.) hereunto annexed, and shall with the Decree of Adjudication or of Sale be an effectual feudal Investiture in the said Lands in Terms of such Decree, holding Base of the Party adjudged from and his Heirs, until Confirmation thereof shall be granted by the immediate Superior of the Lands, or his Successors, in the same Manner and to the same Effect as if the Party adjudged from had granted a Disposition of the Lands to the Adjudger or Purchaser in the Terms of the Decree of Adjudication or of Sale, with an Obligation to infeft *a me vel de me*, to be completed by Confirmation, and a Precept of Sasine, and the Adjudger or Purchaser had been infeft on such Precept; and the Effect of the Charter of Confirmation of the Sasine thus proceeding on such Decree of Adjudication or Decree of Sale shall be to make the Lands hold immediately of and under such Superior; but the Right of the Superior to the Composition payable by an Adjudger or Purchaser as due under the existing Law is hereby reserved entire, and the Adjudger or Purchaser, or his foresaids, by passing Infeftment on the Decree of Adjudication or of Sale in manner above mentioned, shall become indebted in such Composition to the Superior, and shall be bound to pay the same upon the Superior's tendering a Charter of Confirmation, whether such Charter shall be accepted or not, and the Superior shall be entitled to recover Payment of such Composition as accords of Law; and it is hereby provided that the Sasine on such Decree of Adjudication, duly recorded, shall, without Prejudice to any other Diligence or Procedure, be of itself sufficient to make the Adjudication effectual in all Questions of Bankruptcy or Diligence: Provided always, that where the Charter, Contract, or other Deed by which the Vassal's Right is constituted contains a Prohibition against Subinfeudation or Alternative holding, such Decree and Sasine shall, notwithstanding any such Prohibition, form a valid feudal Investiture in favour of such Adjudger or Purchaser and their foresaids, but without Prejudice to the Right of the Superior to require such Adjudger or Purchaser, or his foresaids, to enter forthwith as accords of Law, and to deal with such Adjudger or Purchaser, or his foresaids, as with a Vassal unentered.

Judgment of Lord Ordinary on the Bills subject to Re-

XX. And be it enacted, That any Judgment pronounced by the Lord Ordinary in virtue of this Act shall be subject to Review by a reclaiming Note in ordinary Form; but the Judgment of the Lord Ordinary, if not so brought under Review, and the Judgment of either Division of the Court upon such reclaiming

view of Inner House, and Judgments in certain Cases to be final.

reclaiming Note, whether such Judgments shall have been pronounced in absence of the Respondent or not, shall be final and conclusive, and not subject to Review by Appeal to the House of Lords, or by Reduction, or in any other Mode or Form whatever; and it shall be competent to the Lord Ordinary, or to either Division of the Court reviewing any Judgment of the Lord Ordinary, if it shall appear to him or them to be just in the whole Circumstances of the Case, to find and decern in ordinary Form for the Expences of any Proceedings under this Act against the Petitioner or Respondent personally.

Court of Session may make Acts of Sederunt.

XXI. And be it enacted, That it shall be lawful to the Court of Session to pass such Act or Acts of Sederunt as the Court may deem proper for carrying into effect the Purposes of this Act.

Interpretation of Act.

XXII. And be it enacted, That in construing this Act, except where the Nature of the Provision or the Context of this Act shall be repugnant to such Construction, the Words "Superior," "Vassal," "Granter," "Grantee," "Disponer," and "Disponee," shall extend to and include the Heirs, Successors, and Representatives of such Superior, Vassal, Granter, Grantee, Disponer, or Disponee respectively; and the Word "Lands" shall extend to and include Teinds, Fishings, Houses, Lands, Tenements, and Heritages of every Description; and the Word "Charter" shall include Charters from the Crown and Prince as well as from Subject Superiors; and all Words used in the Singular Number shall be held to include several Persons or Things; and Words in the Plural shall include the Singular Number; and all Words importing the Masculine Gender shall extend and be applied to Females as well as Males.

Act when to take effect.

XXIII. And be it enacted, That this Act shall take effect from and after the Thirtieth Day of *September* One thousand eight hundred and forty-seven.

Act may be amended, &c.

XXIV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

After the inductive and dispositive Clauses the Deed may proceed thus:—"With Entry at the Term of [*here specify the Date of Entry*]; and I oblige myself to infeft the said [*here insert the Name of the Disponee*] and his foresaids, to be holden a me [*or* de me, *or* a me vel de me, *as the Case may be*]; and I resign the said Lands and others for new Infeftment; and I assign the Writs, and have delivered the same according to Inventory; and I assign the Rents; and I bind myself to free and relieve the said [*here insert the Name of the Disponee*] and his foresaids of all Feu Duties, Casualties, and public Burdens; and I grant Warrandice; and I consent to Registration hereof for Preservation [*or* for Preservation and Execution]. Moreover, I desire any Notary Public to whom these Presents may be presented to give to the said [*here insert the Name of the Disponee*] or his foresaids Sasine [*or* Liferent Sasine, *or* Sasine in Liferent and Fee respectively, *as the Case may be,*] of the Lands and others above disponed. In witness whereof [*here insert a Testing Clause in the usual Form*]."

Note.—The Clauses are assumed here as occurring in a Disposition, but they may be used in other Deeds and Instruments; and in the event of its being necessary to omit, vary, or qualify any One or more of them, this may be done and the other Clauses may be retained.

SCHEDULE (B.)

Instead of inserting the Conditions of Entail at Length, these may be referred to as follows; viz.—"But always with and under the Conditions, Provisions, Reservations, and Clauses prohibitory, irritant, and resolutive, specified and contained in a Disposition and Deed of Entail [*or* in the said Disposition and Deed of Entail, *if it has been previously referred to,*] of the said Lands and others executed by the deceased *E.F.*, bearing Date the Day of in the Year and recorded in the Register of Tailzies on the Day of in the Year [*or* in an Instrument of Sasine in the said Lands and others in favour of *G.H.* recorded in the [*here mention the Register in which the Sasine is recorded*] upon the Day of in the Year]."

And in subsequent Clauses of the Deed in which it is requisite or usual to refer again to the Conditions of the Entail the Reference may be made thus:—"But always with and under the Conditions, Provisions, Reservations, and Clauses, prohibitory, irritant, and resolutive, before referred to."

SCHEDULE (C.)

Instead of inserting the Burdens, &c. at Length, these may be referred to as follows; viz.—"But always with and under the Burdens, Conditions, Provisions, Restrictions, Limitations, and Obligations [*or such of these as may apply to the Case*] specified in an Instrument of Sasine in the said Lands and others [*here describe the Sasine in which the Burdens, &c. were first inserted, or any subsequent Sasine in which they are inserted, forming Part of the Progress of the Titles to the Lands, the Sasine being described by the Name of the Party in whose Favour it was passed, the Register in which it is recorded, and the Date of Registration; or, if it is previously referred to in the Disposition, say,* in the said Instrument of Sasine in favour of the said above referred to,]" *or if they are inserted in an Instrument of Resignation ad remanentiam, make a similar Reference to such Instrument.*

And in subsequent Clauses in which it is requisite or usual to refer again to the Burdens, &c., the Reference may be made thus:—"But always with and under the Burdens, Conditions, Provisions, Restrictions, Limitations, and Obligations [*or such of these as may apply to the Case*] before referred to."

SCHE-

SCHEDULE (D.)

I *A.B.*, immediate lawful Superior of the Lands and others after mentioned, do hereby confirm for ever to and in favour of *C.D.* [*here name the Party in whose Favour the Charter is granted*], and his Heirs and Assignees whomsoever, heritably and irredeemably, all and whole [*here insert the Lands or other Heritages to be confirmed; and if under Burdens, &c. use the Form in Schedule (C.)*], and an Instrument of Sasine in the said Lands and others in favour of the said *C.D.* recorded in the [*here describe the Register in which the Instrument is recorded*] on the Day of *or of whatever other Date or Tenor the said Instrument of Sasine may be,* to be holden, the said Lands and others, immediately of me and my Successors, Superiors thereof, in Free Blench [*or*, in Feu Farm, *as the Case may be,*] for ever, paying therefor a Penny Scots yearly of Blench Duty, if asked only, [*or if held in Feu Farm specify the other Payments and Services.*] And I consent to the Registration hereof. In witness whereof [*here insert the Testing Clause in the usual Form*].

SCHEDULE (E.)

N° 1.

Unto the Honourable the Lord Ordinary on the Bills, the Petition of *A.B.* humbly showeth, That by Disposition dated the granted by *C.D.* of the said *C.D.* disponed to the Petitioner all and whole [*here describe the Subjects as in the Disposition*], to be held of the Disponer's Superior, with Warrants of Resignation and Sasine.

That the Petitioner's Author, the said *C.D.*, held the said Lands and others of and under the late *E.F.* as his immediate lawful Superior for an annual Reddendo not exceeding in Value or Amount Five Pounds Sterling; that *G.H.* is the eldest Son [*or whatever other Relation he is*] and apparent Heir of the said *E.F.*, and as such has Right to the Superiority of the said Lands and others, but he has not made up a feudal Title thereto, and is therefore not in a Situation to grant Entry to the Petitioner, although demanded from him; and the Petitioner now applies to your Lordship for Redress in Terms of the Act [*here mention this Act*], and produces the above-mentioned Disposition in his Favour.

May it therefore please your Lordship, in Terms of the said Act, to grant Warrant for serving this Petition on the said *G.H.* personally, or at his Dwelling Place, [*here add a Prayer for edictal Citation in the usual Form, if the Party is furth of Scotland,*] and to ordain him within Thirty Days after the Date of such Service [*or* within Sixty Days, *if he be furth of Scotland, or in Orkney or Shetland,*] to procure himself entered and infeft in the said Lands and others, and to enter the Petitioner in the same, on Payment of the Duties and Casualties exigible on such Entry, or else to show Cause for delaying or refusing to do so, with Certification that if he fail he shall forfeit and amit all Right to the said Superiority; and in the event of the said *G.H.* failing so to complete his Title and grant Entry to the Petitioner, or to show reasonable Cause why he delays or refuses so to do, to find and declare that the said *G.H.* has forfeited and amitted all Right to the said Superiority, and that the Petitioner and his Heirs and Successors are entitled to hold the said Lands and others in all Time coming as Vassals immediately of and under the next Over-superior by the Tenure and for the Reddendo by and for which the forfeited Superiority was held. According to Justice, *&c.*

Note.—The above Form is applicable to the Case where the Petitioner requires a Charter of Resignation. In other Cases the Form must be varied, so far as necessary, to suit the Circumstances.

N° 2.

The Lord Ordinary grants Warrant to Messengers-at-Arms to serve the said Petition and this Deliverance on the said *G.H.* as prayed for, and ordains the said *G.H.*, within Thirty Days [*or* Sixty Days, *as the Case may be,*] after the Date of such Service, to procure himself entered and infeft in the Lands and others described in the Petition, and to enter the Petitioner in the same, on Payment of the Duties and Casualties exigible on such Entry, or else to show Cause for delaying or refusing to do so, with Certification that if he fail he shall forfeit and amit all Right to the said Superiority in Terms of the said Act.

N° 3.

The Lord Ordinary having resumed Consideration of the said Petition, with the Execution thereon, now expired, in respect the said *G.H.* has not shown Cause for delaying or refusing to complete his Title to the Superiority, and to grant an Entry to the Petitioner, finds and declares, That the said *G.H.* has forfeited and amitted all Right to the said Superiority, and that the Petitioner and his Heirs and Successors are entitled to hold the Lands and others described in the Petition in all Time coming as Vassals immediately of and under the next Over-superior by the Tenure and for the Reddendo by and for which the said forfeited Superiority was held; grants Warrant to the Petitioner and his foresaids to apply for and obtain an Entry in the said Lands and others from the said Over-superior, in the Terms foresaid; and decerns and ordains the Decree to be extracted hereon to be recorded in the Register of Sasines.

SCHE-

SCHEDULE (F.)

N° 1.

Unto the Honourable the Lord Ordinary on the Bills, the Petition of *A.B.* humbly showeth, That by Disposition dated the granted by *C.D.* of the said *C.D.* disponed to the Petitioner all and whole [*here describe the Subjects as in the Disposition*], to be held of the Disponer's Superior, with Warrants of Resignation and Sasine.

That the Petitioner's Author, the said *C.D.*, held the said Lands and others of and under the late *E.F.* as his immediate lawful Superior; that *G.H.* is the eldest Son [*or whatever other Relation he is*] and apparent Heir of the said *E.F.*, and as such has Right to the Superiority of the said Lands and others, but he has not made up a feudal Title thereto, and is therefore not in a Situation to grant Entry to the Petitioner, although demanded from him. The Petitioner now applies to your Lordship for Redress in Terms of the Act [*here mention this Act*], and produces the above-mentioned Disposition in his Favour.

May it therefore please your Lordship in Terms of the said Act to grant Warrant for serving this Petition on the said *G.H.* personally or at his Dwelling Place, [*here add a Prayer for edictal Citation in the usual Form, if the Party is furth of Scotland;*] and to ordain him within Thirty Days after the Date of such Service [*or* within Sixty Days, *if he be furth of Scotland, or in Orkney or Shetland,*] to procure himself entered and infeft in the said Lands and others, and to enter the Petitioner in the same, on Payment of the Duties and Casualties exigible on such Entry, or else to show Cause for delaying or refusing to do so, with Certification that if he fail he shall forfeit and amit all Right to the Duties and Casualties payable on the Entry of the Petitioner, and that the Petitioner shall be entitled to retain from him and his Successors, as immediate Superiors, the yearly Feu Duties and whole other Prestations, until fully paid and indemnified for all the Expences of this Petition and Procedure to follow hereon, and for all the Expences of completing the Petitioner's Title in Terms of the said Act; and thereafter, on resuming Consideration of this Petition, with or without Answers, to find and declare that the said *G.H.* has forfeited and amitted all Right to the Dues and Casualties payable on the Entry of the Petitioner, and that the Petitioner is entitled to retain from him and his Successors, as immediate Superiors, the yearly Feu Duties and whole other Prestations until fully paid and indemnified for all the Expences of this Petition, and of the Procedure to follow hereon, and for all the Expences of completing the Petitioner's Title in Terms of the said Act; and also to grant Warrant to the Petitioner to apply for and obtain an Entry in the said Lands and others from the Crown or Prince of Scotland, [*or I.K.* the mediate Over-superior,] as acting in the Vice of the said *G.H.*, and to authorize Decree to the above Effect to be extracted ad interim; and thereafter, upon the Completion of the Petitioner's Title by an Entry from the Crown or Prince of Scotland [*or* such mediate Over-superior] as aforesaid, to remit the Accounts of the Expences of this Petition and Procedure hereon, and of the Expences of completing the Petitioner's Title, to the Auditor to tax the same, and to report, and to modify the Amount of the said Expences, and to decern for Retention of the Amount thereof as aforesaid, [*if the Parties have agreed to or are in Treaty for a Relinquishment add* " or in the event of the said *G.H.* relinquishing the Superiority to find, decern, and declare the same to be extinguished in manner and to the Effect expressed in the Statute,"] or to do otherwise in the Premises as to your Lordship shall seem just.—According to Justice, *&c.*

Note.—The above Form is applicable to the Case where the Petitioner requires a Charter of Resignation. In other Cases the Form must be varied, so far as necessary, to suit the Circumstances.

N° 2.

The Lord Ordinary grants Warrant to Messengers-at-Arms to serve the said Petition and this Deliverance on the said *G.H.* as prayed for, and ordains the said *G.H.*, within Thirty Days [*or* Sixty Days, *as the Case may be,*] after the Date of such Service, to procure himself entered and infeft in the Lands, and others described in the Petition, and to enter the Petitioner in the same, on Payment of the Duties and Casualties exigible on such Entry, or else to show Cause for delaying or refusing to do so, with Certification that if he fail he shall forfeit and amit all Right to the Duties and Casualties payable on the Petitioner's Entry, and this the Petitioner shall be entitled to retain from him and his Successors, as immediate Superiors, the yearly Feu Duties and whole other Prestations until fully paid and indemnified for the Expences of the Petition and Procedure thereon, and for all the Expences of completing the Petitioner's Title in Terms of the said Act.

N° 3.

The Lord Ordinary having resumed Consideration of the said Petition, with the Execution thereon, now expired, in respect the said *G.H.* has not shown Cause for delaying or refusing to complete his Title to the Superiority, and to grant an Entry to the Petitioner, finds and declares, That the said *G.H.* has forfeited and amitted all Right to the Duties and Casualties payable on the Entry of the Petitioner, and that the Petitioner is entitled to retain from him and his Successors, as immediate Superiors, the yearly Feu Duties and whole other Prestations until fully paid and indemnified for all the Expences of the said Petition and Procedure thereon, and for all the Expences of completing the Petitioner's Title; grants Warrant to the Petitioner to apply for and obtain an Entry in the Lands and others described in the

the Petition from the Crown or Prince of Scotland, [*or I.K.*, the mediate Over-superior,] as acting in Vice of the said *G.H.*, and decerns, and allows this Decree to go out and be extracted ad interim; and, on the Petitioner's Title being completed, appoints Accounts of the Expences of the Petition and Procedure thereon, and of completing the Title, to be lodged, and remits the same, when lodged, to the Auditor to tax and report.

N° 4.

The Lord Ordinary approves of the Auditor's Report on the Petitioner's Accounts of Expences, modifies the same to £ Sterling, and decerns against the said *G.H.* for Payment thereof to the Petitioner, by Retention, as prayed for [*or* personally against the said *G.H.*, *as the Case may be*].

SCHEDULE (G.)

N° 1.

Minute of Relinquishment by as Heir Apparent of in the Lands after mentioned in the Petition at the Instance of [*here name and describe the Petitioner*].

I *A.B.*, eldest lawful Son [*or whatever Relation he may be*] and nearest lawful Heir Apparent of *C.D.* the Person last infeft in the Superiority of the Lands of [*here describe the Lands fully*], which Right of Superiority is holden immediately of and under the Crown [*or other Over-lord, as the Case may be*], do absolutely and gratuitously [*or if any Price paid, say* "in consideration of £ Sterling to be paid to me,"] relinquish and renounce the Superiority of the said Lands to which I hold Right as Heir Apparent aforesaid in favour of the Petitioner and his Successors in the said Lands. In witness whereof, *&c.* [*To be signed by the Party or by his Mandatory or Agent duly authorized in Writing and duly attested.*]

N° 2.

I accept Relinquishment in Terms of this Minute.

N° 3.

The Lord Ordinary interpones his Authority to the Minute of Relinquishment lodged by the Respondent, and decerns and declares the Right of Superiority thereby relinquished to be extinguished, to the Effect of giving Right to the Petitioner and his Successors to hold the Lands and others described in the Petition immediately of and under the Party who is Superior of the Feu now given up and extinguished, and by the Tenure and for the Reddendo by and for which the relinquished Feu was held, and decerns and appoints the Decree to be extracted hereon to be recorded in the Register of Sasines.

SCHEDULE (H.)

N° 1.—*Charter of Confirmation.*

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith.—We do hereby confirm for ever to and in favour of *A.B.* [*here name the Disponee*], and his Heirs and Assignees whomsoever, heritably and irredeemably, all and whole [*here describe the Lands or other Heritages, and if under Burdens, &c. use the Form in Schedule (C.)*], and an Instrument of Sasine in the said Lands and others in favour of the said *A.B.*, recorded in the [*here describe the Register in which the Instrument is recorded*], on the Day of or of whatever other Date or Tenure the said Instrument of Sasine may be; To be holden, the said Lands and others, of the Crown, as in room of *G.H.* [*here name the Person against whom Decree has been obtained*], the eldest Son [*or whatever other Relation he may be*] of *E.F.* [*here name the Person last infeft in the Superiority*], who was last infeft in the immediate Superiority of the said Lands, in respect that the said *G.H.* having failed to complete his Title to the said Superiority, and to grant an Entry to the said *A.B.*, the said *A.B.*, in virtue of an Act [*here set forth the Title of this Act*], obtained a Decree by the Lord Ordinary on the Bills, dated the granting Warrant to the said *A.B.* to apply for and obtain an Entry in the said Lands and others from the Crown, as acting in Vice of the said *G.H.*, and that while and so long as the said *G.H.* and his Successors, the immediate Superiors thereof, shall remain unentered, and thereafter until a new Entry shall become requisite, and that by the same Tenure by which the same were or might have been holden of the said *G.H.* And for Payment to him and his Successors, who are properly immediate lawful Superiors of the said Lands and others, of the annual Duties and Casualties heretofore payable, but only upon the Completion of their Title in the Superiority. In witness whereof we have ordered the Seal now used for the Great Seal of Scotland to be appended hereto, *&c.* [*according to the Chancery Form.*]

N° 2.—*Charter of Resignation.*

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith.—We do hereby give, grant, and dispone, and for ever confirm to *A.B.* [*here name the Disponee*], and his Heirs and Assignees whomsoever, heritably and irredeemably, all and whole [*here insert the Lands or other Heritages, and if under Burdens, &c. use the Form in Schedule (C.)*], which Lands and others formerly belonged to *C.D.* [*here name the Disponer*], holden by him immediately of *E.F.* [*here name the Person who died last infeft in the Superiority*], in Terms of [*here state the*

Investiture of the Disponer], and now of the Crown as in Vice of the immediate Superior thereof, in respect that the said *E.F.* being dead, and *G.H.* his eldest Son [*or whatever other Relation he may be*] and Heir Apparent, who is in right of the Superiority, having failed to complete his Title thereto and to grant an Entry to the said *A.B.*, the said *A.B.* in virtue of an Act [*here set forth the Title of this Act*], obtained a Decree by the Lord Ordinary on the Bills dated the granting Warrant to the said *A.B.* to apply for and obtain an Entry in the said Lands and others from the Crown, as acting in Vice of the said *G.H.*, and which Lands and others have been resigned into our Hands as in Vice of the said *G.H.*, which Decree is recorded in the [*state here the Register of Sasines in which the Decree is recorded, and the Date of Registration*], by virtue of a Procuratory of Resignation contained in a Disposition of the said Lands and others, granted by him in favour of the said *A.B.*, dated the To be holden, the said Lands and others, of the Crown as in room of the said *G.H.*, who is properly the immediate lawful Superior thereof, while and so long as he and his Successors the immediate Superiors thereof shall remain unentered, and thereafter until a new Entry shall become requisite, and that by the same Tenure by which the same were or might have been holden of the said *G.H.* And for Payment to him and his Successors, who are properly the immediate lawful Superiors of the said Lands and others, of the annual Duties and Casualties heretofore payable, but only upon the Completion of their Title in the Superiority; moreover we desire any Notary Public to whom this Charter may be presented, to give to the said *A.B.* or his foresaids Sasine of the Lands and others above described. In witness whereof we have ordered the Seal now used for the Great Seal of Scotland to be appended hereto, *&c.* [*according to the Chancery Form.*]

Note.—The Charter in favour of an Adjudger will be in similar Terms, but under the proper Modification. And a Precept from Chancery in favour of the Vassal's Heir, who has obtained Decree against the unentered Heir Apparent of his Superior, will be in similar Terms as applied to the Style of a Precept. And if the Charter or Precept is by the mediate Over-superior, the necessary Alterations will be made.

SCHEDULE (I.)

N° 1.—*Charter of Confirmation proceeding on a Decree of Forfeiture or Relinquishment.*

I *L.M.*, immediate lawful Superior of the Lands and others after mentioned, in virtue of a Decree of Forfeiture [*or* Relinquishment, *as the Case may be,*] against *G.H.*, Heir Apparent of my immediate Vassal last infeft in the said Lands and others, pronounced by Lord Ordinary on the Bills, upon the Day of in a Petition at the Instance of *A.B.* [*here Name the Disponee*], do hereby confirm for ever to and in favour of the said *A.B.* and his Heirs and Assignees whomsoever, heritably and irredeemably, all and whole [*here insert the Lands or other Heritages, and if under Burdens, &c. use the Form in Schedule* (*C.*)], and an Instrument of Sasine in the said Lands and others in favour of the said *A.B.* recorded in the [*here describe the Register in which the Instrument is recorded*], on the Day of *or of whatever other Tenor the same may be;* To be holden, the said Lands and others, by the said *A.B.* and his foresaids, in all Time hereafter, immediately of me and my Successors, as Superiors thereof, in Free Blench Farm [*or* in Feu Farm, *as the Case may be, according to the Tenure by which the forfeited or relinquished Superiority was held,*] for ever, paying therefor [*here specify the Reddendo for which the forfeited or relinquished Superiority was held*]; and I consent to the Registration hereof for Preservation. In witness whereof [*add a testing Clause*].

N° 2.—*Charter of Resignation proceeding on a Decree of Forfeiture or Relinquishment.*

I *L.M.*, immediate lawful Superior of the Lands and others after mentioned, in virtue of a Decree of Forfeiture [*or* Relinquishment, *as the Case may be,*] against *G.H.*, Heir Apparent of my immediate Vassal last infeft in the said Lands and others, pronounced by Lord Ordinary on the Bills, upon the Day of in a Petition at the Instance of *A.B.* [*here name the Disponee*], do hereby give, grant, dispone, and for ever convey to the said *A.B.* and his Heirs and Assignees whomsoever, heritably and irredeemably, all and whole [*here insert the Lands or other Heritages, and if disponed under Burdens, &c. use the Form in Schedule* (*C.*)], which Lands and others above written formerly belonged to [*here insert the Name of the Disponer*], holden by him under my immediate Vassal, and now of myself, in Terms of [*here state briefly the Investiture of the last-entered Proprietor*], and have been resigned by him in my Hands, as now coming in place of his immediate Superior by virtue of a Procuratory of Resignation contained in a Disposition of the said Lands and others, made and granted by him in favour of the said *A.B.*, dated [*here insert the Date*], to be holden, the said Lands and others, by the said *A.B.* and his foresaids, in all Time hereafter, immediately of me and my Successors, as Superiors thereof, in Free Blench Farm [*or* in Feu Farm, *as the Case may be, according to the Tenure by which the forfeited or relinquished Superiority was held,*] for ever, paying therefor [*here specify the Reddendo for which the forfeited or relinquished Superiority was held*]; and I consent to the Registration hereof for Preservation; moreover I desire any Notary Public to whom this Charter may be presented to give to the said *A.B.*, or his foresaids, Sasine of the Lands and others above described. In witness whereof [*add a testing Clause*].

N° 3.—*Precept of Clare constat proceeding on a Decree of Forfeiture or Relinquishment.*

I *L.M.*, immediate lawful Superior of the Lands and others after mentioned, in virtue of a Decree of Forfeiture [*or* Relinquishment, *as the Case may be*], against *G.H.*, Heir Apparent of my immediate Vassal last infeft in the said Lands and others, pronounced by Lord Ordinary on the Bills,

Bills, dated the Day of in a Petition at the Instance of *A.B.* [*here name and design the Heir in whose Favour the Precept is to be granted*]: Whereas by authentic Instruments and Documents it clearly appears that *C.D.* [*here insert the Name of the last Proprietor of the Lands*] died last vest and seised as of Fee in [*here insert the Lands or other Heritages, and if under Burdens, &c. use the Form in Schedule* (*C.*)]; and that the said *A.B.* is eldest lawful Son [*or whatever Relation he may be*] and nearest and lawful Heir [of Line, *or whatever the Character may be,*] of the said *C.D.* in the said Lands and others; and that the said Lands and others are in virtue of the said Decree now holden of me and my Successors, as Superiors thereof, in Free Blench Farm [*or* Feu Farm, *as the Case may be, according to the Tenure by which the forfeited or relinquished Superiority was held,*] for ever, for Payment of [*here specify the Reddendo for which the forfeited or relinquished Superiority was held*]. Therefore I desire any Notary Public to whom these Presents may be presented to give to the said *C.D.* as Heir foresaid Sasine of the Lands and others above described. In witness whereof [*add a testing Clause*].

Note.—Where the next Superior is Her Majesty or the Prince and Steward of Scotland, Charters by the Crown, Prince, or Precepts from Chancery, will be granted in similar Terms to the above, but adapted to the Forms of Chancery.

SCHEDULE (K.)

After granting Decree of Adjudication according to the Form presently in use, or according to the Form in use for the Time, the following Warrant to be inserted:—"And the Lord Ordinary grants Warrant to any Notary Public to give to the said [*here mention the Name of the Adjudger or Purchaser*], and his Heirs and Successors, Sasine, in the foresaid Subjects, in Terms of the 19th Section of the Act [*here mention this Act*]."

SCHEDULE (L.)

At there was [by or] on behalf of *A.B.* [*here state the Name and Designation of the Adjudger or Purchaser, or other Party in his Right,*] presented to me, Notary Public subscribing, an Extract Decree of Adjudication [*or* "of Adjudication in Implement or of Sale," *as the Case may be,*] dated the [*here insert the Date of the Decree*], obtained before the Lords of Council and Session in an Action at the Instance of [*here mention the Party at whose Instance the Decree was obtained*] against *C.D.* [*here state the Name and Designation of the Party adjudged from*], whereby the said Lords adjudged from the said *C.D.*, and all others having or pretending to have Right thereto, all and whole [*here describe the Lands at Length, and if adjudged under Burdens, &c. use the Form in Schedule* (*C.*), *then recite the rest of the Decree of Adjudication or Sale down to the Close of the Warrant to the Notary for giving Infeftment, and, if the Infeftment is to be taken by the Heir or Assignee of the Adjudger or Purchaser, or by any other Person acquiring Right through him, recite here the Decree of Service or the Assignment or other Writ by which the Party has acquired such Right*]; by virtue of which Warrant of Infeftment I hereby give Sasine to the said *A.B.* of the Lands and others above described. In witness whereof I have subscribed these Presents, written on this and the preceding Pages by *E.F.* my Clerk, before these Witnesses the said *E.F.* and *G.H.* my Apprentice.

E.F. Witness.
G.H. Witness. (Signed) *I.K.* Notary Public.

CAP. XLIX.

An Act to facilitate the Transference of Lands and other Heritages in *Scotland* held in Burgage Tenure. [25th *June* 1847.]

'WHEREAS it is expedient to facilitate the Transference of Lands and other Heritages in *Scotland* held by the Tenure of Burgage, and to render the same less expensive, and for that Purpose 'to amend the Law of *Scotland* relative thereto:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in all Dispositions and Conveyances, and other Deeds and Instruments necessary for the Transmission of Lands in *Scotland* held by the Tenure of Burgage, in which all or any of the following Clauses are necessarily or usually inserted, (*videlicet,*) a Clause declaring the Term of Entry, a Clause of Obligation to infeft, a Procuratory of Resignation, a Clause of Obligation to free and relieve of Cess, Annuity, Ground Annual, and other public, parochial, and local Burdens, a Clause of Assignation of Rents, a Clause of Assignation of Writs and Evidents, a Clause of Warrandice, and a Clause of Registration for Preservation and Execution, it shall be lawful and competent to insert all or any of such Clauses in the Form, or as nearly as may be in the Form, set forth in Schedule (A.) hereunto annexed; and all or any of such Clauses, if so inserted in any such Disposition or Conveyance, or other Deed or Instrument, shall be as valid, effectual, and operative, to all Intents and Purposes, as if they had been expressed in the fuller Mode or Form now generally in use.

In Conveyances of Burgage Property certain Clauses may be inserted in the Forms given in Schedule (A.)

II. And be it enacted, That the Clause of Obligation to infeft expressed as in the Schedule (A.) hereunto annexed shall be held to imply an Obligation on the Disponer to infeft the Disponee, and his Heirs and Assignees, in the Lands or other Heritages conveyed upon their Expences, and that by Resignation, to be holden of Her Majesty in Free Burgage for Service of Burgh used and wont; and the Clause of Resignation shall in all respects be held and taken as equivalent to a Procuratory of

Explanation of the Import of Clauses in Schedule (A.)

Resignation in the Terms now in use in regard to Heritable Property held Burgage; and the Clause of Obligation to free and relieve from Cess, Annuity, Ground Annual, and other public and parochial Burdens shall, unless specially qualified, be held to import an Obligation to relieve of all Cess, Annuity, Ground Annual, and other public, parochial, and local Burdens exigible from or on account of the Subjects conveyed prior to the Date of Entry; and the Clause of Assignation of Rents, unless specially qualified, shall be held to import an Assignation to the Rents to become due for the Possession following the Term of Entry, according to the legal and not the conventional Terms, unless in the Case of forehand Rents, in which Case it shall import an Assignation to the Rents payable at the conventional Terms subsequent to the Date of Entry; and the Clause of Assignation to Writs and Evidents shall import an absolute and unconditional Assignation to such Writs and Evidents, and to all open Procuratories therein contained to which the Disponer has Right, unless specially qualified; and the Clause of Warrandice shall, unless specially qualified, be held and taken to imply absolute Warrandice as regards the Lands, and Writs and Evidents, and Warrandice from Fact and Deed as regards the Rents; and the Clause of Consent to Registration, unless specially qualified, shall import a Consent to Registration, and a Procuratory for Registration in the Books of Council and Session or other Judge's Books competent, therein to remain for Preservation, and if for Execution, that Letters of Horning and all other necessary Execution shall pass thereon upon a Charge of Six Days upon a Decree to be interponed thereto.

Conditions of Entail may be referred to as already in the Register of Entails or Register of Sasines.

III. And be it enacted, That in all Cases where Lands holden Burgage are or shall hereafter be held under a Deed of Entail, it shall be lawful and competent, in Dispositions and Conveyances of such Lands, and in Decrees of Adjudication, Instruments of Resignation and Sasine, and Instruments of Cognition and Sasine, and all other Deeds and Instruments of what Nature soever necessary to transmit, renew, or complete a Title under such Entail in such Lands, to omit the full Insertion of the Conditions and Provisions, and prohibitory, irritant, and resolutive Clauses of such Deed of Entail, provided such Conditions and Provisions, and prohibitory, irritant, and resolutive Clauses, shall be in such Dispositions and Conveyances, Decrees of Adjudication, Instruments of Resignation and Sasine, and Instruments of Cognition and Sasine, and other Deeds and Instruments aforesaid, specially referred to as set forth at full Length in the recorded Deed of Entail, if the same shall have been recorded in the Register of Tailzies, or if the same shall not have been recorded in such Register, then as set forth at full Length in any recorded Instrument of Resignation and Sasine, or of Cognition and Sasine, forming a Part of the Progress of Title Deeds of the said Lands under the said Entail, such Reference being made in the Terms, or as nearly as may be in the Terms, set forth in Schedule (B.) hereunto annexed; and the Reference thus made to such Conditions and Provisions, and prohibitory, irritant, and resolutive Clauses, shall be held as equivalent to the full Insertion thereof, and shall to all Intents and in all Questions whatsoever, whether *inter hæredes* or with Third Parties, have the same legal Effect as if the same had been inserted exactly as they may be expressed in the recorded Deed or Instrument referred to, notwithstanding any Law or Practice to the contrary, or any Injunction to the contrary contained in such Deed of Entail, and notwithstanding the Enactments or Provisions to the contrary contained in an Act of the Parliament of *Scotland* made in the Year One thousand six hundred and eighty-five, intituled *Act concerning Tailzies*, or any other Acts of Parliament now in force, all which are hereby repealed to the Extent of making this Enactment operative, but no further.

Real Burdens may be referred to as already in the Register of Sasines.

IV. And be it enacted, That in all Cases where Lands holden Burgage are or shall hereafter be held under any Real Burdens or Conditions or Limitations whatsoever appointed to be fully inserted in the Investitures of such Lands, it shall, notwithstanding such Appointment, and notwithstanding any Law or Practice to the contrary now existing, be lawful and competent in Dispositions and Conveyances of such Lands, Decrees of Adjudication, Instruments of Resignation and Sasine, Instruments of Cognition and Sasine, and other Deeds and Instruments of what Nature soever necessary to transmit, renew, or complete the feudal Title thereto, to omit the full Insertion of such Real Burdens or Conditions or Limitations, provided such Real Burdens or Conditions or Limitations shall, in such Dispositions and Conveyances, Decrees of Adjudication, Instruments of Resignation and Sasine, Instruments of Cognition and Sasine, and other Deeds or Instruments aforesaid, be specially referred to as set forth at full Length in the recorded Instrument of Resignation and Sasine in which the same were first inserted, or in any recorded Instrument of Resignation and Sasine, or of Cognition and Sasine, of subsequent Date, and forming Part of the Progress of Titles of the said Lands, such Reference being made in the Terms, or as nearly as may be in the Terms, set forth in Schedule (C.) hereunto annexed; and the Reference thus made to such Real Burdens or Conditions or Limitations shall be held as legally equivalent to the full Insertion thereof, and to all Intents and in all Questions whatsoever, whether with the Disponer or Superior or Third Parties, shall have the same legal Effect as if the same had been inserted exactly as they may be expressed in the recorded Instrument referred to, notwithstanding of any Law or Practice to the contrary, and notwithstanding of any Act or Acts of Parliament to the contrary, which are hereby repealed to the Effect of making this Enactment operative, but no further.

The Form in certain Cases of Sasines in Lands holden in Burgage to be as in Schedule (D.)

V. 'And whereas it is expedient to assimilate in certain Cases the Forms of Sasines in Lands holden 'in Burgage to those used in relation to Lands holden by the other Tenures;' be it enacted, That from and after the Thirtieth Day of *September* next it shall no longer be necessary towards obtaining Infeftment in Lands holden in Burgage, upon a Disposition or other Deed of Conveyance, or upon a Decree of Adjudication or of Sale, that the Party or a Procurator for the Party obtaining Infeftment shall appear before the Provost, or some One of the Bailies of the Burgh in which such Lands are situated, and resign the same into his Hands as into the Hands of Her Majesty, and for such Provost or Baillie to give Sasine

Sasine to such Party or Procurator, nor shall it be necessary to proceed to the Ground of the Lands, or to the Council Chamber of the Burgh, or to use any Symbol of Resignation or Sasine; and it shall be lawful and competent to resign and obtain Infeftment in such Lands by presenting to the Town Clerk of such Burgh, being a Notary Public, such Disposition or other Deed, or such Decree and other necessary Warrants, and by such Town Clerk giving Sasine therein by subscribing and recording an Instrument in the Form and Manner herein-after mentioned; and the Instrument of Sasine, or of Resignation and Sasine, following on such Disposition or other Deed or Decree, may be expressed in the Form, or as nearly as may be in the Form, of Schedule (D.) to this Act annexed, and shall be authenticated in the Manner shown in such Schedule; and such Sasine, or Resignation and Sasine, and such Instrument following thereon, shall be as valid and effectual as if the same had been made and received, and given and expressed, in the Mode and Form at present in use, and that notwithstanding of an Act of the *Scottish* Parliament passed in the Year One thousand five hundred and sixty-seven, or any other Act of Parliament now in force to the contrary, all which are hereby repealed to the Extent of making this Act operative, but no farther.

Instruments of Resignation and Sasine to be recorded.

VI. And be it enacted, That every such Instrument of Sasine, or of Resignation and Sasine, shall be recorded in manner heretofore in use with regard to Instruments of Resignation and Sasine in Burgage Property, and the Town Clerks of Cities and Burghs are hereby required to register the same accordingly; and such Instruments of Sasine, or of Resignation and Sasine, being so recorded, shall in all respects have the same Effect as if Resignation had been made and accepted, and Sasine had been given, and an Instrument of Sasine, or of Resignation and Sasine, duly recorded, according to the Law and Practice heretofore in use.

Instruments of Resignation or Sasine may be recorded during Life of the Party in whose Favour such Instruments have been expede.

VII. And be it enacted, That every such Instrument of Sasine, or of Resignation and Sasine, may be competently and effectually recorded at any Time during the Life of the Party in whose Favour such Instrument has been expede, and the Date of Presentment and Entry set forth on any such Instrument by the Keeper of the Record shall be taken to be the Date of the Instrument of Sasine, or of Resignation and Sasine, and Infeftment; and in case of any Error or Defect in any such Instrument it shall be competent of new to make and record an Instrument of Sasine, or of Resignation and Sasine, which shall have Effect from the Date of the recording thereof as if no previous Instrument or Instruments had been made or recorded.

General and special and general special Charges to be no longer competent to be used.

VIII. And be it enacted, That it shall no longer be competent to use Letters of general Charge or special Charge, or general special Charge, but in an Action of Constitution of an Ancestor's Debt or Obligation against his unentered Heir the Citation on and Execution of the Summons in such Action shall be held to imply and be equivalent to a general Charge, the Induciæ of which shall expire with the Induciæ of such Summons, and shall infer the like Certification with such general Charge; and it shall thereafter be competent to adopt under such Summons the same Procedure in all respects, and to pronounce the same Decree, which would have been competent had such Summons been preceded by Letters of general Charge duly executed against such Heir according to the Law and Practice heretofore in use, which Decree shall be a valid Decree of Constitution; and in an Action of Adjudication against such Heir following on such Decree of Constitution, or in an Action of Adjudication against an unentered Heir for his own Debt or Obligation, the Citation on and Execution of the Summons of Adjudication shall be held to imply and be equivalent to a special Charge or general special Charge, as the Circumstances may require, the Induciæ of which Charge shall expire with the Induciæ of such Summons, and shall infer the like Certification with such special Charge or general special Charge, as the Case may be; and it shall thereafter be competent to adopt under such Summons the same Procedure in all respects, and to pronounce the same Decree, which would have been competent had such Summons been preceded by Letters of special Charge or general special Charge, as the Case may be, duly executed against such Heir according to the Law and Practice heretofore in use, which Decree shall be a valid Decree of Adjudication; and in an Action of Constitution and Adjudication combined in the same Summons against an unentered Heir it shall be competent to adopt the same Procedure in all respects and to pronounce the same Decree, which would have been competent had such Summons been preceded by Letters of general Charge duly executed against such Heir according to the Law and Practice heretofore in use; and in such combined Action of Constitution and Adjudication it shall be competent to pronounce Decree of Constitution and Adjudication in one and the same Interlocutor, and to extract the same in one and the same Extract, which Decree shall be a valid Decree of Constitution and Adjudication, any thing in an Act of the Parliament of *Scotland* passed in the Year One thousand five hundred and forty, and in another Act of the Parliament of *Scotland* passed in the Year One thousand six hundred and twenty-one, or in any other Act or Acts of Parliament, or any Law or Practice to the contrary notwithstanding, the said Acts being hereby repealed to the Extent of making these Enactments operative, but no further.

Bill for Summonses, &c. dispensed with.

IX. And be it enacted, That it shall no longer be necessary that a Summons of Adjudication, or of Ranking and Sale, be preceded by a Bill, such Bill being hereby abolished.

Unnecessary to libel and conclude for Decree of special Adjudication.

X. 'And whereas it has been found inconvenient in Practice to libel and conclude for general Adjudi-
'cation of Lands as the Alternative only of special Adjudication in Terms of an Act of the Parliament
'of *Scotland* passed in the Year One thousand six hundred and seventy-two;' be it enacted, That it shall no longer be necessary to libel or conclude for special Adjudication, and it shall be lawful to libel and conclude and decern for general Adjudication without such Alternative, any thing in the said last-mentioned Act or in any other Act of Parliament to the contrary notwithstanding, the said last-mentioned

Act

Act and such other Acts being hereby repealed to the Effect of making this Enactment operative, but no further.

Acts of Sederunt.

XI. And be it enacted, That it shall be lawful to the Court of Session to pass such Act or Acts of Sederunt as the Court may deem proper for carrying into effect the Purposes of this Act.

Interpretation of Act.

XII. And be it enacted, That in construing this Act, except where the Nature of the Provision or the Context of this Act shall be repugnant to such Construction, the Word "Disponer" shall extend to and include the Disponer's Heirs and Successors; and the Word "Lands" shall include all other Heritable Subjects; and all Words used in the Singular Number shall be held to include several Persons or Things, and Words in the Plural shall include the Singular Number; and all Words importing the Masculine Gender shall extend and be applied to Females as well as Males.

Commencement of Act.

XIII. And be it enacted That this Act shall take effect from and after the Thirtieth Day of *September* One thousand eight hundred and forty-seven.

Act may be amended, &c.

XIV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

After the inductive and depositive Clauses the Deed may proceed thus:—With Entry at the Term of [*here specify the Date of Entry*]. And I oblige myself to infeft the said [*here insert the Name of the Disponee*] and his foresaids to be holden of Her Majesty in Free Burgage. And I hereby resign the said Lands and others in favour of the said [*here insert the Name of the Disponee*] and his foresaids for new Infeftment [*or* for new Liferent Infeftment, *or* for new Infeftment in Liferent and Fee respectively, *as the Case may be*]. And I bind myself to free and relieve the said [*here insert the Name of the Disponee*] of all Cess, Annuity, Ground Annual, and other public and parochial Burdens. And I assign the Rents of the said Lands. And I also assign the Writs and Evidents, and have delivered the same according to Inventory. And I grant Warrandice as accords. And I consent to the Registration hereof for Preservation [*or* for Preservation and Execution]. In witness whereof [*here insert a testing Clause in the usual Form*].

Note.—The Clauses are assumed here as occurring in a Disposition, but they may be used in other Deeds and Instruments; and in the event of its being necessary to omit, vary, or qualify any One or more of them, this may be done, and the other Clauses may be retained.

SCHEDULE (B.)

Instead of inserting the Conditions of Entail at Length, these may be referred to as follows; viz.—"But always with and under the Conditions, Provisions, Reservations, and Clauses, prohibitory, irritant, and resolutive, specified and contained in a Disposition and Deed of Entail [*or* "in the said Disposition and Deed of Entail," *if it has been previously referred to,*] of the said Lands and others made and executed by the deceased *E. F.* [*here mention the Granter of the Entail*], bearing Date the Day of in the Year and recorded in the Register of Tailzies on the Day of in the Year ," [*or* "in an Instrument of Sasine in the said Lands and others in favour of *G. H.*, dated and recorded in the Register of Sasines for the Burgh of the Day of in the Year ."]

And in any subsequent Clauses of the Deed, in which it is requisite or usual to refer again to the Conditions of the Entail, the Reference may be made thus:—"But always with and under the Conditions, Provisions, Reservations, and Clauses, prohibitory, irritant, and resolutive, before referred to."

SCHEDULE (C.)

Instead of inserting the Burdens, &c. at Length, these may be referred to as follows; viz^{t}.—"But always with and under the Burdens, Conditions, Provisions, Restrictions, Limitations, and Obligations [*or such of these as may apply to the Case*] specified and at more Length set forth in an Instrument of Sasine in the said Lands and others" [*here describe the Sasine in which the Burdens, &c. were first inserted, or any subsequent Sasine in which they are inserted, forming Part of the Progress of the Titles to the Lands, the Sasine being described by the Name of the Party in whose Favour it was passed, and the Date of Registration in the Burgh Register.*]

And in any subsequent Clauses, in which it is requisite or usual to refer again to the Burdens, &c., the Reference may be made thus:—"But always with and under the Burdens, Conditions, Provisions, Restrictions, Limitations, and Obligations [*or such of them as may apply to the Case*] before referred to."

SCHEDULE (D.)

At there was by [*or* on behalf of] *A. B.* [*design the Disponee or other Person to whom Sasine is given*] presented to me, Notary Public and Town Clerk of the said Burgh subscribing, a Disposition [*or other Deed, or an Extract of a Deed, or any other Warrant, as the Case may be,*] granted by *C. D.* [*here design the Party Granter of the Deed*], and bearing Date the Day of [*here describe shortly any connecting Deed or Writ, or Extract thereof, in virtue of which Sasine is given*], by which Disposition the said *C. D.* sold, alienated, and disposed to the said *A. B.*

[*or*

[*or* to *E. F., as the Case may be,*] and his Heirs and Assignees whomsoever, [*here insert the Destination, if any,*] heritably and irredeemably, [*or* redeemably, in Liferent, *or otherwise, as the Case may be,*] all and whole [*here insert the Description of the Subjects conveyed, and any Conditions, Burdens, or Qualifications, or Power of Redemption, or any Reference to the same, as in the Disposition, and if the Disposition by C. D. was not to A. B. himself, but is vested in him as Assignee, Heir, or Adjudger, or otherwise, in whole or in part, state shortly the successive Transferences, and the Way in which he has Right thereto*], which Disposition contains an Obligation to infeft the said *A. B.* [*or E. F., as the Case may be*], to be holden of Her Majesty in Free Burgage, and also contains Procuratory to make Resignation of the said Lands and others in favour of the said Disponee and his foresaids, for new Infeftment [*or* for new Liferent Infeftment, *or* for new Infeftment in Liferent and Fee respectively, *as the Case may be*]. In virtue of which Procuratory the said Lands and others were resigned, and in Terms of the said Disposition I hereby give Sasine to the said *A. B.* of all and whole the foresaid Lands and others [*if the Deed contains any Conditions, &c., or any Reference to the same as aforesaid, then add,* "but always under the Conditions, *&c.*, before specified" *or* "referred to," *as the Case may be*]. In witness whereof I have subscribed these Presents, written on this and the preceding Pages by *G. H.*, my Clerk, before these Witnesses, *I. K.* my Apprentice, and the said *G. H.*

(Motto.) *L. M.*, Notary Public.

G. H., Witness.
I. K., Witness.

Note.—The Notary will sign according to the present Practice, and the Witnesses will sign on the last Page only, and if the Instrument proceeds upon a Decree of Adjudication or of Sale the necessary Changes will be made on the above Form.

CAP. L.

An Act to facilitate the Constitution and Transmission of Heritable Securities for Debt in *Scotland*, and to render the same more effectual for the Recovery of Debts. [25th *June* 1847.]

'WHEREAS an Act was passed in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to facilitate the Transmission and Extinction of Heritable Securities for Debt in* Scotland, and it is expedient likewise to facilitate the Constitution of such Securities, and to render the same more effectual for the Recovery of Debt;' be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the Thirtieth Day of *September* One thousand eight hundred and forty-seven it shall be lawful for any Person entitled to grant Bond and Disposition in Security in favour of his Creditors to grant the same in the Form or as nearly as may be in the Form of Schedule (A.) hereunto annexed; and the Registration of such Bond and Disposition in Security in the General Register of Sasines, or Particular Register of Sasines, or Burgh Register of Sasines, as the Tenure of the Lands embraced in the Security may require, shall be as effectual and operative to all Intents and Purposes as if such Bond and Disposition in Security had contained, in the Case of Subjects held by the ordinary Tenures, an Obligation to infeft *a me vel de me*, Procuratory of Resignation, and Precept of Sasine, and in the Case of Burgage Subjects an Obligation to infeft *more Burgi*, and a Procuratory of Resignation, all in the Words and Form now in use, and as if Sasine, or Resignation and Sasine, as the Case may be, had been duly made, accepted, and given thereon in favour of the original Creditor, and an Instrument of Sasine, or of Resignation and Sasine, as the Case may be, had been duly recorded of the Date of the Registration of the said Bond and Disposition in Security as aforesaid.

8 & 9 Vict. c. 31.

After 30th Sept. 1847 Bonds and Dispositions in Security may be granted in the Form of Schedule (A.) to this Act, and registered in the Register of Sasines.

II. And be it enacted, That the Clause of Assignation of Rents to become due or payable shall be held to import an Assignation to Rents from and after the Term from which Interest on the Sum in the Bond commences to run in the fuller Form now generally in use, including therein a Power to the Creditor, on default in Payment, to enter into Possession of the Lands disponed in Security and uplift the Rents thereof, subject to accounting to the Debtor for any Balance of Rents actually recovered beyond what is necessary for Payment of the Creditor; and the Clause of Assignation of Writs shall be held to import an Assignation to Writs and Evidents to the same Effect as in the fuller Form now in use in a Bond and Disposition in Security with Power of Sale; and the Clause of Warrandice shall be held to import absolute Warrandice as regards the Lands and the Title Deeds thereof, and Warrandice from Fact and Deed as regards the Rents; and the Clause consenting to Registration for Preservation and Execution shall import a Consent to Registration and a Procuratory for Registration in the Books of Council and Session, or other Judge's Books competent for Preservation, and that Letters of Horning or Six Days Charge, and all other necessary Execution, may pass on a Decree to be interponed thereto; and the Clause consenting to Registration in the General or Particular or Burgh Register of Sasines shall entitle the Creditor to register the said Bond accordingly, either in the General Register of Sasines, or Particular Register of Sasines, or Burgh Register of Sasines, as the Tenure of the Lands embraced in the Security may require.

Explanation of Clauses in Schedule (A.)

III. And be it enacted, That the Clauses reserving Right of Redemption, and obliging the Granter to pay the Expences of assigning or discharging the Security, and, on default in Payment, granting Power of Sale, shall be in all respects as valid, effectual, and operative as if it had been in such Bond and Disposition in Security specially provided and declared that the Lands and others thereby disponed should be redeemable by

Clauses reserving Right of Redemption, and of Obligation to pay

Expence of Assignation or Discharge and Power of Sale, valid, &c.

by the Granter, his Heirs and Successors, from the Grantee and his Heirs and Successors, at the Term and Place of Payment, or at any Term of *Whitsunday* or *Martinmas* thereafter, upon Premonition of Three Months, to be made by the Granter or his foresaids to the Grantee or his foresaids, personally or at their Dwelling Places, if within *Scotland*, and if furth thereof at the Time then at the Office of the Keeper of the Record of Edictal Citations within the General Register House, *Edinburgh*, in presence of a Notary Public and Witnesses, and that by Payment to them of the whole principal Sum payable under the Bond and Disposition in Security, Interest due thereon, and liquidating Expences and termly Failures corresponding thereto, if incurred, and in case of their Absence or Refusal to receive the same, by Consignation thereof, in one or other of the Banks in *Scotland*, incorporated by Act of Parliament or Royal Charter, having an Office or Branch at the Place of Payment, to be made furthcoming on the Peril of the Consigner, the Place of Redemption to be within the Office of such Bank or Branch thereof; and as if it had been thereby further provided and declared, that any Discharge and Renunciation, Disposition and Assignation, or other Deed necessary, to be granted by the Grantee or his foresaids, upon the Granter or his foresaids making Payment and redeeming as aforesaid, and also the recording thereof, should always be at the Expence of the Granter and his foresaids; and as if it had been thereby further provided and declared that if the Granter or his foresaids should fail to make Payment of the Sums that should be due by the personal Obligation contained in the said Bond and Disposition in Security within Three Months after a Demand of Payment intimated to the Granter or his foresaids, whether of full Age or in Pupillarity or Minority, or although subject to any legal Incapacity, personally, or at their Dwelling Places if within *Scotland*, or if furth thereof at the Office of the Keeper of the Record of Edictal Citations above mentioned, by a Notary Public and Witnesses, then and in that Case it should be lawful to and in the Power of the Grantee or his foresaids, immediately after the Expiration of the said Three Months, and without any other Intimation or Process at Law, to sell and dispose, in whole or in Lots, of the said Lands and others by public Roup, at *Edinburgh* or *Glasgow*, or at the Head Burgh of the County within which the said Lands and others, or the chief Part thereof, are situated, or at the Burgh or Town sending or contributing to send a Member to Parliament which, whether within or without the County, shall be nearest to such Lands, or the chief Part thereof, on previous Advertisement stating the Time and Place of Sale, and published Once weekly for at least Six Weeks subsequent to the Expiry of the said Three Months, in any Newspaper published in *Edinburgh*, and also in any Newspaper published in such County, or if there be no Newspaper published in such County, then in any Newspaper published in the next or a neighbouring County, the Grantee being always bound, upon Payment of the Price, to hold count and reckoning with the Granter or his foresaids for the same, after Deduction of the Principal Sum secured, Interest due thereon, and liquidated Penalties corresponding to both which may be incurred, and all Expences attending the Sale, and for that end to enter into Articles of Roup, grant Dispositions, containing all usual and necessary Clauses, and in particular a Clause binding the Granter of the said Bond and Disposition in Security, and his Heirs, in absolute Warrandice of such Dispositions, and obliging him and them to corroborate and confirm the same, and to grant all other Deeds and Securities requisite and necessary by the Laws of *Scotland* for rendering such Sale or Sales effectual, in the same Manner and as amply in every respect as the Granter could do himself; and as if it had been thereby further provided and declared that the said Proceedings should all be valid and effectual, whether the Debtor in the said Bond and Disposition in Security for the Time should be of full Age, or in Pupillarity or Minority, or although subject to any legal Incapacity, and that such Sale or Sales should be equally good to the Purchaser or Purchasers as if the Granter himself had made them, and also that in carrying such Sale or Sales into execution, it should be lawful to the Grantee and his foresaids to prorogate and adjourn the Day of Sale from Time to Time as they should think proper, previous Advertisement of such Adjournment being given in the Newspapers above mentioned Once weekly for at least Three Weeks; and as if the Granter had bound and obliged himself and his foresaids to ratify, approve of, and confirm any Sale or Sales that should be made in consequence thereof, and to grant absolute and irredeemable Dispositions of the Lands and others so to be sold to the Purchaser or Purchasers, their Heirs and Assignees, and to execute and deliver all other Deeds and Writings necessary for rendering their Rights complete.

Conditions of Granter's Title may be omitted, if referred to as set forth in a recorded Instrument of Sasine.

IV. And be it enacted, That in Bonds and Dispositions in Security to be granted in Terms of this Act it shall be lawful and competent, notwithstanding any Declaration to the contrary contained or to be contained in the Rights and Title Deeds of the Lands embraced by the Security, instead of inserting at full Length any Conditions, Reservations, Restrictions, and Provisions under which such Lands and other Heritages are held, to make Reference to the same as set forth at full Length in the recorded Instrument, whether of Sasine or Resignation *ad remanentiam*, in which the same were first inserted, or any other recorded Instrument of Sasine, forming a Part of the Investiture of the Granter of such Security in the said Lands, and which shall contain such Conditions, Reservations, Restrictions, and Provisions at full Length, such recorded Instrument being described by the Name of the Person in whose Favour the same was expede, the Register of Sasines in which the same is recorded, and the Date of recording the same; and such Reference shall be, to all Intents, and in all Questions whatever, whether with the original Disponer or the Superior, or any other Party, as valid and effectual as if the same had been inserted at Length exactly as they may be expressed in such Instrument referred to.

Bonds and Dispositions in Security, how to be registered

V. And be it enacted, That Bonds and Dispositions in Security presented for Registration in the Register of Sasines in pursuance of this Act shall be forthwith shortly registered in the Minute Books of the said Register in common Form, and shall with all due Despatch be fully registered in the Register Books,

Books, and thereafter re-delivered to the Parties, with Certificates of due Registration thereon, which shall be probative of such Registration, such Certificates specifying the Date of Presentation, and the Book and Folio in which the Ingrossment has been made, and being subscribed by the Keeper of the Register; and the Date of Entry in the Minute Book shall be held to be the Date of Registration; and Extracts of Writings registered in pursuance of this Act shall make faith in all Cases in like Manner as the Writings registered, except where the Writings so registered are offered to be improven. in Register of Sasines.

VI. And be it enacted, That Bonds and Dispositions in Security to be granted as aforesaid may be registered in the Register of Sasines at any Time during the Lifetime of the Grantee, and shall in competition be preferred according to the Date of the Registration thereof: Provided always, that if such Bond and Disposition in Security has not been so registered in the Lifetime of the Grantee, such Bond and Disposition shall be as full and sufficient Warrant of Sasine in favour of the Party having Right to the Bond by Service, Adjudication, or otherwise, as if it had been a Bond and Disposition including Precept of Sasine and other Clauses in the ordinary Form now in use; and Infeftment being passed upon the same in the Form or as nearly as may be in the Form prescribed by an Act passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to simplify the Form and diminish the Expence of obtaining Infeftment in Heritable Property in* Scotland, and duly recorded, shall be to all Intents and Purposes good and valid Infeftment in favour of the Party so infeft. Bonds and Dispositions in Security may be registered during Lifetime of Grantee, and Title completed after his Death. 8 & 9 Vict. c. 35.

VII. And be it enacted, That any Sale duly carried through in Terms of this Act shall be as valid and effectual to the Purchaser as if made by the Granter of the Security himself, and that whether the Granter shall have died before or after such Sale, and without the Necessity of Confirmation by him or his Heirs, and notwithstanding that the Party Debtor in the Security and in right of the Lands at the Time shall be in Pupillarity or Minority or subject to any legal Incapacity: Provided always, that nothing herein contained shall be held to affect or prejudice the Obligation of the Granter and his Heirs to execute, or the Right of the Creditor or Purchaser to require the Granter and his Heirs to execute, any Deed or Deeds which, independently of this Enactment, would at Common Law be necessary for rendering the Sale effectual, or otherwise completing in due Form the Titles of such Purchaser. Sale carried through in Terms of this Act to be valid to the Purchaser.

VIII. And be it enacted, That the Creditor, upon Receipt of the Price, shall be bound to hold count and reckoning therefor with the Debtor and postponed Creditor, if any such there be, and their Heirs and Assignees, or with any other Party having Interest, and to consign the Surplus which may remain after deducting the Debt secured, with the Interest due thereon and Penalties incurred, and whole Expences attending such Sale, and after paying all previous Incumbrances and the Expence of discharging the same, in one or other of the said Banks, or in a Branch of any such Bank, in the joint Names of the Seller and Purchaser, for Behoof of the Party or Parties having best Right thereto; and the particular Bank in which such Consignation is to be made shall be specified in the Articles of Roup. Creditors selling to count and reckon for the Surplus of the Price, and to consign the same into the Bank.

IX. And be it enacted, That upon a Sale being carried through in Terms of this Act, and upon Consignation of the Surplus of the Price, if any be, as aforesaid, the Disposition by the Creditor to the Purchaser shall have the Effect of completely disencumbering the Lands and others sold of all Securities and Diligences posterior to the Security of such Creditor, as well as of the Security and Diligence of such Creditor himself. On Sale, &c. of Surplus, Lands disencumbered of Security and Diligence of Seller, &c.

X. And be it enacted, That all the Provisions, Conditions, and Enactments contained in the said recited Act shall be held to apply to the Transmission and Extinction of Heritable Securities for Debt in *Scotland*, constituted in Terms of this Act: Provided always, that where, in the Assignations, Writs of Acknowledgment, Discharges, or other Instruments granted under the said recited Act, Reference is thereby directed to be made to the Instrument of Sasine on any Bond and Disposition in Security, it shall be sufficient, in the Case of a Bond and Disposition in Security granted under Authority of this Act, to make reference to the Date of recording such Bond and Disposition in Security itself in the Register of Sasines. The Act 8 & 9 Vict. c. 31. to apply to the Transmission and Extinction of Securities granted under this Act.

XI. And be it enacted, That nothing herein contained shall be construed to prevent the existing Town Clerks of Royal Burghs in *Scotland*, during the Existence of their respective Rights of Office, from exacting and receiving the same Fees, in respect of recording Bonds and Dispositions in Security under this Act, as the same Town Clerks would before the passing of this Act have been legally entitled to exact or receive on their own Account, in respect of passing the Infeftments within Burgh and preparing and recording the Instruments of Sasine and Resignation on said Bonds and Dispositions in Security; provided always, that in computing the said Fees such Instruments of Sasine and Resignation shall not be computed as of greater Length than the Writings actually recorded whereby such Instruments of Sasine and Resignation have been rendered unnecessary; and all other Keepers of Registers of Sasine, during the Existence of their respective Rights of Office, or until otherwise regulated by Law, shall upon the Registration by them of such Bonds and Dispositions in Security, be entitled to the same Fees as such Keeper would have been entitled to upon the Registration of an Instrument of Sasine of the same Length in favour of the same Party in reference to the same Right, and to no other or further Fee whatever. Fees to be taken by existing Town Clerks of Royal Burghs and Keepers of Registers during their respective Rights of Office, &c.

XII. And be it enacted, That it shall be lawful to the Court of Session to pass such Acts of Sederunt as the said Court may deem proper for regulating the Register of Sasines, and the Fees to be paid to the several Keepers thereof for Registrations in virtue of this Act, and generally for carrying out the Purposes of this Act. Court of Session may make Acts of Sederunt.

Existing Forms of Security to be still competent.

XIII. And be it enacted, That nothing in this Act contained shall prevent the Establishment of Heritable Securities in the Forms in use, or which might be competently used, at the passing of this Act.

Interpretation of Act.

XIV. And be it enacted, That in construing this Act, except where the Nature of the Provision, or the Context of this Act, shall be repugnant to such Construction, the Word "Granter" shall extend to and include the Granter's Heirs, Successors, and Representatives; and the Word "Debtor" shall include the Debtor's Heirs, Successors, and Representatives; and the Word "Creditor" shall extend to and include the Party in whose Favour the Bond and Disposition in Security is granted, and his Heirs and Assignees, or other Party acquiring Right to such Security; and the Word "Lands" shall include all other Heritable Subjects; and all Words used in the Singular Number shall be held to include several Persons or Things; and all Words importing the Masculine Gender shall extend and be applied to Females as well as Males.

Act may be amended, &c.

XV. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

SCHEDULE to which the foregoing Act refers.

SCHEDULE (A.)

I *A. B.* [*here name and design the Granter*] grant me to have instantly borrowed and received from *C. D.* [*here name and design the Creditor*] the Sum of [*insert the Sum*] Sterling; which Sum I bind myself and my Heirs, Executors, and Representatives whomsoever, without the Necessity of discussing them in their Order, to repay to the said *C. D.* or his Heirs and Assignees whomsoever, at the Term of [*here insert the Date and Place of Payment*], with a Fifth Part more of liquidate Penalty in case of Failure, and the legal Interest of the said Principal Sum from the Date hereof to the said Term of Payment, and half-yearly termly and proportionally thereafter during the Not-payment of the same, and that at Two Terms in the Year, Whitsunday and Martinmas, by equal Portions, beginning the First Term's Payment of the said Interest at the Term of next to come, for the Interest due preceding that Date, and the next Term's Payment thereof at following, and so forth, half-yearly termly and proportionally thereafter during the Not-payment of the Principal Sum, with a Fifth Part more of the Interest due at each Term of liquidate Penalty in case of Failure in the punctual Payment thereof. And in Security of the personal Obligation before written, I dispone to and in favour of the said *C. D.* and his foresaids, heritably, but redeemably as after mentioned, yet irredeemably in the event of a Sale by virtue hereof, all and whole [*here describe the Lands or other Heritages*] (*a*) and that in Real Security to the said *C. D.* and his foresaids of the whole Sums of Money above written, Principal, Interest, and Penalties. And I assign the Rents; and I assign the Writs; and I grant Warrandice; and I reserve Power of Redemption; and I oblige myself for the Expences of assigning and discharging this Security; and on default in Payment I grant Power of Sale; and I consent to Registration for Preservation and Execution, and also to Registration in the General or Particular [*or* Burgh, *as the Case may be,*] Register of Sasines. In witness whereof, &c. [*add a Testing Clause*].

(*a*) *If the Lands are held under any Conditions, Reservations, Restrictions, and Provisions, say here,*—"But with and under the whole Conditions, Reservations, Restrictions, and Provisions specified and contained in an Instrument of Sasine, *or* 'Resignation ad remanentiam,' in the said Lands and others, in favour of *E. F.*, recorded in the [*here mention the Register in which the Instrument is recorded*], upon the Day of in the Year ."

CAP. LI.

An Act to amend the Practice in *Scotland* with regard to Crown Charters and Precepts from Chancery. [25th *June* 1847.]

'WHEREAS it is expedient to amend the Mode presently in use in *Scotland* of obtaining Charters 'from Her Majesty and from the Prince and Steward of *Scotland*, and Precepts from Chancery 'for infefting Heirs:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *October* One thousand eight hundred and forty-seven the Practice of presenting and passing Signatures in Exchequer, and of thereon framing and issuing Precepts, as preliminary to the granting of Charters from Her Majesty or the Prince and Steward of *Scotland*, shall cease and determine; and it shall no longer be necessary, in order to the obtaining of any Charter, that such Signature shall be presented and passed, or such Precept be framed and issued; and all such Charters shall be obtained in the Manner directed by this Act, and not otherwise; and all Laws, Statutes, and Usages heretofore existing, inconsistent with or at variance with the Provisions of this Act, shall be and are hereby repealed.

Signatures and Precepts to Chancery abolished.

Charters to be obtained by lodging a Draft thereof and Note along with the Title Deeds.

II. And be it enacted, That any Person seeking to obtain a Charter from Her Majesty or from the Prince and Steward of *Scotland* shall lodge or cause to be lodged, in the Office of the Presenter of Signatures, a Draft of the proposed Charter, prepared by his Agent, being a Writer to the Signet, whose Signature shall be endorsed thereon, together with a short Note, in the Terms or to the Effect of the Schedule (A.) hereunto annexed, praying for a Charter in Terms of the said Draft; and the Date of lodging

lodging such Note shall be marked thereon by the Presenter of Signatures or his Clerk; and along with such Note and Draft there shall be lodged the last Crown Charter or Prince's Charter, or Retour or Decree of Service, and Precept from Chancery, of the Lands, and all the Title Deeds of the Lands subsequent thereto, together with Evidence of the valued Rent when necessary, and an Inventory and Brief of the Titles according to the present Practice.

Draft Charter to be revised.

III. And be it enacted, That the Draft Charter so lodged shall be forthwith revised by the Presenter of Signatures, who shall require the Attendance of the Agent of the Person applying for the Charter, for the Purpose of receiving his Explanations; and the Presenter of Signatures shall thereafter proceed with the Revision of the said Draft, making such Alterations and Corrections as are necessary, and he shall, after his final Revisal of such Draft, authenticate each Page thereof, and the several Alterations and Corrections thereon, if any, with his Initials, and shall mark on such Draft that the same has been revised by him, and also the Date when such Revisal was completed; and the Fees on Signatures presently payable to the Presenter of Signatures shall be chargeable on the Draft Charter to be lodged and revised as aforesaid, and all other Fees presently payable to the Officers of Exchequer on Signature shall cease and determine.

Rectification of Mistakes in former Titles.

IV. And be it enacted, That if it shall appear that any Mistake has occurred in the Terms of the last Charter or Retour or Decree of Service to the Prejudice of the Crown or Prince, the Person applying for the Charter shall farther, on Requisition made to him or his Agent to that Effect, by Order of the Presenter of Signatures, lodge the prior Title Deeds of the said Lands, and any other Title Deeds of and concerning the same, in so far as such Title Deeds may be in his Possession or at his Command, and in so far as the same may be necessary for the due Revisal of the said Draft on behalf of Her Majesty or the Prince, and the Rectification of such Mistake, which may be rectified accordingly; and on the other hand, if the Vassal shall allege any Mistake to have occurred in the Terms of the last Charter or Retour or Decree of Service to his Prejudice, the Person applying for the Charter shall be entitled, without such Requisition, to produce the prior Titles of the said Lands, and any other Title Deeds or other Deeds of and concerning the same, in so far as these may be necessary for the due Revisal of the said Draft and the Rectification of such Mistake, which may be rectified accordingly; but no such Rectification shall in either Case be allowed, nor the Draft be held as finally revised or authenticated as such, until the same shall have been reported by the Presenter of Signatures to and approved of by the Judges performing the Duties of the Court of Exchequer, in Terms of an Act passed in the Second and Third Years of the Reign of Her Majesty, for regulating the Duties to be performed in the Supreme Courts of *Scotland*, or One of the said Judges.

Presenter of Signature, &c. may refer to Copy of Charter, &c. when withheld.

V. Provided always, and be it enacted, That when the last Charter or Retour or Decree of Service shall be withheld by the Person applying as aforesaid, or cannot be so lodged from being in the Possession of the Proprietor of other Lands therein contained, or from any other good Cause, it shall be competent for the Presenter of Signatures, or for the Person applying as aforesaid, to refer to the Copy thereof ingrossed in the Register of the Great Seal, or in the Register of Retours or Decrees of Service, and to procure Exhibition thereof as Evidence of the Terms of such last Charter or Retour or Decree of Service; and the Lord Clerk Register is hereby authorized and required to make such Regulation as will enable the Exhibition thereof to be obtained for the Purpose aforesaid, upon the joint Application of the Person so applying and of the Presenter of Signatures.

Amount of Crown Duties to be fixed.

VI. And be it enacted, That the Presenter of Signatures shall also, with the Aid of the Auditor of Exchequer, ascertain and fix the Amount of Composition or other Duties due and payable to Her Majesty or the Prince on granting such Charter, and the Amount of the same shall be marked on the said Draft, and certified by the Signatures of the said Auditor of Exchequer and of the Presenter of Signatures; and in ascertaining and fixing the Amount of such Composition and other Duties payable to the Crown there shall be no Charge added for the Expence of collecting the same, any Law or Practice to the contrary notwithstanding.

Clerk's Fees.

VII. And be it enacted, That the Person applying for such Charter shall be bound to pay to the Clerk of the Presenter of Signatures the Fees to be fixed in manner herein-after provided; and which Fees shall be paid over by such Clerk to the Director of Chancery, who shall be accountable therefor.

Copy of revised Draft to be furnished to the Party.

VIII. And be it enacted, That such revised Draft shall be retained in the Office of the Presenter of Signatures, and shall be there open to the Inspection of the Party applying for the Charter or his Agent, and a Copy thereof shall be furnished on Demand, on Payment of the Fees to be fixed as herein-after directed.

If no Objections, the revised Draft to be attested, and the Charter prepared.

IX. And be it enacted, That where no Objections shall be stated to the Draft as so revised a Docquet shall be put thereon, certifying that the same is approved, which Docquet shall be signed by the Agent applying for the Charter and by the Presenter of Signatures, and the Date of signing the same thereon set forth; and such Draft so docqueted shall, without being given up to the Party applying for the Charter or his Agent, be officially transmitted by the Presenter of Signatures to the Office of the Director of Chancery, and shall form a valid and sufficient Warrant for the immediate Preparation of the Charter in Chancery, in Terms of such Draft.

Charters may be applied for at any Time.

X. And be it enacted, That it shall be competent to apply for the Charter in manner before directed, and to revise the Draft of the same, and in the event of the same being docqueted as revised and approved in manner aforesaid, to prepare and deliver the Charter as herein-after directed, at any Period of the Year, and notwithstanding that it shall not then be Term Time of the Court of Exchequer.

Objections, if any, to be by a Note.

XI. And be it enacted, That it shall be lawful for the Person applying for the Charter, if dissatisfied with the Draft revised as aforesaid, to state Objections thereto or against the Amount of Duties and Composition thereon marked as payable; and such Objections shall be set forth in a short written Note of Objections, without Argument, to be lodged in the Office of the Presenter of Signatures, subscribed by the Agent of such Person; and the Date of lodging such Note of Objections shall be marked thereon by the Presenter of Signatures or his Clerk.

Objections, how to be disposed of.

XII. And be it enacted, That where any Note of Objection shall be so lodged, such Note shall, together with the whole other Proceedings, be laid before the said Judges, or any One of the said Judges; and the said Judges or Judge shall hear the Person so objecting by himself, his Counsel or his Agent, being a Writer to the Signet, and shall also hear any Report or Statement by the Presenter of Signatures; and wherever it shall appear to the said Judges or Judge that the said Objections should to any Extent receive Effect, they or he shall cause such Alterations and Corrections as shall appear to them or him proper, either with reference to the Terms of the said Draft, or to the Amount of Duties or other Payments marked thereon as payable, to be made on such Draft, or to be expressed in a separate Paper marked as relative thereto, and shall authenticate such Draft and relative Paper with their or his Signature; and the said Judges or Judge shall at the same Time pronounce a Judgment or Deliverance, to be written on the Note of Objections, appointing the Charter, as so altered and corrected, to be prepared and executed; and the Judgment or Deliverance so pronounced shall form a valid and sufficient Warrant for the Preparation in Chancery of the Charter as altered and corrected.

Procedure if Objections repelled.

XIII. And be it enacted, That wherever the said Judges or Judge shall be of opinion that the said Objections should not to any Extent receive Effect, they or he shall pronounce a Judgment, to be written on the said Note of Objections, repelling the said Objections; and the Judgment or Deliverance so pronounced shall form a valid and sufficient Warrant for the Preparation in Chancery of the Charter as revised by the Presenter of Signatures in manner before directed.

Refusal to revise, how to be complained of.

XIV. And be it enacted, That wherever the Presenter of Signatures aforesaid shall be of opinion that the Person applying for the Charter has not produced a Title sufficient to show that he has Right to obtain the same, the Presenter of Signatures shall mark on the said Draft that the same is refused for Want of sufficient Production of Titles, adding thereto his Signature and the Date of affixing the same; and his Clerk shall intimate such Refusal to the Agent of the said Person, and shall, on Demand, return the Draft to such Agent; and in every such Case it shall be competent for the Person who shall have applied for the Charter to bring such Refusal under Review of the said Judges or Judge by a Note of Objection lodged in manner aforesaid; and the said Judges or Judge shall, after considering such Note, and hearing Parties thereon in manner aforesaid, sustain or repel the Objection, or pronounce such Judgment thereon as shall be just; and if the said Judges or Judge shall be of opinion that a sufficient Title has been shown to authorize the Charter being granted, they or he shall in that Case remit to the Presenter of Signatures to proceed with the Revisal of the Draft in manner before mentioned.

Charter as revised to be ingrossed and delivered.

XV. And be it enacted, That as soon as the Draft shall have been docqueted as revised and approved in manner before provided, or, in case of Objections being stated, as soon as the same shall have been disposed of by the Judges or Judge in Exchequer in manner before directed, it shall be lawful immediately thereafter to have the Charter ingrossed in the Office of Chancery aforesaid, in Terms of the Draft as finally adjusted and officially transmitted to the Director of Chancery; and the said Charter shall have the Seal appointed by the Treaty of Union to be kept and used in *Scotland* in place of the Great Seal thereof formerly in use affixed thereto, or the Seal of the Prince if the Charter be of Lands holden of the Prince, and a separate Seal be then in use for such Charters, and shall be recorded in Chancery, and thereafter delivered to the Person applying for the same, or his Agent, in like Manner in all respects, and on Payment of the same Fees and Charges, as at present used and observed and payable, and the Date of sealing shall in all Cases be held and expressed to be the Date of the Charter: Provided always, that before the Charter shall be so delivered Payment shall be made to the Officers who are or may be entitled to receive the same of the Amount of Duties and Compositions payable to Her Majesty or the Prince, ascertained and fixed as aforesaid; and a Record of the Amount of Duties payable to Her Majesty or the Prince shall be kept in Chancery, so as to form a Charge against the Officer or other Person appointed to receive the same.

Charter to be valid.

XVI. And be it enacted, That the Charter, ingrossed, sealed, recorded, and delivered as aforesaid, shall be in all respects as valid and effectual, and form an equally sufficient Warrant for Infeftment passing thereon, as any Charter of the same Description hitherto in use to be granted by Her Majesty or the Prince and Steward of *Scotland*, notwithstanding that the same has not followed on any Signature presented and passed in Exchequer or Precept directed thereon, any Law or Usage heretofore existing to the contrary notwithstanding.

Ceremony of Resignation abolished.

XVII. And be it enacted, That in every Case in which a Charter of Resignation by Her Majesty or the Prince and Steward of *Scotland* is applied for, it shall not, from and after the Date aforesaid, be necessary to go through any Form or Ceremony of Resignation, but in all Cases Resignation shall be held to be duly made and completed in Terms of the Procuratory of Resignation by the ingiving of the Note applying for the Charter as aforesaid, and as of the Date of such ingiving; and the Charter of Resignation shall set forth that Resignation was made of the Date of applying for the same, without the Necessity of specially setting forth such Date, and shall otherwise deduce the Titles according to Law; and every such Charter of Resignation shall be as valid and effectual, and form an equally sufficient Warrant

Warrant for Infeftment passing thereon, as any Charter of Resignation heretofore granted by Her Majesty or the Prince, any Law or Usage to the contrary notwithstanding.

Precepts from Chancery to Heir specially served, how to be obtained.

XVIII. And be it enacted, That from and after the Date aforesaid, when any Person who has obtained himself specially served as Heir to a deceased Ancestor, or Decree of special Service, shall seek to obtain a Precept from Chancery for infefting himself as such Heir, he shall in like Manner as before directed lodge or cause to be lodged in the Office of the Presenter of Signatures the Retour or Decree of his special Service, and a Draft of the proposed Precept, prepared by his Agent, being a Writer to the Signet, in the Form, or as nearly as the Case will admit, of the Schedule (B.) hereunto annexed, together with a Note in the Terms or to the Effect before directed, and the last Charter or Charters or Retour or Decree of Service and other Titles of the Lands as aforesaid, and the said Draft shall be revised by the Presenter of Signatures on behalf of Her Majesty or the Prince and Steward of *Scotland* in manner aforesaid; and all the Provisions herein-before contained with regard to Drafts of Charters from Her Majesty or the Prince and Steward of *Scotland* shall be and the same are hereby made applicable to such Drafts of Precepts; and the Draft of such Precept, when docqueted as revised and approved in manner before provided, or, in the Case of Objections, the Judgment or Deliverance of the Judges or Judge in Exchequer aforesaid, shall, when officially transmitted to the Office of the Director of Chancery in manner aforesaid, form a valid and sufficient Warrant for the Preparation in Chancery of the Precept in Terms of the Draft as finally corrected and approved, and the same shall forthwith be ingrossed in the Office of Chancery aforesaid, and after being recorded in manner herein-after directed shall be delivered to the Person applying for the same, in like Manner, and on Payment of the same Fees and Charges, as at present used and observed and payable; and the Precept so ingrossed and delivered shall be in all respects as valid and effectual, and form an equally sufficient Warrant for Infeftment passing thereon, as any the like Precept issued from Chancery according to the Mode presently in use: Provided always, that before the Precept is so delivered Payment shall be made of the Amount of Duties and Composition payable to the Crown or Prince, as the same shall have been fixed in manner above mentioned.

Precepts may also be granted to Heirs holding only a general Service.

XIX. And be it enacted, That from and after the Date foresaid it shall not be necessary that any Precept from Chancery for infefting Heirs shall proceed, as heretofore, exclusively on special Service in the particular Lands for Infeftment in which such Precept is sought, but it shall be competent for any Person to apply for and obtain such Precept on lodging, along with the Charter or Charters or other Title as aforesaid, an Extract Retour or Decree of general Service, duly expede and recorded, instructing the Propinquity of such Person to the Party who died last vest and seised in the Subjects, or the Character of Heir otherwise vested in him, and establishing his Right to succeed to the said Lands; and the Precept granted on Production of such Extract Retour or Decree of general Service shall be expressed in the Form, or as nearly so as the Case will admit, of the said Schedule (B.), and shall be applied for, revised, and obtained in like Manner as herein-before directed in regard to Charters, and the Infeftment passing on such Precept shall be as valid and effectual as the Infeftment passing on any Precept for infefting Heirs hitherto in use to be issued from Chancery.

Record of Precepts to be kept.

XX. And be it enacted, That from and after the Date foresaid the Director of Chancery, or his Depute or Substitute, shall record or cause to be recorded at full Length every Precept, whether of Crown or Principality Lands, issued from Chancery for infefting Heirs, in a Book or Books to be kept exclusively for that Purpose, intituled "The Record of Precepts;" and Extracts from the said Record, certified by the Director of Chancery, or his Depute or Substitute, shall make entire Faith in all Cases, except in case of Improbation.

Charters of Confirmation may be granted, combined with Precepts for infefting Heir.

XXI. And be it enacted, That it shall be competent to apply for and obtain, in manner before mentioned, a Charter of Confirmation from Her Majesty or the Prince and Steward of *Scotland*, combined in the same Deed with a Precept for infefting Heirs as aforesaid; and in every Case in which such Charter and Precept are contained in the same Deed it shall be sufficient for the Validity of the said Deed that it pass under the Seal appointed by the Treaty of Union to be used in place of the Great Seal or the Seal of the Prince, as the Case may be, and if his separate Seal be then in use for such Charters as aforesaid, in like Manner with the Charter of Confirmation when contained in a separate Deed.

Charters of Novodamus, how to be obtained.

XXII. Provided always, and be it enacted, That in every Case in which a Charter of Novodamus, or a Charter containing any new or original Grant, shall be sought, the Person applying for the same shall, previously to lodging the Note before mentioned in the Office of the Presenter of Signatures, obtain the Consent and Approbation of the Commissioners of Her Majesty's Woods and Forests, or any Two of them, and written Evidence of such Consent shall be produced along with the Note to be lodged as aforesaid in the Office of the Presenter of Signatures; and the Charter shall be revised and ingrossed as in the ordinary Case, but the same, before being sealed, shall be lodged with the Queen's and Lord Treasurer's Remembrancer, and be by him transmitted for the Sign Manual of Her Majesty, and the Signatures of the Lord High Treasurer or of the Commissioners of Her Majesty's Treasury, or any Three of them, and in case such Charter be of Lands holden of the Prince and Steward of *Scotland*, and His Royal Highness be then of full Age, for the Consent and Approbation of the Prince, signified under his Sign Manual, after which the proper Seal shall be attached to such Charters, and the other Procedure be as is provided in regard to Charters from the Crown and Prince generally.

Lodging Draft Charter with Note and recording Note to be equivalent, in competition

XXIII. And be it enacted, That the lodging of a Draft of a proposed Charter, together with a short Note in Terms or to the Effect of Schedule (A.) hereunto annexed, praying for a Charter in Terms of such Draft, shall, in competition of Diligence and all other Cases, be deemed and held to be equivalent to the presenting of a Signature in Exchequer; and recording a Copy of such Note, and an Abstract of such

to presenting a Signature, &c.

such Draft Charter, in the Register of Abbreviates of Adjudications, shall be deemed and held to be equivalent to recording in the said Register an Abstract of such Signature.

Crown Charters, and Charters by and on behalf of the Prince and Steward of Scotland, may be in the Forms given in Schedule (C.)

XXIV. And be it enacted, That from and after the First Day of *October* One thousand eight hundred and forty-seven all Crown Charters, and Charters by or on behalf of the Prince and Steward of *Scotland*, if the same be Charters of Resignation, may be in the Form, as nearly as the Case will admit, given in Schedule (C.), N° 1., hereunto annexed, and if the same be Charters of Confirmation may be in one or other of the Forms, or as nearly as the Case will admit, given in the said Schedule (C.), N° 2. and 3., and if the same be Charters of any other Denomination or Nature, they may be in Forms as nearly approaching as may be to the Examples given in the said Schedule (C.); and such Charters, when granted in these Forms or as nearly as may be in these Forms, shall have the same Force and legal Effect in all respects as if the same had been granted in the Forms now in use, and shall be read and construed as largely and beneficially in all respects for the Holders thereof as if the same had been expressed in and had contained the whole Terms and Words which are now used according to the present Practice in granting such Charters.

Charters to be in the English Language.

XXV. And be it enacted, That from and after the Date aforesaid all Charters granted by Her Majesty or the Prince and Steward of *Scotland*, and the Instruments of Sasine following thereon, and all Precepts from Chancery for infefting Heirs, and Instruments of Sasine thereon, shall be expressed in the *English* Language.

Conditions of Entail may be referred to as already in the Register of Entails or Register of Sasines.

XXVI. And be it enacted, That in all Cases where Lands are or shall be held under a Deed of Entail, it shall be lawful and competent, in the Charters and Precepts containing such Lands and the Instruments of Sasine following on such Charters and Precepts respectively, to omit the full Insertion of the Conditions and Provisions, and prohibitory, irritant, and resolutive Clauses of such Deed of Entail, provided such Conditions and Provisions, and prohibitory, irritant, and resolutive Clauses, shall be in such Charters, Precepts, and Instruments of Sasine specially referred to as set forth at full Length in the recorded Deed of Entail, if the same shall have been recorded in the Register of Tailies, or as set forth at full Length in any recorded Instrument of Sasine forming Part of the Progress of Title Deeds under the said Entail, such Reference being made in the Terms or as nearly as may be in the Terms directed in Schedule (C.) hereunto annexed, and the Reference thus made to such Conditions and Provisions, and prohibitory, irritant, and resolutive Clauses, shall be held to be equivalent to the full Insertion thereof, and shall to all Intents, and in all Questions whatever, whether *inter hæredes* or with Third Parties, have the same legal Effect as if the same had been inserted exactly as they may be expressed in the recorded Deed or Instrument referred to, notwithstanding any Law or Practice to the contrary, or any Injunction to the contrary, contained in such Deed of Entail, and notwithstanding the Enactments or Provisions to the contrary contained in an Act of the Parliament of *Scotland* made in the Year One thousand six hundred and eighty-five, intituled *Act concerning Tailzies*, or any other Act of Parliament now in force, all which are hereby repealed to the Extent of making this Enactment operative, but no further.

Real Burdens may be referred to as already in the Register of Sasines.

XXVII. And be it enacted, That in all Cases where Lands or other Heritages are or shall be held under any Real Burdens or Conditions or Limitations whatsoever appointed to be fully inserted in the Investitures of such Lands, it shall, notwithstanding such Appointment, and notwithstanding any Law or Practice to the contrary now existing, be lawful and competent in Charters and Precepts containing such Lands, and the Instruments of Sasine following upon such Charters and Precepts respectively, to omit the full Insertion of such Real Burdens or Conditions or Limitations, provided that such Real Burdens or Conditions or Limitations shall in such Charters or Precepts or Instruments of Sasine be specially referred to as set forth at full Length in the recorded Instrument, whether of Sasine or of Resignation *ad remanentiam*, wherein the same were first inserted, or in any recorded Instrument of Sasine of subsequent Date, forming Part of the Progress of Titles of such Lands, such Reference being made in the Terms or as nearly as may be in the Terms directed in Schedule (C.) hereunto annexed, and the Reference thus made to such Real Burdens or Conditions or Limitations shall be held to be equivalent to the full Insertion thereof, and shall to all Intents and in all Questions whatever, whether with the Disponer or Superior or Third Parties, have the same legal Effect as if the same had been inserted exactly as they may be expressed in the recorded Instrument referred to, notwithstanding any Law or Practice to the contrary, and notwithstanding any Act or Acts of Parliament to the contrary, which are hereby repealed to the Effect of making this Act operative, but no further.

Exchequer Judges to frame Regulations.

XXVIII. And be it enacted, That the Judges performing the Duty of the Court of Exchequer as aforesaid shall be and they are hereby authorized from Time to Time to frame and enact, by Rule of Court, all such Regulations as shall seem to them proper for giving Effect to the Purposes of the present Act; and the said Judges shall forthwith frame and enact a Rule of Court fixing and determining the Fees to be paid on the various Writs, Steps of Procedure, and other Matters herein and hereby authorized; but such Rule of Court shall be subject to their own Revision at any Time or Times thereafter.

Presenter of Signatures, if required, to discharge Duties of Sheriff.

XXIX. And be it enacted, That the Presenter of Signatures shall, when authorized and required by the Lord Justice General and President of the Court of Session, discharge the Duties at present or which may hereafter be attached to the Office of Sheriff of Chancery, or any Part of these Duties, and that during such Part of the Year as may be required of him, and shall for that Purpose possess all Powers and Jurisdiction vested in such Sheriff of Chancery.

Additional Allowance to Presenter of Signatures.

XXX. And in respect that considerable additional Duties are by this Act required to be performed by the Presenter of Signatures, be it enacted, That the Presenter of Signatures shall receive in consideration thereof such additional Salary as may be allowed by the Lord High Treasurer, or the Commissioners

sioners of Her Majesty's Treasury, or any Three or more of them, which additional Salary shall be payable out of the same Fund from which the Salary of the Presenter of Signatures is at present paid.

Salary to be regulated by Commissioners of the Treasury.

XXXI. And be it enacted, That whenever any Vacancy shall occur in the Office of Presenter of Signatures it shall be lawful to the Commissioners of Her Majesty's Treasury, or any Three or more of them, to regulate the Salary of the Presenter of Signatures, as the then Circumstances of the Office may require.

Compensation, how to be applied for.

XXXII. And be it enacted, That it shall be lawful for any Person who conceives that he is entitled to Compensation for Loss to be suffered through the Operation or Effect of this Act to make Application to the Lord High Treasurer, or to the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, for the Time being, claiming such Compensation; and it shall be lawful for the said Lord High Treasurer or Commissioners of the Treasury to investigate such Claim, and call for such Evidence in relation thereto as he or they may think necessary, and upon such Claim being established to his or their Satisfaction, the said Lord High Treasurer, or Commissioners of Her Majesty's Treasury, or any Three of them, is and are hereby authorized and empowered to award to such Person such Compensation as he or they shall think him entitled to, either by the Payment of a gross Sum or by way of Annuity, as he or they shall think proper: Provided always, that a Copy of every such Award for Compensation shall be laid before both Houses of Parliament within Ten Days from the Date thereof if Parliament shall be then sitting, and if not then within Ten Days after the Commencement of the Session next ensuing; and no such Award shall be final and conclusive until Two Calendar Months after the same shall have been so laid before Parliament: Provided also, that if any Person to whom Compensation shall be so awarded by way of Annuity shall be afterwards appointed to any other public Office, such Compensation shall be accounted *pro tanto* of the Salary payable to such Person in respect of such other Office while he shall continue to hold the same.

Compensation how to be paid.

XXXIII. And be it enacted, That the several Compensations which may be awarded under the Authority of this Act shall be payable and paid out of the Monies which, by the Acts of the Seventh and Tenth Years of the Reign of Her Majesty Queen *Anne*, were made chargeable with the Fees, Salaries, and other Charges allowed or to be allowed for keeping up the Courts of Session, Justiciary, or Exchequer in *Scotland*.

Power to Prince and Steward of Scotland to appoint his own Presenter of Signatures, &c.

XXXIV. And be it enacted, That, notwithstanding any thing in this Act contained, it shall be lawful for the Prince and Steward of *Scotland*, being of full Age, at any Time or Times hereafter to appoint His own Presenter of Signatures, and other Officer or Officers of Exchequer and Chancery, to discharge, in regard to all Charters and Precepts to Heirs of Lands holden of Him, the Duties hereby assigned to the Presenter of Signatures and other Officers of Her Majesty's Exchequer and Chancery respectively; and in case of the Office of Presenter of Signatures or any such other Office in Exchequer or Chancery as aforesaid for the Prince being conferred on the Person holding the corresponding Office for the Crown, such Officer shall be bound to act for the Prince without additional Salary; and the Fees hereby authorized to be levied in respect of all Charters and Precepts to Heirs from the Prince shall in that Case be paid into the Consolidated Fund, but if any such Appointment by the Prince shall be conferred upon a different Person, the Person so appointed shall draw for his own Use such of the said Fees as shall arise from the Duties performed by him in respect of such Charters and Precepts.

Interpretation of Act.

XXXV. And be it enacted, That the following Words and Expressions in this Act shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Words importing the Singular shall include the Plural Number, and Words in the Plural shall include the Singular Number:

Words importing the Masculine Gender shall include Females:

The Word "Lands" shall extend to and include Houses, Mills, Fishings, Teinds, Patronages, Lands, Tenements, and Heritages of every Description held of the Crown or of the Prince of *Scotland*.

Act may be amended, &c.

XXXVI. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

Note for A. B. [*insert Name and Designation.*]

THE said *A. B.* humbly prays, that a Charter [*or* Precept, *or other Deed, as the Case may be,*] may be granted by Her Majesty [*or* the Prince and Steward of Scotland, *as the Case may be,*] in Terms of the Draft herewith lodged, and marked as relative hereto.

(Signed) *C. D.* (W. S.), Agent for the said *A. B.*

SCHEDULE (B.)

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith: Whereas by Decree of General Service *or* "of Special Service," *as the Case may be*, of *A. B.* [*here insert the Name and Designation of the Heir*], dated [*here insert the Date of the Decree*], and recorded in Chancery [*here insert the Date of Registration*], and other authentic Instruments and Documents,

Documents, it clearly appears that *C. D.* [*here insert the Name and Designation of the Ancestor*], died last vest and seised as of Fee in [*here describe the Lands, &c., and when there are Conditions of Entail here insert them, or make a competent Reference to them, and describe the Deed of Entail or other Deed of Provision by Date and Date of Registration, and insert the Destination, and where there are any other Burdens or Qualifications here insert or make a competent Reference to them, as directed in Schedule* (C.)], and that in virtue of [*here describe the Charter and Sasine, or Precept and Sasine, or other Deeds forming the last Investiture, by Dates, and Dates of Registration*], and that the said *A. B.* is eldest Son and nearest and lawful Heir of the said *C. D.* [*or whatever Relationship and Character of Heir the Party holds, here state it*], in the said Lands and others, and that the said Lands and others are holden of Us and Our Royal Successors [*here state the Tenure, Blench Feu or other*], for Payment [*here state the Reddendo from the last Charter*] ; therefore We desire any Notary Public to whom these Presents may be presented to give to the said *A. B.*, as Heir foresaid, Sasine of the Lands and others before described [*if there are Conditions of Entail, &c. or other Burdens or Qualifications, here add,* but always with and under the Conditions, Provisions, and Clauses prohibitory, irritant, and resolutive, *or* with and under the Burdens or Qualifications, *as the Case may be,* above specified or referred to, *as the Case may be*]. Given at Edinburgh, the Day of in the Year .

Signed by the Director of Chancery, or his Depute or Substitute.

Note to Schedule (B.)—When the Precept is to be granted by or on behalf of the Prince and Steward of Scotland it will be in similar Form, but will run in Name of the Prince and Steward of Scotland, without adding his Highness' other Titles, or will run in Name of Her Majesty as his Administrator ; and the Lands, instead of being described as holding of the Crown, will be described as holding of the Prince and Steward of Scotland.

SCHEDULE (C.)

N° 1.

Form of Crown Charter of Resignation.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith : We do hereby give, grant, and dispone, and for ever confirm, to *A.B.* and his Heirs and Assignees whomsoever (*a*), heritably and irredeemably, all and whole [*here insert the Lands or other Heritages* (*b*)], which Lands and others above written formerly belonged to *C.D.*, holden by him immediately of the Crown, in Terms of [*here state briefly the Titles of the last Vassal, whether a Precept and Sasine, or Charter and Sasine, and so forth*], and have been resigned by him into our Hands by virtue of a Procuratory of Resignation contained in a Disposition of the said Lands and others granted by him in favour of the said *A.B.*, dated [*here insert the Date*], to be holden, the said Lands and others, of the Crown, in Free Blench Farm (*c*) [*or* "in Feu Farm"] for ever, paying therefore a Penny Scots yearly of Blench Duty, if asked only [*or if held in Feu, here specify the Feu Duty and other Services*]. Moreover, We desire any Notary Public to whom this Charter may be presented to give to the said *A.B.* or his foresaids Sasine of the Lands and others above described. In witness whereof We have ordered the Seal now used for the Great Seal of Scotland to be appended hereto of this Date, and the same is accordingly appended at Edinburgh, the Day of [*state the Day, Month, and Year*].

(*a*) Or in case there be a Substitution of Heirs, here insert it at full Length.

(*b*) In case there be any Conditions of Entail, or any Real Burdens, Restrictions, or Qualifications of any Kind, proper to be inserted or referred to, insert them here, immediately after the Description of the Lands, &c., or refer to them stating Date and Date of Registration, as at Length set forth in the Deed of Entail as recorded in the Register of Tailzies, or in some previous Instrument of Sasine, or of Resignation ad remanentiam, duly registered.

(*c*) If the Lands were held formerly in Ward, say here, "in Free Blench as in room of Ward," and in the Reddendo say, "a Penny Scots yearly, as in room of the Ward Duties."

N° 2.

First Form of Crown Charter of Confirmation.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith : We do hereby confirm for ever, to and in favour of *A.B.* and his Heirs and Assignees whomsoever (*a*), a Disposition granted by *C.D.* to the said *A.B.*, and dated the Day of whereby the said *C.D.* disponed to the said *A.B.* and his foresaids, heritably and irredeemably, all and whole [*here describe the Lands or other Heritages at Length* (*b*)], which Disposition contains an Obligation to infeft a me vel de me, and a Precept of Sasine, as also an Instrument of Sasine in favour of the said *A.B.* following on the said Disposition, and recorded in the [*here describe the Register in which the Instrument is recorded*] on the Day of [*if there are more Documents than Two to be confirmed, here describe them consecutively, and, for the sake of Distinctness, the Description of each Document confirmed may be preceded with a Number, First, Second, &c.*], or of whatever other Dates and Tenor the said several Writs may be, to be holden, the said Lands

(*a*) In case there be a Substitution of Heirs, here insert it at full Length.

(*b*) In case there be any Conditions of Entail, Real Burdens, Restrictions, or Qualifications of any Kind, either proper to be inserted or referred to, insert them here, immediately after the Description of the Lands, &c., or refer to them as above (N° 1.)

and

and others, of the Crown, in Free Blench (*c*) [*or* in Feu Farm] for ever, paying therefor a Penny Scots yearly of Blench-Duty, if asked only [*or if held in Feu Farm, specify the Feu Duty and other Payments and Services*]. In witness whereof we have ordered the Seal now used for the Great Seal of Scotland to be appended hereto of this Date, and the same is accordingly appended at Edinburgh, the Day of [*state the Day, Month, and Year*].

(*c*) If the Lands were held formerly in Ward, say here, "in Free Blench, as in room of Ward."

N° 3.

Second Form of Crown Charter of Confirmation.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith: We do hereby confirm for ever, to and in favour of *A.B.* and his Heirs and Assignees whomsoever, heritably and irredeemably (*a*), all and whole [*here insert the Lands or other Heritages to be confirmed*] (*b*), and the following Deeds and Instruments [*or* other Writings], in so far as they relate to the Lands and others hereby confirmed [*here describe the Deeds, Instruments, or other Writings to be specially confirmed*], or of whatever other Dates and Tenor the said several Writs may be, to be holden, the said Lands and others, of the Crown, in Free Blench (*c*) [*or* "in Feu Farm"] for ever, paying therefor a Penny Scots yearly of Blench-Duty, if asked only [*or if held in Feu Farm, specify the Feu-Duty and other Payments and Services*]. In witness whereof We have ordered the Seal now used for the Great Seal of Scotland to be appended hereto of this Date, and the same is accordingly appended at Edinburgh, the Day of [*state the Month and Year*].

(*a*) Or in case there be a Substitution of Heirs, here insert it at full Length.

(*b*) In case there be any Real Burdens, Restrictions, or Qualifications of any Kind, either proper to be inserted or referred to, insert them here immediately after the Description of the Lands, &c., or refer to them as above (N° 1.)

(*c*) If the Lands were held formerly in Ward, say here, "in Free Blench, as in room of Ward." (If the Party prefer it, he may insert the Tenendas at full Length from the last Crown Charter or Retour.)

General Note to Schedule (C.)—When the Charters N°s 1, 2, and 3. are to be granted by or on behalf of the Prince and Steward of Scotland, they will be in similar Form, but will run in Name of the "Prince and Steward of Scotland," without adding his Highness' other Titles, or will run in Name of Her Majesty, as his Administrator in Law, and the Lands, instead of being described as holding of the Crown, will be described as holding of the "Prince and Steward of Scotland," and the Seal referred to in the Testing Clause will be the Prince's Seal.

CAP. LII.

An Act for the Correction of certain Abuses which have frequently prevailed at the Elections of Representative Peers for *Scotland*. [25th *June* 1847.]

'WHEREAS by an Act passed by the Parliament of *Scotland*, intituled *An Act settling the Manner of electing the Sixteen Peers and Forty-five Commoners, to represent* Scotland *in the Parliament of* Great Britain, certain Provisions were made for electing the said Sixteen Peers to represent the Peerage of *Scotland:* And whereas by an Act passed by the Parliament of *Great Britain*, intituled *An Act to make further Provision for electing and summoning Sixteen Peers of* Scotland *to sit in the House of Peers in the Parliament of* Great Britain, *and for trying Peers for Offences committed in* Scotland, *and for further regulating of Votes in Election of Members to serve in Parliament*, further Provisions were made for the electing of the said Sixteen Peers: And whereas an authentic List of the Peerage of the North Part of *Great Britain* called *Scotland*, as it stood the First Day of *May* One thousand seven hundred and seven, was returned to the House of Lords by the Lord Clerk Register for *Scotland*, attested by him, pursuant to an Order of the House of Lords, the Twenty-second Day of *December* One thousand seven hundred and seven, and entered into the Roll of Peers by Order of the House of Lords on the Twelfth Day of *February* One thousand seven hundred and eight, to which List sundry Peerages of *Scotland* have since been added by Order of the House of Lords at different Times, which List of the said Peerage is called at the Election of a Peer or Peers to represent the Peerage of *Scotland* in the Parliament of the United Kingdom of *Great Britain* and *Ireland:* And whereas divers of the Peerages of *Scotland* have from Time to Time become dormant or extinct, and frequent Abuses have prevailed by Persons assuming Peerages that have become dormant or extinct, and voting in respect thereof at such Elections, to which Peerages such Persons had no Right; and it is expedient in order to prevent such Abuses to provide that no Person shall be allowed to vote at such Elections in right of any Peerage now standing on the said Roll which has been for some Time dormant until his Claim thereto shall have been admitted by the House of Lords, and to make further Rules and Regulations in regard to the Proceedings at such Elections:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That at all future Meetings of the Peers of *Scotland* assembled under any Royal Proclamation for the Election of a Peer or Peers to represent the Peerage of *Scotland* in Parliament the Lord Clerk Register, or the Clerks of Session officiating thereat in his Name, shall not call the Titles of any Peerages now standing on the said Roll, in right of which no Vote shall have been received and counted since the Year One thousand and eight hundred, nor shall it be lawful for the said Lord Clerk Register or Clerks of Session to administer the Oaths to any Person claiming to vote in right of any of the before-mentioned Peerages, or to receive and

6 Ann. c. 23.

At future Elections for Scotch Peers certain Titles not to be called by the Lord Clerk Register, nor Oaths to be administered, until otherwise directed by the House of Lords.

and count the Vote of any such Person, or to permit any such Person to take part in the Proceedings of any such Election, until otherwise directed by Order of the House of Lords.

If Claim to vote be disallowed by House of Lords, Title of Peerage not to be called over at any future Election, if so ordered.

II. And be it enacted, That if any Vote or Claim to vote in respect of any Title of Peerage on the Roll called over at any such Meeting shall be disallowed by the said House, upon any Proceeding had in Trial of any contested Election, the House of Lords may, if they shall think fit, order that such Title of Peerage shall not be called over at any future Election; and in the event of such Order being made by the said House it shall not be lawful for the said Lord Clerk Register or Clerk of Session to call over the said Title at any future Election, or to administer the Oaths to any Person claiming to vote in respect of such Title of Peerage, or to receive or count the Vote of any such Person, or permit such Person to take part in the Proceedings of any such Election, until such Claimant or some other Person shall have in due Course established his Right to such Peerage.

If at any Meeting of Peers a Protest be made against any Claim to vote, Lord Clerk Register to transmit a Copy of Proceedings to the House of Lords, &c.

III. And be it enacted, That if at any such Meeting any Person shall vote or claim to appear or to vote in respect of any Title of Peerage on the Roll called over at such Meeting, and a Protest against such Vote or Claim shall be made by any Two or more Peers present whose Votes shall be received and counted, the said Lord Clerk Register or Clerks of Session shall forthwith transmit to the Clerk of the Parliaments a certified Copy of the whole Proceedings at such Meeting; and the House of Lords, whether there shall be any Case of contested Election or not, may, in such Manner, and with such Notice to such Parties, including the Person so voting or claiming to appear or to vote in respect of such Title of Peerage and the Persons protesting, as the said House shall think fit, inquire into the Matter raised by such Protest, and, if they shall see Cause, order the Person whose Vote or Claim has been so protested against to establish the same before the said House; and if such Party shall not appear, or shall fail to establish his Claim, the said House may, if they shall think fit, order as is herein-before provided in respect to Votes disallowed upon any Proceeding had in Trial of any contested Election.

Any Peer or Peeress having established their Claim, &c. the Vote of no other Claimant to be admitted.

IV. And be it enacted, That whenever any Peer or Peeress shall have established his or her Right to any Peerage, or his Right to vote in respect of any Peerage, and the same shall have been notified to the Lord Clerk Register by Order of the House of Lords, the said Lord Clerk Register or Clerks of Session shall not during the Life of such Peer or Peeress allow any other Person claiming to be entitled to the same Peerage to take Part in any such Election, nor shall it be lawful for the said Lord Clerk Register or Clerks of Session to receive and count the Vote of any such other Person till otherwise directed by the House of Lords.

Nothing herein to affect the Right of present or future Claimants.

V. Provided always, and be it enacted, That nothing in this Act contained shall affect the Right of any Person claiming or who may hereafter claim any Peerage, or shall prevent the Right of any Person voting or claiming to vote or having voted or claimed to vote at any Election, being subject and liable to every Objection to which the same would have been subject and liable before the passing of this Act.

CAP. LIII.

An Act to continue until the First Day of *October* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, an Act to amend the Laws relating to Loan Societies. [25th *June* 1847.]

3 & 4 Vict. c. 110.

CAP. LIV.

An Act to amend the Acts for rendering effective the Service of the *Chelsea* and *Greenwich* Out-Pensioners. [25th *June* 1847.]

'WHEREAS the Provisions of the several Acts now in force for the Payment and Enrolment of the *Chelsea* and *Greenwich* Out-Pensioners have been found beneficial, and it is expedient to extend them to Her Majesty's Colonies and Possessions beyond the Seas:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Provisions of an Act passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act to amend the Laws relating to the Payment of Out-Pensioners of* Chelsea *Hospital*, shall extend to all Her Majesty's Colonies and Possessions beyond the Seas, and the Provisions of an Act of the Seventh Year of the Reign of Her Majesty, intituled *An Act for rendering more effective the Services of such Out-Pensioners of* Chelsea *Hospital as shall be called out to assist in preserving the Public Peace*, and of Two Acts passed in the last Session of Parliament, severally intituled *An Act for amending the Act for rendering effective the Services of the* Chelsea *Out-Pensioners, and extending it to the Out-Pensioners of* Greenwich *Hospital*, and *An Act for regulating the Payment of the Out-Pensioners of* Greenwich *and* Chelsea *Hospitals*, and of this Act, shall apply to all Out-Pensioners of *Chelsea* and *Greenwich* Hospitals now residing or who may hereafter reside in any of Her Majesty's Colonies and Possessions beyond the Seas in which any Officers shall have been or may be appointed pursuant to the said Act of the Sixth Year of the Reign of Her Majesty, for the Payment and Superintendence of the said Out-Pensioners: Provided always, that only such of the *Greenwich* Pensioners as may have served in the Royal Marines shall be liable to serve as enrolled Pensioners; and that it shall be lawful for Her Majesty, from Time to Time, by Warrant under the Royal Sign Manual, to fix the Number of Men to be enrolled in every such Colony and Possession as a local Force for the Preservation of the Peace in such Colony or Possession or in any District thereof, and to cause them to be armed and equipped, and called out for Inspection or Exercise on such Number

Provisions of 5 & 6 Vict. c. 70., 6 & 7 Vict. c. 95., and 9 & 10 Vict. cc. 9. & 10. to apply to all Out-Pensioners of Chelsea and Greenwich Hospitals who may reside in the Colonies, &c.

Only Greenwich Pensioners as have served in the Marines liable.

Her Majesty may by War-

Number of Days, not exceeding Twelve in each Year, as the Governor or Person administering the Government of such Colony or Possession for the Time being shall direct, under the same Penalties for Non-attendance and other Offences as are provided by the said Acts or any of them; and the Number of Men enrolled in any such Colony or Possession shall not be counted in the Number of Men authorized to be enrolled in the United Kingdom of *Great Britain* and *Ireland* under the said Acts or any of them.

rant fix the Number of Men to be enrolled.

II. And be it enacted, That all Persons whose Claims for prospective or deferred Pension shall have been registered in virtue of any Warrant or Warrants made or to be made by Her Majesty, or by the Lords Commissioners of the Admiralty, shall be liable to be enrolled with and as Part of the local Force for the Preservation of the Peace under the Authority of the Acts before recited, whether resident in the United Kingdom or in any of Her Majesty's Colonies and Possessions beyond the Seas.

Persons registered for prospective Pensions liable to be enrolled.

III. 'And whereas by the Act herein-before secondly recited it is provided, that One of Her Majesty's 'Principal Secretaries of State, or, in case of Emergency, any Person or Persons bearing the Warrant of 'the Secretary of State for that Purpose, may call out the said enrolled Pensioners in aid of the Civil 'Power, for Preservation of the public Peace, as by the said Act is directed, and by the Act herein- 'before thirdly recited similar Powers were conferred on the Lord Lieutenant of *Ireland* as regards the 'enrolled Pensioners in that Country; but such Warrant, if applied for and issued after the Emergency 'has arisen, cannot in many Cases be obtained in Time to meet such Emergency, and it is therefore 'expedient to give further Facilities in that Behalf;' be it enacted, That it shall be lawful for One of Her Majesty's Principal Secretaries of State, or in *Ireland* for the Lord Lieutenant or other Chief Governor of *Ireland*, and in Her Majesty's Colonies and Possessions beyond the Seas for the Governor or other Person administering the Government of such Colony or Possession, to issue his Warrant to the Lord Lieutenant of any County, or the Mayor or other Chief Magistrate of any Town or District, wherein such Pensioners and Persons having Claims to prospective or deferred Pensions are enrolled, authorizing him, in case of Emergency or anticipated Emergency, whereby the Public Peace may be endangered, or on the Requisition of any Officer commanding Her Majesty's Forces within such Town or District, to call out the whole or such Part of the Persons so enrolled as he may consider necessary, for any Term not exceeding Twelve Days, during which Time they shall be liable to the Provisions of the Mutiny Act and Articles of War, in the same Manner in all respects as is provided in the first-mentioned Act; but no such enrolled Person who shall be called out only by the Authority of any such Lord Lieutenant of a County, Mayor, or Magistrate, for the Preservation of the Public Peace, shall be employed on such Duty for more than Twelve Days, unless by a Warrant from One of Her Majesty's Principal Secretaries of State, or in *Ireland* from the Lord Lieutenant or Chief Governor of *Ireland*, or in any of Her Majesty's Colonies and Possessions beyond the Seas from the Governor or Person administering the Government, in case of their being employed in aid of the Civil Power, or by Warrant of Her Majesty in case of their volunteering to serve in any of Her Majesty's Forts, Towns, and Garrisons, as provided in the said Act.

Secretary of State, &c. empowered to issue Warrants calling out Pensioners or Persons enrolled, &c. for a limited Period.

Enrolled Persons called out only by Authority of a Magistrate, &c., to be employed for Twelve Days only, unless in certain Cases.

IV. And be it enacted, That in case of actual or apprehended Invasion or Riot it shall be lawful for Her Majesty by any Proclamation to direct that the said enrolled Pensioners, or such of them as Her Majesty shall think fit, may be sent, in aid of the Defence of the Realm, or for the Suppression of Riot and Preservation of the Peace, to any Part of the United Kingdom of *Great Britain* and *Ireland* where their Services may be required, and during the Time for which their Services shall be so required they shall be subject to all the Provisions of any Act then in force for the Punishment of Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

In case of actual Invasion or Riot, Pensioners may be sent to any Part of the United Kingdom.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

CAP. LV.

An Act to authorize a further Advance of Money for the Relief of destitute Persons in *Ireland*.

[25th *June* 1847.]

'WHEREAS an Act was passed in the present Session of Parliament, intituled *An Act for the temporary Relief of destitute Persons in* Ireland, and it is necessary to authorize a further 'Advance of Money for the Relief of the destitute Poor in *Ireland*, in addition to the Sum advanced by 'virtue of the said Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, to cause to be issued as a temporary Advance from Time to Time, at any Time before the First Day of *October* in this Year, as they may find necessary, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not exceeding Six hundred thousand Pounds, by way of Imprest, to the Relief Commissioners acting in execution of the said recited Act, to be by them applied for the Purposes specified in the said Act, by way of Loan on the Security of the Rates made or to be made in pursuance thereof, or of an Act passed in the Second Year of the Reign of Her Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in* Ireland; and all such Sums of Money shall be repaid to the said Consolidated Fund by the said Relief Commissioners, in such Manner as the Commissioners of Her Majesty's Treasury may direct, from and out of the Rates to be levied in the Union on behalf of which such Loan shall have been made.

10 & 11 Vict. c. 7.

Treasury may cause a temporary Advance to be made to Relief Commissioners acting in execution of recited Act.

1 & 2 Vict. c. 56

Extending Provisions of recited Act to this Act.

II. And be it enacted, That all the Clauses, Provisions, Matters, and Things contained in the said recited Act shall be applied and extended to this Act, and to the Sum hereby authorized to be advanced, in such and the like Manner as if the said Clauses, Provisions, Matters, and Things had been repeated and re-enacted in this Act.

CAP. LVI.

An Act to make legal the Collection of certain Duties at *Port Natal*. [25th *June* 1847.]

'WHEREAS under and by virtue of certain Proclamations issued by the Governor and Commander-in-Chief for the Time being of Her Majesty's Castle, Town, and Settlement of the *Cape of Good Hope* in *South Africa*, and the Territories and Dependencies thereof, certain Duties of Customs were imposed and charged upon various Goods, Wares, and Merchandize imported and brought into *Port Natal* in *South Africa* aforesaid, and also a certain Duty of Three Shillings *per* Ton upon Vessels entering the said Port: And whereas Doubts have arisen as to the sufficient legal Authority of such Proclamations for imposing of the said Duties:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the various Duties so imposed and charged are hereby declared to have been due and payable.

Duties levied under certain Proclamations legalized.

Indemnity to Persons acting under such Proclamations.

II. And be it enacted, That the Governor for the Time being of the said Castle, Town, and Settlement, and its Dependencies, and the respective Collectors and other Officers of the Customs in the same, and all Persons whatever acting or having acted under their Orders and Directions, shall be and are hereby indemnified for having caused such Duties to be levied.

CAP. LVII.

An Act to amend an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, for granting certain Powers and Authorities to the *Van Diemen's Land* Company. [25th *June* 1847.]

6 G. 4. c. 39.

'WHEREAS by an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for granting certain Powers and Authorities to a Company to be incorporated by Charter, to be called "The* Van Diemen's Land *Company," for the Cultivation and Improvement of Waste Lands in His Majesty's Island of* Van Diemen's Land, *and for other Purposes relating thereto*, it was amongst other things enacted, that in case His Majesty should, within Three Years after the passing of the said Act, be pleased by Charter under the Great Seal of *Great Britain* to declare and grant that such and so many Persons as should be named therein, and all and every such other Persons and Person as should from Time to Time be admitted Members into their Corporation, should be a Body Politic and Corporate by the Name of "The *Van Diemen's Land* Company," and to declare that the said Corporation so to be made and created should be established for the Purpose of cultivating Waste Lands in the said Island of *Van Diemen's Land*, and in any Islands or Territories which might at any future Time be made dependent thereupon, and for such other lawful Purposes as to His Majesty might seem meet, then and in that Case it should and might be lawful for the said Corporation to hold to them and their Successors such Lands, Tenements, and Hereditaments within the said Island of *Van Diemen's Land*, and such Dependencies thereof as aforesaid, as should or might be granted by His Majesty to them and their Successors within the said Island or its Dependencies, or as should be contracted for and purchased or acquired by them therein, and to hold, alienate, sell, exchange, and dispose of all such Lands, Tenements, and Hereditaments upon, under, and subject to such Conditions, Provisoes, Limitations, and Restrictions as His Majesty by such his Charter might impose, direct, or prescribe: And whereas, in pursuance of the said Act, His said Majesty was pleased, by His Letters Patent or Charter, under the Great Seal of *Great Britain*, dated at *Westminster*, the Tenth Day of *November* in the Year of our Lord One thousand eight hundred and twenty-five and in the Sixth Year of His Reign, to grant and declare that certain Persons therein named, and all and every such other Persons and Person as from Time to Time should be admitted Members into their Corporation, should be a Body Politic and Corporate, in Name and in Deed, by the Name of "The *Van Diemen's Land* Company," and should by that Name have perpetual Succession and a Common Seal, with Power to break or alter such Seal, and by that Name should and might sue and be sued, plead and be impleaded at Law or in Equity; and it was thereby further declared, that such Lands, Tenements, and Hereditaments within the said Island of *Van Diemen's Land*, and its Dependencies aforesaid, as should or might be granted by His Majesty, His Heirs or Successors, to the said Company and their Successors should by them be held, alienated, sold, exchanged, and disposed of, upon, under, and subject to such Conditions, Provisoes, Limitations, and Restrictions as therein-after mentioned; (that is to say,) firstly, that all Grants of Land in the said Island of *Van Diemen's Land*, or its Dependencies aforesaid, which might be made to the said Company by His Majesty, His Heirs or Successors, should be passed under the Great Seal of the said Island and its Dependencies, in pursuance of Warrants under the Royal Sign Manual of His Majesty, His Heirs or Successors; secondly, that for and in respect of all such Lands within the said Island, or its Dependencies aforesaid, as might be granted by His Majesty, His Heirs or Successors, to the said Company in Fee Simple, to be holden by them

Letters Patent, dated 10th Nov. 1825, incorporating the Van Diemen's Land Company.

'them in free and common Socage, there should be reserved and paid and payable to His Majesty, His 'Heirs and Successors, an annual Quit Rent, which should amount to the Sum of Thirty Shillings and 'no more, for each and every Parcel of the said Lands of One hundred Pounds Sterling; thirdly, that no 'Quit Rents should accrue due or be payable by the said Company for or in respect of any such Lands 'as aforesaid during the Term of Five Years, to be computed from the Date of any Grant in and by 'which such Lands might be so granted; fourthly, that upon giving Six Months Notice in Writing, 'under their Common Seal, to the Governor, Lieutenant Governor, or other Person administering the 'Government of the said Island and its Dependencies, it should be lawful for the said Company to 'redeem the Quit Rents, or any Part thereof, upon Payment into the Treasury of the said Island and its 'Dependencies, in *British* Sterling Money, of a Capital Sum equal to Twenty Times the Amount of the 'Rent so to be redeemed; provided always, that the Redemption of any Portion of the said Quit Rents 'should not exonerate or discharge any Part of the said Lands so to be granted to the said Company 'from the Payment of the whole or any Part of the Quit Rents remaining unredeemed; fifthly, that the 'said Company should employ upon the Lands so to be granted to them such a Number of Convicts as 'should at the least be equal to the Number of free Labourers employed thereupon, if the Governor, 'Lieutenant Governor, or other Person administering the Government for the Time being of the said 'Island and its Dependencies should be able and willing to supply a sufficient Number of Convicts for 'that Purpose; sixthly, that the said Company should at their own Expence employ fit and proper 'Persons, not being or having been Convicts, to act as Superintendents of the Convicts so to be 'employed by them, in the Proportion at least of One such Superintendent to every Fifty Convicts; 'seventhly, that no Land granted to the said Company by His Majesty, His Heirs or Successors, should 'by the said Company be granted, bargained, sold, conveyed, demised, or alienated for or during a 'Period of Five Years, to be computed from the Date of the Grant from His Majesty, His Heirs or 'Successors, in which any such Lands might be comprised; and if any such Grant, Bargain, Sale, 'Conveyance, Demise, or Alienation should during any such Period as aforesaid be made or executed, 'the Lands therein comprised should be and become absolutely forfeited to and vested in His Majesty, 'His Heirs or Successors; eighthly, that the said Lands to be granted to the said Company by His 'Majesty, His Heirs or Successors, should be held by them in Mortmain, and be absolutely inalienable 'by them, except upon the Terms and Conditions following; (that is to say,) that it should be lawful for 'the Governor, Lieutenant Governor, or other Person administering the Government of the said Island 'and its Dependencies, and the Executive Council thereof, and they were thereby required, upon Appli- 'cation to them for that Purpose made by the said Company, to direct the Surveyor General or Deputy 'Surveyor General for the Time being of the said Island and its Dependencies to inquire and report 'whether the Sum of Two thousand five hundred Pounds Sterling had been laid out and expended by 'the said Company in the Formation of Roads, the Erection of Buildings, the Cultivation, clearing, 'fencing, draining, or other Improvements of any such Lands; and if the said Surveyor General or 'Deputy Surveyor General should report to the said Governor, Lieutenant Governor, or other Person 'administering the Government of the said Island, and the said Executive Council thereof, that the 'Sum of Two thousand five hundred Pounds Sterling had been so expended, it should be and become 'competent to the said Company, without Licence from His Majesty, His Heirs or Successors, to alienate 'and convey in Fee Simple, but subject to the Quit Rents aforesaid, any Part or Parts of the Lands so 'granted to them, not exceeding Twelve thousand five hundred Acres in the whole; and such and the 'same Proceedings should from Time to Time take place upon each successive Application of the said 'Company for the Purpose aforesaid to the said Governor, Lieutenant Governor, or other Person 'administering the Government of the said Island and its Dependencies, and the said Executive Council 'thereof; and upon each successive Report so made as aforesaid of the further Expenditure upon any 'such Lands of any further Sum of Two thousand five hundred Pounds Sterling as aforesaid, the said 'Company should be and become competent to alienate Twelve thousand five hundred Acres, or any 'smaller Quantity, of the Lands to be granted to them, until One Moiety or equal Half Part of such 'Lands should, in manner aforesaid, become alienable; provided always, that every such Report as afore- 'said should be enrolled in the Supreme Court of *Van Diemen's Land;* provided also, that it should be 'lawful for the said Company to alienate any of the Lands to be granted to them as aforesaid, upon 'obtaining a special Licence for that Purpose from His Majesty, His Heirs or Successors, through One 'of His or their principal Secretaries of State; provided further, that every Grant or Conveyance of 'Lands to be made by the Company should be absolutely null and void unless the same should expressly 'refer to and particularize the Surveyor General's or Deputy Surveyor General's Report, or the Licence 'from His Majesty, His Heirs or Successors, as the Case might be, under the Authority of which the 'same might be so granted or conveyed; provided nevertheless, that nothing therein contained should 'extend to or prevent any Demise of any such Lands made by the said Company for any Term not 'exceeding Twenty-one Years, without any Covenant of Renewal, so as that not more than One Moiety 'of the Lands so to be granted as aforesaid be demised within Twenty Years next succeeding the Date 'of any such Grant; ninthly, that the Quit Rents to accrue due upon any Lands to be granted to the 'said Company by His Majesty, His Heirs or Successors, for and during the Term of Five Years, to com- 'mence and be computed from and after the Expiration of the first Five Years next following the Date of 'any such Grant, should not be actually collected and received until the Expiration of such Second Term 'of Five Years, and that at that Time all Quit Rents then due and in arrear by the said Company should 'be remitted if One hundred and fifty Convicts should have been regularly employed and maintained by

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'the said Company for and during the greater Part of such Second Term of Five Years; tenthly, that 'the said Quit Rents to accrue due for and during the further Term of Five Years, to commence and be 'computed from and after the Expiration of the Second Term of Five Years next following the Date of 'any such Grant should not be actually collected and received until the Expiration of such Third Term of 'Five Years, and that at that Time all Quit Rents accrued due and then in arrear by the said Company 'in respect of such Third Term of Five Years should be remitted, if Two hundred and fifty Convicts 'should have been regularly employed and maintained by the said Company for and during the greater Part 'of the said Third Term of Five Years; eleventhly, that the said Quit Rents to accrue due for and during 'the further Term of Five Years, to commence and be computed from and after the Expiration of the said 'Third Term of Five Years next following the Date of any such Grant, should not be actually collected 'until the Expiration of the Fourth Term of Five Years, and at that Time all Quit Rents accrued due and 'then in arrear by the said Company in respect of the said Fourth Term of Five Years should be remitted 'if Three hundred and fifty Convicts should have been regularly employed and maintained by the said 'Company for and during the greater Part of such Fourth Term of Five Years; twelfthly, that if at 'any Time within Twenty Years next after the Date of any such Grant it should be made to appear to 'the Satisfaction of His Majesty, His Heirs or Successors, or of the Governor, Lieutenant Governor, or 'other Person administering the Government for the Time being of the said Island and its Dependencies, 'that the said Company had by the Employment of Convicts exonerated the Treasury from a Charge 'equal in the whole to the Sum of Twenty-five thousand Pounds Sterling, then the Lands which might 'by His Majesty, His Heirs or Successors, have been granted to the said Company should be for ever 'discharged of and from the Quit Rents thereafter to accrue due in respect thereof, and in calculating the 'Amount of the Sums from which the said Treasury had been so exonerated it should be assumed and 'taken that the said Treasury had been saved the Sum of Sixteen Pounds Sterling for each and every 'Convict who should appear to have been maintained during One whole Year by the said Company, and 'in such Proportion for a lesser Term than One Year that each and every Convict should have been so 'maintained by the said Company; and it was further declared that in any Grants to be made by His 'Majesty, His Heirs or Successors, to the said Company of any Lands situate in the said Island of *Van 'Diemen's* or its Dependencies, all necessary Covenants should be made and entered into by the said 'Company for ensuring the due Observance and Performance on their Part of the several Covenants, 'Provisoes, and Restrictions aforesaid: And whereas by divers Instructions which have issued from Time 'to Time by Order of His said Majesty King *George* the Fourth and of His late Majesty King *William* 'the Fourth to the Governor, Lieutenant Governor, or other Person administering the Government of the 'said Island of *Van Diemen's Land* and its Dependencies, the said Company have been authorized to 'take Possession of several Portions of Land and other Hereditaments situate in the said Island and its 'Dependencies, and have, with the Assent of the Governor, Lieutenant Governor, or other Person 'administering the Government for the Time being of the said Island and its Dependencies, entered into 'and taken Possession of the said Lands and Hereditaments, and the said Company have ever since been 'and now continue in the Possession thereof, but no Grant thereof has been made to the said Company: 'And whereas the said Company have from Time to Time employed and maintained upon the said Lands 'very large Numbers of Convicts, and the Company have by such Employment and Maintenance of 'Convicts as aforesaid exonerated Her Majesty's Treasury from a Charge exceeding in the whole the 'Sum of Fifteen thousand Pounds Sterling, and the said Company have also laid out large Sums of Money 'in the Improvement of divers Parts of the said Lands and Hereditaments: And whereas the said 'Company have, by the Means aforesaid and otherwise, substantially fulfilled the material Conditions 'contained in the said Letters Patent or Charter on their Part to be observed and performed, and by 'reason of the Lapse of Time and the Alteration of Circumstances others of the said Conditions have 'become immaterial, and it is just and expedient that Her Majesty should be authorized, if She should so 'please, to grant to the said Company Lands and Hereditaments in the said Island and its Dependencies, 'freed from the Quit Rents and the other Restrictions and Conditions in the said Letters Patent or Charter 'contained, and that other Powers should be granted to the said Company; but the same cannot be 'effected without the Authority of Parliament:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for Her said Majesty, Her Heirs or Successors, from Time to Time and at all Time hereafter, by Warrant under the Royal Sign Manual, to authorize and empower the Governor, Lieutenant Governor, or other Person for the Time being administering the Government of the said Island of *Van Diemen's Land* and its Dependencies, to execute a Deed or Deeds under the Great Seal of the said Island and its Dependencies, granting to the said Company any Lands, Tenements, and Hereditaments in the said Island and its Dependencies, freed and for ever discharged of and from the Quit Rents, Conditions, Provisoes, Limitations, and Restrictions in the said Letters Patent or Charter expressed and herein-before recited, or such of them, or such Parts thereof, as Her Majesty, Her Heirs or Successors, shall in and by the said Grant or Warrant or Grants or Warrants direct; and it shall be lawful for the said Company to hold, alienate, sell, and dispose of all or any Part or Parts of the said Lands so to be granted, subject only to such Conditions and Restrictions, if any, as shall be stipulated in and by the Grant or Grants thereof to the said Company, and to hold, alienate, sell, and dispose of all Lands purchased or to be purchased by the said Company, freed from the Conditions and Restrictions imposed by the said Letters Patent or Charter.

Her Majesty, by Warrant under the Sign Manual, may grant Lands to the Company, freed and discharged from Quit Rents, &c. in the Charter expressed.

II. 'And

II. 'And whereas it was by the said Letters Patent or Charter declared, that the Two Persons therein 'named should be the Governor and Deputy Governor of the said Company, and that such Two Persons, 'together with Eighteen other Persons therein named, should be the first Directors of the said Company, 'and that after the Period therein named, Six of the said Eighteen Directors, or their Successors, should 'go out of Office annually, and their Places be from Time to Time supplied: And whereas it is expedient 'that Power should be given to the said Company to reduce the said Number of Directors;' be it therefore enacted, That it shall be lawful for the said Company from Time to Time, at any Special General Meeting, to resolve and declare that at a Time or Times to be fixed at such Meeting or Meetings the Number of the Directors of the said Company shall be reduced to any Number they may think proper, not being less than Nine exclusive of the said Governor and Deputy Governor, and to fix the Mode in which such Reduction shall take place, and thereupon at the Time or Times fixed at such Meeting or Meetings the Number of the said Directors shall be reduced accordingly; and after any such Reduction shall have taken place, the Number of Directors to go out of Office as aforesaid shall be One Third of the whole Number of Directors, exclusive of the said Governor and Deputy Governor, instead of the said Number of Six Directors as aforesaid.

Power to the Company, at any Special General Meeting, to reduce the Number of Directors.

III. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall extend to and be in force in the said Island of *Van Diemen's Land* and its Dependencies, and shall be judicially taken notice of as such.

Public Act.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be amended, &c.

CAP. LVIII.

An Act to remove Doubts as to Quakers and Jews Marriages solemnized before certain Periods. [2d *July* 1847.]

'WHEREAS Doubts have been entertained as to the Validity of Marriages amongst the People called 'Quakers and amongst Persons professing the Jewish Religion, solemnized in *England* before the 'First Day of *July* One thousand eight hundred and thirty-seven, or in *Ireland* before the First Day of '*April* One thousand eight hundred and forty-five, according to the Usages of those Denominations 'respectively: And whereas it is expedient to put an end to such Doubts;' be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Marriages so solemnized as aforesaid were and are good in Law to all Intents and Purposes whatsoever, provided that the Parties to such Marriages were both Quakers, or both Persons professing the Jewish Religion respectively.

Marriages of Quakers and Jews solemnized before certain Dates declared valid.

CAP. LIX.

An Act for amending an Act, intituled *An Act for amending, explaining, and reducing into One Act of Parliament the Laws relating to the Government of His Majesty's Ships, Vessels, and Forces by Sea.* [2d *July* 1847.]

'WHEREAS by an Act passed in the Twenty-second Year of the Reign of His late Majesty King 'George the Second, intituled *An Act for amending, explaining, and reducing into One Act of 'Parliament the Laws relating to the Government of His Majesty's Ships, Vessels, and Forces by Sea,* 'Courts-martial holden and appointed by virtue of that Act are, in certain Cases, authorized and 'required to pronounce Judgment of Death; and it is expedient that in all Cases (except Murder and 'Buggery or Sodomy with Man or Beast), such Courts-martial shall be authorized to abstain from 'pronouncing Judgment of Death, if such Courts-martial shall think fit, and to impose such other 'Punishment as the Nature and Degree of the Offence shall be found to deserve:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for any such Court-martial, holden and appointed as aforesaid, either to pronounce Judgment of Death in all Cases in which by Law such Court is now authorized or required so to do, or, if such Court shall so think fit, in all such Cases (except Murder and Buggery or Sodomy with Man or Beast) to impose such other Punishment as the Nature and Degree of the Offence shall be found to deserve.

22 G. 2. c. 33.

Courts-martial to have a discretionary Power in awarding Sentence in all Cases except Murder.

II. And be it enacted, That it shall be lawful for any such Court-martial, holden and appointed as aforesaid, to try any Person, who at the Time of the Offence committed shall be in actual Service and Full Pay in the Fleet or Ships of War of Her Majesty, for Manslaughter, whether committed within the Jurisdiction of the Admiralty or out of any Part of Her Majesty's Dominions on shore, and to impose upon every such Person so convicted of Manslaughter by the Sentence of such Court such Punishment other than Death as the Degree of the Offence shall be found to deserve.

Court-martial may take cognizance of Manslaughter.

III. And be it enacted, That upon all Trials of Offenders by any Court-martial, holden and appointed as aforesaid, all the Officers present who are to constitute such Court shall, before they proceed to such Trial, take the Oath herein-after mentioned before the Court instead of the Oath appointed by the said Act,

Oath to be administered to Members of Courts-martial.

Act, which Oath the Judge Advocate or his Deputy, or the Person appointed to officiate as such, is hereby authorized and required to administer in the Words following; (that is to say,)

'I do swear, That I will duly administer Justice, according to the Laws in force for the Government of Her Majesty's Ships, Vessels, and Forces by Sea, without Partiality, Favour, or Affection; and if any Case shall arise which is not particularly mentioned in any such Laws, I will duly administer Justice according to my Conscience, the best of my Understanding, and the Custom of the Navy in like Cases; and I do further swear, that I will not on any account at any Time whatsoever disclose or discover the Vote or Opinion of any particular Member of this Court-martial, unless thereunto required in due Course of Law. So help me GOD.'

Oath to be administered to Judge Advocate.

And so soon as the said Oath shall have been administered to the respective Members the President of the Court is hereby authorized and required to administer to the Judge Advocate or his Deputy, or the Person officiating as such, instead of the Oath appointed by the said Act, an Oath in the following Words:

'I do swear, That I will not upon any account at any Time whatsoever disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless thereunto required in due Course of Law. So help me GOD.'

When Act is to take effect.

IV. And be it enacted, That this Act shall take effect from the First Day of *January* One thousand eight hundred and forty-eight.

Act may be amended, &c.

V. And be it enacted, That this Act may be altered, amended, or repealed by any Act to be passed in this Session of Parliament.

CAP. LX.

An Act to abolish One of the Offices of Master in Ordinary of the High Court of Chancery. [2d *July* 1847.]

Recites 3 & 4 W. 4. c. 94. appointing Masters, and giving Salaries, &c. to their Clerks.

'WHEREAS by an Act passed in the Third and Fourth Years of the Reign of His late Majesty *William* the Fourth it was enacted, that the Appointment of all Masters in Ordinary of the High Court of Chancery should be vested in His Majesty, His Heirs and Successors, and that such Master should thereafter be appointed by Letters Patent under the Great Seal of *Great Britain*; and it was by the said Act also enacted, that the Salaries to be paid to the Chief and Junior Clerks of each of the said Masters should be One thousand Pounds a Year and One hundred and fifty Pounds a Year respectively, and that it should be lawful for the said Junior Clerks to receive and take One Penny Halfpenny *per* Folio of Ninety Words for every Copy of every Document or Writing made in the Office of the said Master: And whereas by an Act passed in the Fifth Year of Her present Majesty *Richard Richards* Esquire, then One of the Masters of the Court of Exchequer, was appointed as an additional Master in Ordinary of the High Court of Chancery, and it was thereby enacted, that upon the Death, Resignation, or Removal from Office of the said *Richard Richards* it should be lawful for Her said Majesty from Time to Time by Letters Patent under the Great Seal to appoint a fit and proper Person to supply such Vacancy: And whereas *Andrew Henry Lynch* Esquire, late One of the said Masters in Ordinary, did on the Twenty-fifth Day of *March* now last past duly resign his said Office, and the same thereby became and now is vacant: And whereas it is expedient that the Number of the said Masters in Ordinary of the High Court of Chancery should be reduced to the same Number as existed before the passing of the said last-mentioned Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for Her Majesty not to fill up the Office so vacant by the Resignation of the said *Andrew Henry Lynch*, but that the same shall be and the same is hereby abolished.

5 Vict. c. 5. abolishing Master of Exchequer, and appointing Mr. Richards.

Resignation of Mr. Lynch.

One Mastership abolished.

Chief and Second Clerks retained for Period not exceeding Twelve Months.

II. And be it enacted, That for the Convenience of prosecuting the Causes and Matters referred to the said *Andrew Henry Lynch*, and now transferred to the other Masters in Ordinary, it shall be lawful for the Lord Chancellor, if he shall think fit, to retain *George Barrett* and *Edward Wright*, the late Chief and Second Clerks of the said *Andrew Henry Lynch*, as Chief and Second Clerks respectively, with all the Duties, Rights, Privileges, and Emoluments thereto belonging, as if a Master in Ordinary had been duly appointed to succeed the said *Andrew Henry Lynch*, but nevertheless for a Time not exceeding Twelve Months from the passing of this Act: Provided always, that in the event of the Death, Resignation, or Removal of the said *George Barrett* and *Edward Wright*, or either of them, before the Expiration of the said Twelve Months, it shall be lawful for the Lord Chancellor, if he shall think fit, to appoint a Successor to them or either of them during the Time aforesaid.

Compensation to Chief and Second Clerks.

III. And be it enacted, That it shall be lawful for the Lord Chancellor, with the Consent of the Commissioners of Her Majesty's Treasury, to award such Compensation (if any), and in such Manner and upon such Conditions, as he may think fit, to the said *George Barrett* and *Edward Wright*, or either of them, in consideration of the Loss they or he may have sustained by the Abolition of the said Office of Master in Ordinary.

Act may be amended, &c.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. LXI.

An Act to amend the Act for the Establishment of Public Baths and Wash-houses.

[2d *July* 1847.]

'WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act to encourage the Establishment of Public Baths and Wash-houses:* And whereas it is expedient to afford additional Facilities for the Establishment of Public Baths and Wash-houses and open Bathing Places;' be it enacted, by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the recited Act, as amended by this Act, and this Act shall be construed and be carried into execution as One Act. 9&10 Vict. c.74. Recited Act and this Act to be construed as One.

II. And be it enacted and declared, That the following Words and Expressions in the recited Act shall have in the said Act and this Act the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) Interpretation of Expressions in recited Act and this Act.

"Parish" shall mean not only every Place having separate Overseers of the Poor and separately maintaining its own Poor, but also every Place maintaining its own Poor and having a Vestry:

"Rate-payers" shall mean all Persons for the Time being assessed to and paying Rates for the Relief of the Poor of the Parish:

"Vestry" shall mean not only a Vestry as defined in the said Act, but also any Body of Persons, by whatever Name distinguished, acting by virtue of any Act of Parliament, Prescription, Custom, or otherwise as or instead of a Vestry or Select Vestry.

III. And be it enacted, That when any Person shall have been appointed to the Office of Commissioners of Public Baths and Wash-houses for any Parish before the passing of this Act, the recited Act shall be deemed to have been duly adopted for such Parish notwithstanding that there may have been any Defect or Irregularity in or in any way concerning such Adoption; and all Acts and Proceedings of any Person in possession of the Office of such Commissioner, and acting in good Faith as such Commissioner, whether appointed before or after the passing of this Act, shall, notwithstanding his Disqualification or Want of Qualification for or any Defect or Irregularity in or in any way concerning his Appointment to such Office, be as valid and effectual as if he were duly qualified or there had not been any such Defect or Irregularity. Acts of Commissioners of Public Baths, &c. to be valid, notwithstanding Informalities.

IV. And be it enacted, That the Lands Clauses Consolidation Act, 1845, shall be incorporated with the recited Act and this Act: Provided always, that the Council and Commissioners respectively shall not purchase or take any Lands otherwise than by Agreement. Incorporation of 8&9 Vict. c.18. Purchase of Lands.

V. And be it enacted, That the Number of Washing Tubs or Troughs for the Labouring Classes in any Building or Buildings under the Management of the same Council or Commissioners shall not be less than Twice the Number of the Washing Tubs or Troughs of any higher Class, if but One, or of all the higher Classes if more than One, in the same Building or Buildings. Proportion of Washing Accommodation for Labouring Classes.

VI. And be it enacted, That so much of the recited Act as enacts that the Council and Commissioners respectively may make such reasonable Charges for the Use of the Baths and Wash-houses and open Bathing Places as they think fit, not exceeding such Charges as are mentioned in the Schedule (B.) to that Act, shall be repealed. So much of recited Act as regulates Charges for Baths, &c. repealed.

VII. And be it enacted, That the Council and the Commissioners respectively may from Time to Time make such reasonable Charges for the Use of the Baths and Wash-houses and open Bathing Places provided under the recited Act and this Act, respectively as they think fit, not exceeding the Charges mentioned in the Schedule annexed to this Act. Charges for Use of Baths, &c. not to exceed those in the Schedule.

VIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

SCHEDULE to which this Act refers.

Charges for the Baths and Wash-houses and open Bathing Places.

1. Baths for the Labouring Classes.

Every Bath to be supplied with clean Water for every Person bathing alone, or for several Children bathing together, and in either Case with One clean Towel for every Bather.

For One Person above Eight Years old:

Cold Bath, or cold Shower Bath, any Sum not exceeding	One Penny.
Warm Bath, or warm Shower Bath, or Vapour Bath, any Sum not exceeding	Two-pence.

For several Children, not above Eight Years old, nor exceeding Four, bathing together:

Cold Bath, or cold Shower Bath, any Sum not exceeding	Two-pence.
Warm Bath, or warm Shower Bath, or Vapour Bath, any Sum not exceeding	Four-pence.

2. Baths of any higher Class.

Such Charges as the Council and the Commissioners respectively think fit, not exceeding in any Case Three Times the Charges above mentioned for the several Kinds of Baths for the Labouring Classes.

3. WASH-HOUSES FOR THE LABOURING CLASSES.

Every Wash-house to be supplied with Conveniences for washing and drying Clothes and other Articles.

For the Use by One Person of One Washing Tub or Trough, and of a Copper or Boiler (if any), or, where One of the Washing Tubs or Troughs shall be used as a Copper or Boiler, for the Use of One Pair of Washing Tubs or Troughs, and for the Use of the Conveniences for drying:

For One Hour only in any One Day, any Sum not exceeding - - - One Penny.

For Two Hours together, in any One Day, any Sum not exceeding - - Three-pence.

Any Time over the Hour or Two Hours respectively, if not exceeding Five Minutes, not to be reckoned.

For Two Hours not together, or for more than Two Hours in any One Day, such Charges as the Council and the Commissioners respectively think fit.

For the Use of the washing Conveniences alone, or of the drying Conveniences alone, such Charges as the Council and the Commissioners respectively think fit, but not exceeding in either Case the Charges for the Use for the same Time of both the washing and the drying Conveniences.

4. WASH-HOUSES OF ANY HIGHER CLASS.

Such Charges as the Council and the Commissioners respectively think fit.

5. OPEN BATHING PLACES, where several Persons bathe in the same Water, for One Person One Halfpenny.

CAP. LXII.

An Act for the Establishment of Naval Prisons, and for the Prevention of Desertion from Her Majesty's Navy. [2d *July* 1847.]

'WHEREAS by the Laws and Customs of Her Majesty's Navy Officers commanding Her Majesty's Ships and Vessels are empowered to order Corporal Punishment to be inflicted on Men in Her Majesty's Service for various Offences, for the Purpose of preserving and enforcing Discipline, without the Offenders being tried by Court-martial: And whereas it is expedient that Officers commanding Her Majesty's Ships and Vessels should have the Power of inflicting summary Punishment by Imprisonment; and it is also expedient that the Lord High Admiral, and the Commissioners for executing the Office of Lord High Admiral, shall have Power to establish and regulate Naval Prisons, and that further Provision shall be made for the Apprehension of Deserters, and for checking Desertion from Her Majesty's Navy:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in all Cases in which Officers commanding Her Majesty's Ships and Vessels are empowered to order Corporal Punishment without the Offender being tried by Court-martial it shall be lawful for such Officers commanding any Ship or Vessel of Her Majesty, within the Limits of any Port, if they think fit, and without the Offender being tried by Court-martial to order such Corporal Punishment to be inflicted according to the Laws and Customs of Her Majesty's Navy, or to order the Offender to be imprisoned for any Period not exceeding Twenty-eight Days, to be computed from the Date of the Order, in any Place, Ship, or Vessel, either afloat or on shore, which the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, may at any Time or Times appoint for the Purpose, and where no such Place, Ship, or Vessel shall have been so appointed, in any public Prison, Gaol, or House of Correction in Her Majesty's Dominions, and such Imprisonment may be with or without hard Labour, and the Offender shall be kept in solitary Confinement for any Portion of such Imprisonment, not exceeding Ten Days in the whole, or not, as any such Order shall direct; but any such Order for Imprisonment shall not have any Force or Effect until the same shall have been approved of by Writing under the Hand of the Naval Officer commanding at the Port where the Vessel to which the Offender belongs may be.

In Cases where Officers commanding Ships are empowered to order Courts-martial, they may inflict Corporal Punishment or Imprisonment instead.

Order for Imprisonment to be approved of by Commander-in-Chief.

II. And be it enacted, That every Governor, Gaoler, or Keeper of any public Prison, Gaol, or House of Correction, and every Officer having the Charge or Command of any Place, Ship, or Vessel for Imprisonment as aforesaid, shall receive into his Custody any Person so ordered to be imprisoned as aforesaid, upon Delivery to him of an Order in Writing in that Behalf from the Officer commanding the Ship or Vessel to which the Offender belongs, approved of as aforesaid, and which Order shall specify the Period of Imprisonment which the Prisoner is to undergo, and the Day and Hour of the Day when he is to be released, and the Prisoner shall be confined, with or without hard Labour, and in solitary Confinement or not, as such Order shall direct.

Gaolers to receive and confine Offenders.

III. And be it enacted, That it shall be lawful for the said Lord High Admiral, and also for the said Commissioners, or for the said Officer commanding in chief, or for the Officer commanding the Ship or Vessel to which the Prisoner belongs, to give at any Period of any such Imprisonment an Order in Writing directing that the Prisoner may be discharged or be removed by the Person having Charge of him, or in Naval Custody, to some other Prison or Place of Confinement, there to undergo the Remainder of his Imprisonment, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and such Prisoner shall on the Production of such Order be discharged or removed accordingly, and

Order for Discharge or Removal of Prisoners.

and when any Prisoner shall be removed by any Governor, Gaoler, or Keeper in pursuance of any such Order such Governor, Gaoler, or Keeper shall be allowed for the Charge of the Removal and Conveyance a Sum not exceeding One Shilling *per* Mile; and every Governor, Gaoler, Keeper, and Officer having the Charge or Command of any Prison, Gaol, House of Correction, Place, Ship, or Vessel of Imprisonment in which the Prisoner is to undergo the Remainder of his Imprisonment shall, upon being furnished with a Duplicate of the Order of Imprisonment, and of the Order of Removal, receive into his Custody and confine the Prisoner pursuant thereto.

Subsistence of Prisoners.

IV. And be it enacted, That the same Amount shall be paid by the Naval Department to any Governor, Gaoler, or Keeper towards the Subsistence of any Prisoner whatever confined under the Provisions of this Act as is or may be payable towards the Subsistence of Prisoners confined under Sentence of Naval Courts-martial.

Prisoners not to be entitled to Pay or to reckon Time while in Confinement.

V. And be it enacted, That every Person belonging to Her Majesty's Navy who shall be summarily imprisoned under the Provisions of this Act shall not be entitled to any Pay or Wages, or to reckon Service for or towards Pay, Wages, or Pension for any Period during which he shall be so imprisoned.

Admiralty may set apart Buildings and Ships as Naval Prisons, and appoint Officers and make Rules and Regulations for the Government of the same.

VI. And be it enacted, That it shall be lawful for the Lord High Admiral, and also for the Commissioners for executing the Office of Lord High Admiral, or any Two of them, if he or they think fit, to set apart any Building or Buildings, or Ship or Vessel, or Ships or Vessels, or any Part or Parts thereof, as Naval Prisons, and to declare that any Building or Buildings, or any Ship or Vessel, or Ships or Vessels, shall be, and thenceforth such Building or Buildings, Ship or Vessel, or Ships or Vessels shall be deemed and taken to be a Naval Prison and Naval Prisons, and every such Naval Prison shall be deemed to be a public Prison within the Meaning of this Act; and all and every the Powers and Authorities with respect to County Gaols or Houses of Correction which now are or which may hereafter be vested in any of Her Majesty's Principal Secretaries of State shall, with respect to all such Naval Prisons, belong to and may be exercised by the Lord High Admiral, and also by the Commissioners for executing the Office of Lord High Admiral, or any Two of them; and it shall be lawful for the Lord High Admiral, and also for the said Commissioners, or any Two of them, at any Time or Times, and from Time to Time, to make, alter, and repeal Rules and Regulations for the Government and Superintendence of any such Naval Prison and of the Officers and Servants thereof, and of Offenders confined therein, and the same shall be observed and enforced within such Prisons; and it shall be lawful for the Lord High Admiral, and also for the said Commissioners, or any Two of them, from Time to Time to appoint Inspectors and all other necessary Officers and Servants, for any such Naval Prison, and, as Occasion may arise, to remove the Inspectors, Officers, or Servants of any such Naval Prison; and the Officer commanding in chief at any Port or Place or on any Station where there may be any such Naval Prison, or such Officer commanding in chief, and such other Person and Persons as the Lord High Admiral or the said Commissioners may from Time to Time appoint, shall be a Visitor or Visitors of such Prison; and every Inspector, Visitor, or Officer having the Charge or Command of any such Naval Prison respectively shall, subject to such Rules and Regulations as may from Time to Time be made as aforesaid, have and exercise in respect of such Prison, and of the Officers and Servants thereof, and of the Prisoners confined therein, all the Powers and Authorities, as well in respect of administering Oaths as otherwise, which any Inspector, Visiting Justice, or Governor of a County Gaol or House of Correction may respectively exercise as such.

Offenders under Sentence of Courts-martial may be confined in Naval Prisons.

VII. And be it enacted, That it shall be lawful, when the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral, or any Two of them, shall at any Time or Times think proper, to confine in any such Naval Prison not only the Offenders therein-before mentioned, but also any Person who shall have been tried by a Naval Court-martial and sentenced to Imprisonment, or whose Sentence by a Naval Court-martial shall have been commuted to Imprisonment, or who, in consequence of his Sentence or of his commuted Punishment, shall be liable to be detained until his Sentence or commuted Punishment be carried into effect.

Penalties on aiding Escape or Attempt to escape of Prisoners, and on Breach of Prison Regulations.

VIII. And be it enacted, That if any Person shall convey or cause to be conveyed into any such Naval Prison any Arms, Tools, or Instruments, or any Mask or other Disguise to facilitate the Escape of any Prisoner, or shall by any Means whatever aid and assist any Prisoner to escape or in attempting to escape from such Prison, whether an Escape be actually made or not, such Person shall be deemed guilty of Felony, and, upon being convicted thereof, shall be imprisoned, with or without hard Labour, for any Term not exceeding Two Years, or transported beyond the Seas for any Term not exceeding Fourteen Years; and if any Person shall bring or attempt to bring into such Prison, in contravention of the Rules, any spirituous or fermented Liquor, he shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds and not less than Ten Pounds; and if any Person shall bring into such Prison, or to or for any Prisoner, without the Knowledge of the Officer having the Charge or Command thereof, any Money, Clothing, Provisions, Tobacco, Letters, Papers, or other Articles not allowed by the Rules of the Prison to be in the Possession of a Prisoner, or shall throw into the said Prison any such Articles, or shall by Desire of any Prisoner, without the Sanction of the said Officer, carry out of the Prison any of the Articles aforesaid, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds; and if any Person shall assault or violently resist any Officer of such Prison in the Execution of his Duty, or shall aid or excite any Person so to assault or resist any such Officer, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or if the Offender be a Prisoner, he shall upon Conviction thereof, by a Board of not less than Three of the Visitors of the Prison, be liable to be sentenced for every such Offence to be imprisoned, either with or without hard Labour, and

with or without solitary Confinement, for any Time not exceeding Six Calendar Months, in addition to so much of the Time for which he was originally sentenced as may be then unexpired.

Apprehension of Deserters.

IX. And be it enacted, That it shall be lawful for the Constable of any Place where any Person reasonably suspected to belong to Her Majesty's Navy, and to be a Deserter or improperly absent from his Duty, shall be found, or of any adjoining Place, and if no such Constable can be immediately met with to secure him, then for any Person in Her Majesty's Service, to apprehend or cause such suspected Person to be apprehended, and cause him to be brought before any Justice in the United Kingdom, or in any of Her Majesty's Dominions or Territories, or in the Territories under the Government of the *East India* Company in or near such Place, who shall examine such suspected Person, and if by his Confession, or the Testimony of One or more Witness or Witnesses upon Oath, or by the Knowledge of such Justice it shall appear that any Person brought before him is a Person belonging to Her Majesty's Navy, improperly absent from his Duty, such Justice shall forthwith cause him to be conveyed to the nearest or most convenient public Prison, and shall transmit an Account thereof to the Secretary of the Admiralty, or to any Commander-in-Chief or Officer commanding any one of Her Majesty's Ships or Vessels, with a Description of such Person and the Name of the Ship or Vessel to which he shall or may be suspected to belong, or if any such Offender shall be apprehended by any Person in Her Majesty's Service, or shall be apprehended in the Vicinity of any one of Her Majesty's Ships or Vessels in Commission, then such Justice shall order him to be taken on board any such Ship or Vessel, instead of committing him to Prison; and in all Cases the Justice shall certify the Name of the Person by whom the Offender was apprehended, and such last-mentioned Person shall be entitled to a Reward for such Apprehension, according to the Amount which is or may be established by the Naval Regulations or Instructions for the Time being in that Behalf, or in case the Apprehension shall be under Circumstances for which no Reward is or may be established, the Amount of such Reward shall be any Sum in the Discretion of the Lord High Admiral or the said Commissioners, or of the Officer commanding the Vessel to which the Deserter or Person who shall have been improperly absent shall belong, not exceeding Three Pounds, and the Reward shall in every Case be paid and charged against the Wages or Pay of any such Offender, and stopped out of the same; and for every such Information, Commitment, or Order and Account as aforesaid the Clerk of the said Justice may be entitled to a Fee of Two Shillings and no more, and every Gaoler and other Person into whose Custody any such Offender is committed shall immediately upon the Receipt of him pay such Fee of Two Shillings, and also upon the Production of a Receipt from the Medical Practitioner who may have been required to examine such suspected Person a Fee of Two Shillings and Sixpence, and such Sums shall be repaid to such Gaoler or other Person, and the same, together with Sixpence for every Day the Offender shall be in his Custody, which shall be paid to such Gaoler or other Person, shall be charged against the Pay or Wages of the Offender, and every Gaoler or other Person having the Custody of any such Offender shall deliver him up to any Person authorized to take charge of him by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or by any Naval Commander-in-Chief, or the Officer commanding any one of Her Majesty's Ships or Vessels, and any Person so authorized shall convey him in safe Custody on board any one of Her Majesty's Ships or Vessels in Commission.

Fraudulent Confession of Desertion.

X. And be it enacted, That any Person who shall voluntarily deliver himself up as and confess himself to be a Deserter from any one of Her Majesty's Ships or Vessels, or improperly absent from such Ship or Vessel, or who while serving in any of Her Majesty's Forces, or the embodied Militia, or the Forces of the *East India* Company, shall to any Officer or Non-commissioned Officer thereof confess himself to be a Deserter as aforesaid, or improperly absent as aforesaid, or who, upon being apprehended for any Offence, shall in the Presence of the Justice confess himself to be a Deserter, or improperly absent from his Ship or Vessel as aforesaid, and his Statement shall not be true, he shall, if received into Her Majesty's Naval Service, be deemed in Her Majesty's Navy, and be liable to serve and be detained therein as if he had voluntarily entered, or in case such Person shall not be received into Her Majesty's Navy, he shall, on Conviction thereof before Two Justices of the Peace, at or near the Place where he shall deliver himself up or confess or where he may at any Time happen to be, be adjudged to be punished, if in *England*, as a Rogue and a Vagabond, and if in *Scotland* or *Ireland*, by Commitment to some Prison or House of Correction, there to be kept to hard Labour for any Time not exceeding Three Months.

Penalty for persuading Persons to desert or absent themselves from Duty.

XI. And be it enacted, That every Person who, by Words or any other Means whatsoever, shall persuade any Person in Her Majesty's Navy to desert or improperly absent himself from his Duty shall forfeit and pay the Sum of Twenty Pounds for every such Act; and every Person who shall assist or procure any Person in Her Majesty's Navy to desert or improperly absent himself from his Duty, or shall conceal, employ, or continue to employ any Person belonging to Her Majesty's Navy who shall be a Deserter, or improperly absent from his Duty, knowing him to be such a Deserter or so improperly absent, shall forfeit and pay the Sum of Thirty Pounds for every such Assistance, Procurement, Concealment, Employment, or continuing of Employment as aforesaid.

Penalty as regards Gaolers, &c.

XII. And be it enacted, That every Governor, Gaoler, and Keeper of any Prison, Gaol, or House of Correction, and every Officer having the Charge or Command of any Place, Ship, or Vessel for Imprisonment, who shall refuse or neglect to receive or confine, remove, discharge, or deliver up any Prisoner or Offender as herein prescribed, shall forfeit for every such Refusal or Neglect the Sum of One hundred Pounds.

Recovery and Application of Penalties.

XIII. And be it enacted, That all Penalties and Forfeitures imposed by this Act shall and may be recovered with Costs, either by Information or Complaint, by summary Proceedings before any Justice or

or Justices of the Peace residing in or near to the Place where the Offence shall be committed, or where the Offender shall at any Time happen to be, and whether the Offence be committed in or out of Her Majesty's Dominions, or within the Jurisdiction of the Admiralty of *England*, or not; and if the Sum imposed as a Penalty by any such Justice or Justices shall not be paid, either immediately after the Conviction or within such reasonable Time as such Justice or Justices shall at the Time of the Conviction appoint, it shall be lawful for the Justice or Justices to commit the Offender or Offenders to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to hard Labour, according to the Discretion of such Justice or Justices, for any Term not exceeding Six Calendar Months, the Commitment to be determinable upon Payment of the Amount and Costs; and all Penalties and Forfeitures recoverable under this Act shall be paid and applied in manner following; (that is to say,) One Moiety of such Penalty shall be paid to the Informer or Complainant, and the Residue thereof shall be paid to the Commissioners of *Greenwich* Hospital, any thing in an Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, or in any other Act or Acts of Parliament to the contrary notwithstanding. 5 & 6 W. 4. c. 76.

Power to summon Witnesses.

XIV. And be it enacted, That any Justice or Justices of the Peace may summon any Witness to appear and give Evidence before him or them upon any Matter cognizable under this Act, at a Time and Place appointed for hearing the Information or Complaint, and by Warrant under his Hand and Seal or their Hands and Seals may require any Person to be brought before him or them, who shall neglect or refuse to appear to give Evidence at the Time or Place appointed in such Summons, Proof upon Oath being first given of personal Service of the Summons upon the Person against whom such Warrant shall be granted; and such Justice or Justices may commit any Person coming or brought before him or them, who shall refuse to give Evidence, to any Common Gaol or House of Correction, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, or until such Person shall sooner submit himself to be examined, and in case of such Submission the Order of any such Justice or Justices shall be sufficient Warrant for the Discharge of such Person.

Form of Conviction.

XV. And be it enacted, That the Justice or Justices before or by whom any Person or Persons shall be summarily convicted of any Offence against this Act, may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall require; (that is to say,)

'BE it remembered, That on the Day of in the Year of our Lord at , in the County of [*or*, Riding, Division, Liberty, City, *et cætera, as the Case may be,*] *A. O.* is convicted before me [*or* us, *naming the Justice or Justices,*] One [*or* Two] of Her Majesty's Justices of the Peace for the said County [*or* Riding, *et cætera*], for that he the said *A. O.* did [*specify the Offence and the Time and Place when and where the same was committed, as the Case may be,*] and I [*or* we] the said Justice [*or* Justices] do adjudge the said *A. O.*, for his said Offence, to forfeit and pay the Sum of [*here state the Amount of Fine imposed,*] and I [*or* we] the said Justice [*or* Justices] do also adjudge the said *A. O.* to pay the Sum of for Costs; and in default of immediate Payment of the said Sums of and [*or* in default of Payment of the said Sums of and on or before the Day of] I [*or* we] the said Justice [*or* Justices] do adjudge the said *A. O.* to be imprisoned [*or* to be imprisoned and kept to hard Labour] in the for the Space of unless the said Sums shall be sooner paid; and I [*or* we] direct that the Sum of , Part of the said Penalty, together with the said Sum of for Costs, shall be paid to *C. D.* [*the Party informing or complaining,*] and the Residue of the said Penalty shall be paid to the Commissioners of Greenwich Hospital.

'Given under my Hand [*or* our Hands] the Day and Year first above written.'

No Certiorari, &c.

XVI. And be it enacted, That no Conviction under this Act shall be quashed for Want of Form, or be removed by Certiorari or otherwise into any of Her Majesty's Superior Courts of Record, and no Warrant, Commitment, or Order for Imprisonment shall be held void by reason of any Defect therein, provided it be therein alleged that the Person has been convicted or ordered to be imprisoned, and there be a good and valid Conviction or an Offence to sustain the same.

Act may be amended, &c.

XVII. And be it enacted, That this Act may be amended or repealed by any Act to be passed during this present Session of Parliament.

CAP. LXIII.

An Act for limiting the Time of Service in the Royal Marine Forces. [2d *July* 1847.]

'WHEREAS it is expedient to amend the System of Enlistment now in use in the Royal Marine Forces:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That after the passing of this Act no Person shall be enlisted to serve in the Royal Marine Forces as a Marine for a longer Term than Twelve Years, to be reckoned from the Day on which the Recruit shall have been attested, if he shall have stated himself to be then of the Age of Eighteen Years, or if not, then from the Day on which he will complete the Age of Eighteen Years, to be reckoned according to the Age stated in his Attestation.

After passing of this Act the Period for Enlistment for a Marine limited.

II. And

Repealing certain Questions in Schedule to 10 & 11 Vict. c. 13., &c.

II. And be it enacted, That such of the Questions relative to Enlistment as are contained in the Schedule of an Act passed in the present Session of Parliament, intituled *An Act for the Regulation of Her Majesty's Royal Marine Forces while on Shore*, as relates to the enlisting and attesting of Marines shall be repealed, and that in all Cases of Enlistment to serve in the Royal Marine Forces the Questions directed to be put on the Attestation of Recruits as to their Willingness to serve shall be in the Form contained in Schedule (A.) hereto annexed.

Marines on Completion of Term of limited Service may be re-engaged.

III. And be it enacted, That any Marine at any Time during the last Six Months of the Term of limited Service for which he shall have first engaged, or after the Completion of such Term, may, if approved by his Commanding Officer or other competent Authority as a fit Person to continue in Her Majesty's Service as a Marine, be re-engaged to serve for the further Term of Twelve Years in the Royal Marine Forces, upon making a Declaration in the Form given in the Schedule marked (B.), and annexed to this Act, before any One of Her Majesty's Justices of the Peace in *Great Britain* or *Ireland*, or if not in *Great Britain* or *Ireland*, before any Person duly appointed by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, in that Behalf, or who, under any Act now in force or which shall hereafter be in force for the Regulation of Her Majesty's Royal Marine Forces while on Shore, has or shall have Power to enlist and attest out of *Great Britain* and *Ireland* any Marines or Persons desirous of enlisting or re-enlisting into the Royal Marine Forces.

As to the Enlistment of Marines ordered on Foreign Service.

IV. Provided also, and be it enacted, That any Marine who shall be ordered on Foreign Service, and who is within Three Years of the Expiration of his first Engagement, shall be at liberty, with the Approbation of his Commanding Officer, to re-engage, before he embarks for such Foreign Service, for such Period as shall complete a total Service of Twenty-four Years, according to the Form given in Schedule (B.), and annexed to this Act.

If Terms of limited Services expire while Marines are on any Foreign Station, they may be prolonged for a further Time.

V. Provided always, and be it enacted, That if either the First or Second Term of limited Service for which any Marine shall have so engaged shall expire while he is serving on any Foreign Station, the said First or Second Term of limited Service may be prolonged for such further Time, not exceeding Two Years, as shall be directed by the Commanding Officer on such Foreign Station; and that any Marine who shall give Notice to his Commanding Officer, after completing his Second Term of limited Service, that he is desirous of continuing in Her Majesty's Service as a Marine, and being approved by his Commanding Officer or other competent Authority, may be continued in such Service as a Marine so long as he shall desire to be so continued, and until the Expiration of Three Calendar Months after he shall have given Notice to his Commanding Officer of his Wish to be discharged, and for that Purpose shall be considered in all respects during such Time as if his Term of Service were still unexpired.

If at the Expiration of such Terms of Service Marines are unwilling to re-engage themselves, they shall be conveyed home.

If Marines desire to remain in the Colony, Governor, &c. may permit them to do so.

VI. Provided also, and be it enacted, That if at the Expiration of such First or Second Term of limited Service, or of such Term of prolonged Service, any Marine entitled to his Discharge being on any Foreign Station shall not be willing to re-engage or to continue in Her Majesty's Service, his Commanding Officer shall, as in the Case of Marines invalided, take the usual Measures, with all convenient Despatch, for the Conveyance of such Marine to *England*, and on the Arrival of such Marine in *England* he shall be finally discharged: Provided always, that during such Time as may elapse between the Expiration of such Terms of Service as aforesaid and his final Discharge in *England* such Marine shall remain subject to the same Discipline as fully as he may have been subject thereto before the Expiration of such Terms of Service: Provided also, that if at the Expiration of any such First or Second Term of limited Service, or of such Term of prolonged Service, any Marine being in any of Her Majesty's Colonies shall claim his Discharge, and shall signify to the Governor of such Colony through the Commanding Officer of such Marine his Desire to remain in such Colony, it shall be lawful for such Governor, if he shall think fit, with the Consent of such Commanding Officer, to permit such Marine to remain therein, and thereupon such Marine shall be finally discharged, and shall not be entitled to claim to be conveyed to *England* at the public Charge at any future Period.

If Term of Enlistment of Marine expire after any Offence committed, &c., he shall be deemed to be in the Service till after Trial, &c. for the same.

VII. And be it enacted, That if the Term for which any Non-commissioned Officer or Marine shall have been enlisted or re-engaged, or for which his Term of Service may have been prolonged as aforesaid, shall expire after any Offence committed by him, and before he has been tried or punished for the same, such Non-commissioned Officer or Marine shall, notwithstanding the Expiration of his Term of Service, be deemed and taken to be still in the Royal Marine Forces for the Purpose of undergoing his Trial and Punishment, but for no other Purpose: Provided always, that no Non-commissioned Officer or Marine shall be so tried after the Expiration of his Service, except by a Naval Court-martial, or by a General or District or Garrison Court-martial, as the Case may require.

If Marines are absent from Duty by reason of Imprisonment, &c., such Portion of Time not to be reckoned as Part of limited Enlistment.

VIII. And be it enacted, That if any Non-commissioned Officer or Marine shall have been absent from his Duty during any Portion of the Time limited by his Enlistment or Re-engagement or Prolongation of Service by reason of his Imprisonment, whether under Sentence of a Court-martial or of any other Court duly authorized to pass such Sentence, or by reason of his Confinement for Debt, or by reason of his Desertion, such Portion of his Time shall not be reckoned as a Part of the limited Service for which such Non-commissioned Officer or Marine was enlisted or re-engaged, or for which his Term of Service may have been prolonged as aforesaid; and if any Non-commissioned Officer or Marine shall have been absent from his Duty during any Portion of the Time limited by his Enlistment or Re-engagement or Prolongation of Service by reason of his having been made a Prisoner of War, the Circumstances under which he was so made a Prisoner shall, on his rejoining Her Majesty's Service, be subjected to Inquiry by a Court-martial; and if it shall appear to the Satisfaction of the Court that he was taken Prisoner through his own wilful Neglect of his Duty, or that he has or has not returned to his Duty so soon as he could

could and ought to have returned, the Court may by its Sentence direct that all or any Part of the Time during which such Non-commissioned Officer or Marine shall have been so absent may be deducted from his Term of Service.

IX. And be it enacted, That this Act shall take effect from and after the First Day of *August* One thousand eight hundred and forty-seven. Commencement of Act.

X. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

QUESTIONS to be put separately by the JUSTICE to a RECRUIT on ENLISTING.

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?
8. Are you willing to be attested to serve in the Royal Marine Forces for the Term of [*this Blank to be filled up by the Justice with Twelve Years if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Twelve Years*], provided Her Majesty should so long require your Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station?
9. At what Place, on what Day, at what Hour of the Day, and by whom were you enlisted?
10. For what Bounty did you enlist?
11. Have you any Objection to make to the Manner of your Enlistment?
12. Do you now belong to the Militia?
13. Do you belong to any Regiment, or to the Marines, Ordnance, or Navy, or to the Forces of the East India Company?
14. Have you ever served in the Army, Marines, Ordnance, or Navy, or in the Forces of the East India Company? *
15. Have you ever been rejected as unfit for Her Majesty's Service, or for the Service of the East India Company, upon any prior Enlistment?

Note.—The Justice is directed, first, to ascertain that Twenty-four Hours have elapsed since the Enlistment took place; and in putting the Twelfth Question to the Recruit, and before he receives his Answer, distinctly to apprize the Recruit that if he belongs to the Militia and denies the Fact he is liable to Six Months Imprisonment.

* If so, the Recruit is to state the Particulars of his former Service, and the Cause of his Discharge, and is to produce the Certificate of his Discharge, if he has it with him.

SCHEDULE (B.)

I, do declare, That I am at present [*or* was, *as the Case may be*,] in the Division of the Royal Marine Forces; that I enlisted on the Day of for a Term of Years; that I am of the Age of Years; and that I will serve Her Majesty, Her Heirs and Successors, as a Marine for a further Term of Years [*to be filled up with Twelve Years, and in the Case of a Marine about to embark for Foreign Service, with such Number of Years as shall be required to complete a total Service of Twenty-four Years*], provided my Services should so long be required, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

Declared before me

Signature of Marine.
Signature of Witness.

C A P. LXIV.

An Act to suspend until the First Day of *March* One thousand eight hundred and forty-eight the Duties on the Importation of Corn, Maize, Rice, Grain, Meal, Flour, Biscuit, and certain other similar Articles. [9th *July* 1847.]

'WHEREAS by an Act passed in the present Session of Parliament, intituled *An Act to suspend until the First Day of* September *One thousand eight hundred and forty-seven the Duties on the Importation of Corn*, it is enacted that no Duties of Customs shall be chargeable on any Corn, Grain, Meal, or Flour imported into the United Kingdom or the *Isle of Man* from Parts beyond the Seas, and entered for Home Consumption, before the First Day of *September* in this present Year: And whereas by another Act, also passed in the present Session of Parliament, intituled *An Act to suspend until the First* 10&11 Vict.c.1. 10&11 Vict.c.3.

'*First Day of* September *One thousand eight hundred and forty-seven the Duties on the Importation of* '*Buck Wheat, Buck Wheat Meal, Maize or Indian Corn, Indian Corn Meal, and Rice,* it is enacted 'that no Duties shall be chargeable upon any of the aforesaid Articles imported into the United Kingdom, 'and entered for Home Consumption, before the said First Day of *September* in the present Year: And 'whereas it is expedient that the said several Articles and the other Articles herein-after mentioned 'should be admitted into this Country free of Duty for a further Period:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Duties of Customs shall be chargeable upon any Corn, Grain, Meal, Flour, Buck Wheat, Buck Wheat Meal, Maize or Indian Corn, Indian Corn Meal, Rice, Rice Meal, Barley (Pot or Hulled), Mandioca Flour, Ship Biscuit or Biscuit of other Kinds (not being Fancy Biscuit or Confectionery), imported into the United Kingdom, nor upon any Corn, Grain, Meal, or Flour imported into the *Isle of Man* from Parts beyond the Seas, and entered for Home Consumption, before the First Day of *March* which will be in the Year of Our Lord One thousand eight hundred and forty-eight.

Duties on Corn, &c. suspended till 1st March 1848.

Act may be amended, &c.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

CAP. LXV.

An Act for consolidating in One Act certain Provisions usually contained in Acts authorizing the making of Cemeteries. [9th *July* 1847.]

'WHEREAS it is expedient to comprise in One Act sundry Provisions usually contained in Acts of 'Parliament authorizing the making of Cemeteries, and that as well for avoiding the Necessity 'of repeating such Provisions in each of the several Acts relating to such Undertakings as for ensuring 'greater Uniformity in the Provisions themselves:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall extend only to such Cemeteries as shall be authorized by any Act of Parliament hereafter to be passed which shall declare that this Act shall be incorporated therewith, and all the Clauses of this Act, save so far as they shall be expressly varied or excepted in any such Act, shall apply to the Cemetery authorized thereby, so far as they are applicable to such Cemetery, and shall, with the Clauses of every other Act incorporated therewith, form Part of such Act, and be construed therewith as forming One Act.

Extent of Act.

Interpretations in this Act.

And with respect to the Construction of this Act and any Act incorporated therewith, be it enacted as follows:

"special Act:"

II. The Expression "the special Act" used in this Act shall be construed to mean any Act which shall be hereafter passed authorizing the making of a Cemetery, and with which this Act shall be incorporated;

"prescribed:"

and the Word "prescribed" used in this Act in reference to any Matter herein stated shall be construed to refer to such Matter as the same shall be prescribed or provided for in the special Act; and the Sentence in which such Word occurs shall be construed as if instead of the Word "prescribed" the Expression

"Lands:"

"prescribed for that Purpose in the special Act" had been used; and the Expression "the Lands" shall mean the Lands which shall by the special Act be authorized to be taken or used for the Purposes thereof;

"Company."

and the Expression "the Company" shall mean the Persons by the special Act authorized to construct the Cemetery.

Interpretations in this and the special Act.

III. The following Words and Expressions in both this and the special Act, and any Act incorporated therewith, shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Number: Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number only shall include also the Singular Number:

Gender: Words importing the Masculine Gender shall include Females:

"Person:" The Word "Person" shall include a Corporation, whether aggregate or sole:

"Lands:" The Word "Lands" shall include Messuages, Lands, and Hereditaments of any Tenure:

"the Cemetery:" The Expression "the Cemetery" shall mean the Cemetery or Burial Ground, and the Works connected therewith, by the special Act authorized to be constructed:

"Month:" The Word "Month" shall mean Calendar Month:

"Superior Courts:" The Expression "Superior Courts" shall mean Her Majesty's Superior Courts at *Westminster* or *Dublin*, as the Case may require, and shall include the Court of Common Pleas of the County Palatine of *Lancaster* and the Court of Pleas of the County of *Durham:*

"Oath:" The Word "Oath" shall include Affirmation in the Case of Quakers, and any Declaration lawfully substituted for an Oath in the Case of any other Persons allowed by Law to make a Declaration instead of taking an Oath:

"Established Church:" The Expression "Established Church" shall mean the United Church of *England* and *Ireland* as by Law established:

"County:" The Word "County" shall include any Riding or other Division of a County having a separate Commission of the Peace, and shall also include the County of a City or County of a Town:

"Justice:" The Word "Justice" shall mean Justice of the Peace acting for the Place where the Matter requiring the Cognizance of any such Justice arises, and if such Matter arise in respect of Lands situated not wholly in one Jurisdiction shall mean a Justice acting for the Place where any Part of such Lands shall

shall be situated; and where any Matter is authorized or required to be done by "Two Justices" the Expression "Two Justices" shall be understood to mean Two or more Justices met and acting together: "Two Justices:"

The Expression "Quarter Sessions" shall mean the Quarter Sessions as defined by the special Act, or if such Expression be not therein defined it shall mean the General or Quarter Sessions of the Peace which shall be held at the Place nearest the Cemetery for the County or Place in which the Cemetery or some Part thereof is situated, or for some Division of such County having a separate Commission of the Peace. "Quarter Sessions."

Citing the Act.

And with respect to citing this Act or any Part thereof, be it enacted as follows:

Short Title of this Act.

IV. In citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The Cemeteries Clauses Act, 1847."

Form in which Portions of this Act may be incorporated in other Acts.

V. For the Purpose of incorporating Part only of this Act with any Act hereafter to be passed it shall be enough to describe the Clauses of this Act with respect to any Matter in the Words introductory to the Enactment with respect to such Matter, and to enact that the Clauses so described, or that this Act with the Exception of the Clauses so described, shall be incorporated with such Act, and thereupon all the Clauses of this Act so incorporated shall, save so far as they are expressly varied or excepted by such Act, form Part of such Act, and such Act shall be construed as if such Clauses were set forth therein with reference to the Matter to which such Act relates.

Making of Cemetery.

And with respect to the making of the Cemetery, be it enacted as follows:

Construction of Cemetery to be subject to the Provisions of this and the Lands Clauses Consolidation Act, 1845.

VI. Where by the special Act the Company shall be empowered, for the Purpose of making the Cemetery, to take or use any Lands otherwise than with the Consent of the Owners and Occupiers thereof, they shall, in exercising the Power so given to them, be subject to the Provisions and Restrictions contained in this Act and the Lands Clauses Consolidation Act, 1845, and shall make to the Owners and Occupiers of and all other Parties interested in any Lands taken or used for the Purposes of the special Act, or injuriously affected by the Construction of the Works thereby authorized, full Compensation for the Value of the Lands so taken or used, and for all Damage sustained by such Owners, Occupiers, or other Parties, by reason of the Exercise, as regards such Lands, of the Powers vested in the Company by this or the special Act, or any Act incorporated therewith, and, except where otherwise provided by this or the special Act, the Amount of such Compensation shall be determined in the Manner provided by the Lands Clauses Consolidation Act, 1845, for determining Questions of Compensation with regard to Lands purchased or taken under the Provisions thereof, and all the Provisions of the last-mentioned Act shall be applicable to determine the Amount of such Compensation, and to enforce Payment or other Satisfaction thereof.

Errors and Omissions in Act or Schedule to be corrected by Justices, who shall certify the same.

Certificate to be deposited.

VII. If any Omission, Mis-statement, or wrong Description shall have been made of any Lands, or of the Owners, Lessees, or Occupiers of any Lands, described in the special Act or the Schedule thereto, the Company, after giving Ten Days Notice to the Owners of the Lands affected by such proposed Correction, may apply to Two Justices for the Correction thereof, and if it appear to such Justices that such Omission, Mis-statement, or wrong Description arose from Mistake, they shall certify the same accordingly, and shall in such Certificate state the Particulars of any such Omission, Mis-statement, or wrong Description; and such Certificate shall be deposited with the Clerk of the Peace of the County in which the Lands affected thereby shall be situated, and thereupon the special Act or Schedule shall be deemed to be corrected according to such Certificate, and the Company make take the Lands according to such Certificate, as if such Omission, Mis-statement, or wrong Description had not been made.

Copies of Plans, &c. to be Evidence.

VIII. Copies of any Alteration or Correction of the special Act, or the Schedule thereto, or of any Extract therefrom, certified by any such Clerk of the Peace in whose Custody such Alteration or Correction may be, which Certificate such Clerk of the Peace shall give to all Parties interested, when required, shall be received in all Courts of Justice or elsewhere as Evidence of the Contents thereof.

Company not to dispose of consecrated Land.

IX. The Company shall not sell or dispose of any Land which shall have been consecrated or used for the Burial of the Dead, or make use of such Land for any Purpose except such as shall be authorized by this or the special Act, or any Act incorporated therewith.

Cemetery not to be within a certain Distance of Houses.

X. No Part of the Cemetery shall be constructed nearer to any Dwelling House than the prescribed Distance, or if no Distance be prescribed, Two hundred Yards, except with the Consent in Writing of the Owner, Lessee, and Occupier of such House.

Company may build Chapels, &c.

XI. The Company upon any Land which by the special Act they are authorized to use for the Purposes of the Cemetery may build such Chapels for the Performance of the Burial Service as they think fit, and may lay out and embellish the Grounds of the Cemetery as they think fit.

Company may make or widen Approaches.

XII. The Company upon any Land purchased by them under this or the special Act, or any Act incorporated therewith, may make any new Roads to the Cemetery, or widen or improve any existing Roads thereto which they think fit.

No Road to be widened without Consent.

XIII. Provided always, That the Company shall not widen or improve any existing Road without the Consent of the Owner thereof, if the Road be private, or if the Road be public, without the Consent of the Persons in whom the Management of the Road is vested by Law.

Agreements for improving Roads may be entered into.

XIV. The Company and the Owners or Persons having the Management of any such Road as aforesaid may enter into such Agreements as they think fit, for enabling the Company to widen or improve any such Road, and for maintaining the same.

Cemetery to be inclosed and fenced.

XV. Every Part of the Cemetery shall be inclosed by Walls or other sufficient Fences of the prescribed Materials and Dimensions, and if no Materials or Dimensions be prescribed by substantial Walls or Iron Railings of the Height of Eight Feet at least.

Cemetery, &c. to be kept in repair.

XVI. The Company shall keep the Cemetery and the Buildings and Fences thereof in complete Repair, and in good Order and Condition, out of the Monies to be received by them by virtue of this and the special Act.

Company to make Compensation for Damages.

XVII. Provided always, That in the Exercise of the Powers by this and the special Act granted to the Company they shall do as little Damage as can be, and shall make full Compensation to all Parties interested for all Damage sustained by them through the Exercise of such Powers.

Prevention of Nuisances.

And with respect to preventing Nuisance from the Cemetery, be it enacted as follows:

Power to make Sewers, Drains, &c. in and about the Cemetery.

XVIII. The Company shall make all necessary and proper Sewers and Drains in and about the Cemetery, for draining and keeping the same dry, and they may from Time to Time, as Occasion requires, cause any such Sewer or Drain to open into any existing Sewer, with the Consent in Writing of the Persons having the Management of such Sewer, and with the Consent in Writing of the Persons having the Management of the Street or Road, and of the Owners and Occupiers of the Lands through which such Opening is made, doing as little Damage as possible to the Road or Ground wherein such Sewer or Drain may be made, and restoring it to the same or as good Condition as it was in before being disturbed.

Certain Provisions of Waterworks Clauses Act, 1847, incorporated with this Act.

XIX. When any Street or Road or Sewer shall be opened, with such Consent as aforesaid, the Clauses of the Waterworks Clauses Act, 1847, with respect to breaking up Streets for the Purpose of laying Pipes, so far as the same are consistent with this Act and applicable thereto, shall be incorporated with this Act, and shall apply to the Company, and to any Ground broken by them for making any such Sewer or Drain as aforesaid to open into any existing Sewer.

Penalty for allowing Water to be fouled.

XX. If the Company at any Time cause or suffer to be brought or to flow into any Stream, Canal, Reservoir, Aqueduct, Pond, or Watering Place, any offensive Matter from the Cemetery, whereby the Water therein shall be fouled, they shall forfeit for every such Offence the Sum of Fifty Pounds.

Penalty to be sued for within Six Months.

XXI. The said Penalty, with full Costs of Suit, may be recovered by any Person having Right to use the Water fouled by such offensive Matter, in any of the Superior Courts, by Action of Debt or on the Case: Provided always, that the said Penalty shall not be recoverable unless the same be sued for during the Continuance of the Offence, or within Six Months after it has ceased.

In addition to Penalty of 50*l.*, a daily Penalty during the Continuance of the Offence.

XXII. In addition to the said Penalty of Fifty Pounds (and whether such Penalty is recovered or not), any Person having Right to use the Water fouled by such offensive Matter may sue the Company in an Action on the Case in any Court of competent Jurisdiction for any Damage specially sustained by him by reason of the Water being so fouled; or if no special Damage be alleged, for the Sum of Ten Pounds for each Day during which such offensive Matter is brought or flows as aforesaid after the Expiration of Twenty-four Hours from the Time when Notice of the Offence is served on the Company by such Person.

Burials.

And with respect to Burials in the Cemetery, be it enacted as follows:

Part of Cemetery to be set apart for Burial according to Established Church.

XXIII. The Bishop of the Diocese in which the Cemetery is situated may, on the Application of the Company, consecrate any Portion of the Cemetery set apart for the Burial of the Dead according to the Rites of the Established Church, if he be satisfied with the Title of the Company to such Portion, and thinks fit to consecrate such Portion; and the Part which is so consecrated shall be used only for Burials according to the Rites of the Established Church.

Such Part to be defined.

XXIV. The Company shall define by suitable Marks the consecrated and unconsecrated Portions of the Cemetery.

A Chapel for the Established Church to be constructed.

XXV. The Company shall build, within the consecrated Part of the Cemetery, and according to a Plan approved of by the Bishop of the Diocese, a Chapel for the Performance of the Burial Service according to the Rites of the Established Church.

Bodies not to be removed after Interment.

XXVI. No Body buried in the consecrated Part of the Cemetery shall be removed from its Place of Burial without the like Authority as is by Law required for the Removal of any Body buried in the Churchyard belonging to a Parish Church.

Chaplain to be appointed with Consent of the Bishop.

XXVII. The Company shall from Time to Time, with the Approval of the Bishop of the Diocese in which the Cemetery is situated, appoint a Clerk in Holy Orders of the Established Church to officiate as Chaplain in the consecrated Part of the Cemetery; and such Chaplain shall be licensed by and be subject to the Jurisdiction of the said Bishop, and the said Bishop shall have Power to revoke any such Licence, and to remove such Chaplain, for any Cause which appears to him reasonable.

Chaplain to perform Burial Service when required.

XXVIII. The Chaplain shall, when required, unless prevented by Sickness or other reasonable Cause, perform the Burial Service over all Bodies brought to be buried in the consecrated Part of the Cemetery which are entitled to be buried in consecrated Ground according to the Rites and Usage of the Established Church.

Other Clergymen of the Established Church may officiate.

XXIX. Any Clerk in Holy Orders of the Established Church, not being prohibited by the Bishop, nor under Ecclesiastical Censure, at the Request of the Executor of the Will of any deceased Person, or any other Person having the Charge of the Burial of the Body of any deceased Person, and with the Consent of the Chaplain for the Time being of the Cemetery, or if there be no Chaplain with the Consent

Consent of the Bishop, may perform the said Burial Service over such Body in the consecrated Part of the Cemetery. *Burials.*

XXX. The Company, out of the Monies to be received by virtue of this and the special Act, shall allow to the Chaplain of the Cemetery for the Time being such a Stipend as is approved of by the Bishop of the Diocese in which the Cemetery is situated, which shall be payable, by equal Moieties, on the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* in each Year; and if any Chaplain die, resign, or be removed or appointed, in the Interval between the half-yearly Days of Payment, the Company shall pay to him, or his Executors or Administrators, a Part only of the half-yearly Payment of the Stipend proportioned to the Time during which he shall have been the Chaplain since the last preceding Day of Payment. Company to pay the Chaplain a Stipend approved by the Bishop.

XXXI. If the Stipend of the said Chaplain, or any Part thereof, be not paid to the Chaplain entitled to receive the same, or to the Executors or Administrators of a deceased Chaplain, for the Space of Thirty Days next after any of the Days of Payment whereon the same ought to be paid, such Chaplain, or his Executors or Administrators, may recover the same, with full Costs of Suit, against the Company, by Action of Debt or upon the Case in any Court of competent Jurisdiction. Stipend to be recovered by Action at Law.

XXXII. All Burials in the consecrated Part of the Cemetery shall be registered in Register Books to be provided by the Company, and kept for that Purpose by the Chaplain, according to the Laws in force by which Registers are required to be kept by the Rectors, Vicars, or Curates of Parishes or Ecclesiastical Districts in *England;* and such Register Books, or Copies or Extracts therefrom, shall be received in all Courts in Evidence of such Burials; and Copies or Transcripts thereof shall be from Time to Time sent to the Registrar of the Ecclesiastical Court of the Bishop of the Diocese in which the Cemetery is situated, to be kept with the Copies of the other Register Books of the Parishes within his Diocese. Burials in the consecrated Portion to be registered by the Chaplain.

XXXIII. The said Register Books, so far as respects Searches to be made therein, and Copies and Extracts to be taken therefrom, shall be subject to the same Regulations as are provided by an Act passed in the Seventh Year of the Reign of His late Majesty, intituled *An Act for registering Births, Deaths, and Marriages in* England, so far as such Regulations relate to Register Books of Burials kept by any Rector, Vicar, or Curate. Registers to be subject to the Regulations of 6 & 7 W. 4. c. 86. as to Searches, &c.

XXXIV. The Company may, with the Consent of the Chaplain for the Time being, from Time to Time appoint a Clerk to assist in performing the Service for Burials in the consecrated Part of the Cemetery, and allow to such Clerk such Stipend as they think proper out of the Monies to be received by virtue of this and the special Act, and they may remove such Clerk at their Pleasure. Clerk appointed for the consecrated Part of the Cemetery.

XXXV. The Company may set apart the whole or a Portion of that Part of the Cemetery which is not set apart for Burials according to the Rites of the Established Church as a Place of Burial for the Bodies of Persons not being Members of the Established Church, and may allow such Bodies to be buried therein, under such Regulations as the Company appoint. As to Burial of Persons not Members of the Church of England.

XXXVI. The Company may allow, in any Chapel built within the unconsecrated Part of the Cemetery, a Burial Service to be performed according to the Rites of any Church or Congregation other than the Established Church, by any Minister of such other Church or Congregation duly authorized by Law to officiate in such Church or Congregation, or recognized as such by the religious Community or Society to which he belongs. Company may allow any Burial Service to be performed in Dissenting Chapels.

XXXVII. The Company may appoint Gravediggers and other Servants necessary for the Care and Use of the Cemetery, and may pay them such Wages and Allowances as they think fit out of the Monies to be received by virtue of this and the special Act, and may remove them or any of them at their Pleasure. Power to appoint Gravediggers, &c.

XXXVIII. The Company shall make Regulations for ensuring that all Burials within the Cemetery are conducted in a decent and solemn Manner. For ensuring Decency, &c.

XXXIX. No Body shall be buried in any Vault under any Chapel of the Cemetery, or within Fifteen Feet of the outer Wall of any such Chapel. No Burials under Chapels, &c.

And with respect to exclusive Rights of Burial, and Monumental Inscriptions, in the Cemetery, be it enacted as follows: *Exclusive Rights of Burial.*

XL. The Company may set apart such Parts of the Cemetery as they think fit for the Purpose of granting exclusive Rights of Burial therein, and they may sell, either in perpetuity or for a limited Time, and subject to such Conditions as they think fit, the exclusive Right of Burial in any Parts of the Cemetery so set apart, or the Right of One or more Burials therein, and they may sell the Right of placing any Monument or Gravestone in the Cemetery, or any Tablet or monumental Inscription on the Walls of any Chapel or other Building within the Cemetery. Parts of Cemetery may be set apart for exclusive Burial. Monumental Inscriptions.

XLI. The Company shall cause a Plan of the Cemetery to be made upon a Scale sufficiently large to show the Situation of every Burial Place in all the Parts of the Cemetery so set apart, and in which an exclusive Right of Burial has been granted; and all such Burial Places shall be numbered, and such Numbers shall be entered in a Book to be kept for that Purpose, and such Book shall contain the Names and Descriptions of the several Persons to whom the exclusive Right of Burial in any such Place of Burial has been granted by the Company; and no Place of Burial, with exclusive Right of Burial therein, shall be made in the Cemetery without the same being marked out in such Plan, and a corresponding Entry made in the said Book, and the said Plan and Book shall be kept by the Clerk of the Company. Plan and Book of Reference to be kept, and be open to Inspection.

XLII. The Grant of the exclusive Right of Burial in any Part of the Cemetery, either in perpetuity or for a limited Time, and of the Right of One or more Burials therein, or of placing therein any Monument, Form of Grant of Burial in Vault, &c. to

be according to Schedule.

ment, Tablet, or Gravestone, may be made in the Form in the Schedule to this Act annexed, or to the like Effect, and where the Company are not incorporated it may be executed by the Company or any Two or more of them.

Register of Grants to be kept.

XLIII. A Register of all such Grants shall be kept by the Clerk to the Company, and within Fourteen Days after the Date of any such Grant an Entry or Memorial of the Date thereof and of the Parties thereto, and also of the Consideration for such Grant, and also a proper Description of the Ground described in such Grant, so as the Situation thereof may be ascertained, shall be made by the said Clerk in such Register; and such Clerk shall be entitled to demand such Sum as the Company think fit, not exceeding the prescribed Sum, or if no Sum be prescribed Two Shillings and Sixpence, for every such Entry or Memorial; and the said Register may be perused at all reasonable Times by any Grantee or Assignee of any Right conveyed in any such Grant, upon Payment of the prescribed Sum, or if no Sum be prescribed the Sum of One Shilling, to the Clerk of the Company.

Rights of Burial, &c. assignable.

XLIV. The exclusive Right of Burial in any such Place of Burial shall, whether granted in perpetuity or for a limited Time, be considered as the Personal Estate of the Grantee, and may be assigned in his Lifetime or bequeathed by his Will.

Form of Assignment.

XLV. Every such Assignment made in the Lifetime of the Assignor shall be by Deed duly stamped, in which the Consideration shall be duly set forth, and may be in the Form in the Schedule to this Act annexed, or to the like Effect.

Assignments to be registered.

XLVI. Every such Assignment shall, within Six Months after the Execution thereof, if executed in *Great Britain* or *Ireland*, or within Six Months after the Arrival thereof in *Great Britain* or *Ireland*, if executed elsewhere, be produced to the Clerk of the Company, and an Entry or Memorial of such Assignment shall be made in the Register by the Clerk of the Company, in the same Manner as that of the original Grant; and until such Entry or Memorial no Right of Burial shall be acquired under any such Memorial; and for every such Entry or Memorial the Clerk shall be entitled to demand such Sum as the Company think fit, not exceeding the prescribed Sum, or if no Sum be prescribed Two Shillings and Sixpence.

Probates of Wills to be registered.

XLVII. An Entry or Memorial of the Probate of every Will by which the exclusive Right of Burial within the Cemetery is bequeathed, and in case there be any specific Disposition of such exclusive Right of Burial in the said Will an Entry of such Disposition, shall, within Six Months after the Probate of such Will, be made in the said Register, in the same Manner as that of the original Grant, and until such Entry no Right of exclusive Burial shall be acquired under such Will; and for every such Entry or Memorial the Clerk of the Company shall be entitled to demand such Sum as the Company think fit, not exceeding the prescribed Sum, or if no Sum be prescribed Two Shillings and Sixpence.

Vaults to be kept exclusively for Purchasers.

XLVIII. No Body shall be buried in any Place wherein the exclusive Right of Burial shall have been granted by the Company, except with the Consent of the Owner for the Time being of such exclusive Right of Burial.

Such Grant not to give Right of Burial in consecrated Ground in certain Cases.

XLIX. No such Grant as aforesaid shall give the Right to bury within the consecrated Part of the Cemetery the Body of any Person not entitled to be buried in consecrated Ground according to the Rites and Usage of the Established Church, or to place any Monument, Gravestone, Tablet, or monumental Inscription respecting any such Body within the consecrated Part of the Cemetery.

Power to remove certain Monuments.

L. The Company may take down and remove any Gravestone, Monument, Tablet, or monumental Inscription which shall have been placed within the Cemetery without their Authority.

Bishop may object to monumental Inscriptions in consecrated Part of Cemetery.

LI. The Bishop of the Diocese in which the Cemetery is situated, and all Persons acting under his Authority, shall have the same Right and Power to object to the placing, and to and procure the Removal of any monumental Inscription within the consecrated Part of the Cemetery as he by Law has to object to or procure the Removal of any monumental Inscription in any Church or Chapel of the Established Church, or the Burial Ground belonging to such Church or Chapel, or any other consecrated Ground.

Payments to Incumbents of Parishes.

And with respect to Payments to Incumbents of Parishes or Ecclesiastical Districts, and to Parish Clerks, be it enacted as follows:

Payments to Incumbents of Parishes.

LII. The Company shall, on the Burial of every Body within the consecrated Part of the Cemetery, pay to the Incumbent for the Time being of the Parish or Ecclesiastical District from which such Body shall have been removed for Burial, such Sums, if any, as shall be prescribed for that Purpose in the special Act.

Company shall keep Account of Interments.

LIII. For ascertaining the Amount of the Payments, if any, to be made to the Incumbents of the several Parishes or Districts aforesaid, the Company shall cause Books to be kept, and Entries to be made therein of the Names of all Persons whose Bodies are buried within the consecrated Part of the Cemetery, and the Names of the Parishes or Districts from which such Bodies respectively have been removed, and the Manner of their Burial within the Cemetery (distinguishing whether in a Place of exclusive Burial or otherwise), with the Date of such Burial; and such Books shall be at all reasonable Times open to the Inspection of the Incumbents for the Time being of the said several Parishes or Districts, or any Person employed by them, without Fee or Reward.

Account of Payments due to Incumbents of Parishes to be rendered half-yearly.

LIV. The Company shall on the Twenty-fifth Day of *March* and Twenty-ninth Day of *September* in each Year, or within One Month after each of the said Days, deliver to the Person who is the Incumbent of any Parish or Ecclesiastical District on that Day, or to his Executors or Administrators, on Demand made within the said Month, an Account of the Sums, if any, payable in respect of Bodies removed for Burial within the consecrated Part of the Cemetery as aforesaid from such Parish or Ecclesiastical District during

during the Half Year next preceding the said Twenty-fifth Day of *March* or Twenty-ninth Day of *September*, as the Case may be.

Fees to be paid to Incumbents of Parishes half-yearly.

LV. The Sums payable by virtue of the special Act shall be paid half-yearly on the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September*, or within One Month afterwards, to the Persons who are the Incumbents of the Parishes or Ecclesiastical Districts in respect of which the same are payable on such Twenty-fifth Day of *March* and Twenty-ninth Day of *September* respectively, or the Executors or Administrators of such Incumbents; (that is to say,) such Sums as accrue between the Twenty-ninth Day of *September* and the Twenty-fifth Day of *March* following shall be paid to the Person who is the Incumbent on the Twenty-fifth Day of *March*, and such Sums as accrue between the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* following shall be paid to the Person who is the Incumbent on the Twenty-ninth Day of *September*; and if any such Sums be not paid to the Party entitled to receive the same within the Period herein-before limited for the Payment thereof, such Party may recover the same, with full Costs, by Action of Debt or on the Case, in any Court having competent Jurisdiction.

Payment to be made to the Incumbent for the Time being, who is to account with his Predecessor.

LVI. If any Incumbent of any Parish or District in respect of which Sums are payable by the Company by virtue of the special Act ceases to be Incumbent, by Cession, Death, or otherwise, between the said Two half-yearly Days of Payment, such Incumbent shall be entitled to receive so much of the Sum payable at the half-yearly Day which happens next after he ceases to be Incumbent as has accrued from the last preceding half-yearly Day, or from the Time when such Incumbent became first entitled to receive the Fruits of his Living, as the Case may require, up to the Day at which he ceased to be Incumbent, and the Incumbent of any Parish or District who receives from the Company any Sum to a Part of which any preceding Incumbent is entitled under the Provisions herein contained shall pay such Part to him, his Executors or Administrators, accordingly; and the Company shall not be answerable to any Person, other than the actual Incumbent for the Time being, for the Payment of any Sums by virtue of this or the special Act.

Company to pay Parish Clerks the Compensation mentioned.

LVII. The Company shall, on the Burial of every Body within the consecrated Part of the Cemetery, except where the Body is buried at the Expence of any Parish or Ecclesiastical District, or Union of Parishes for the Relief of the Poor, pay to the Parish Clerk of the Parish or Ecclesiastical District from which such Body has been removed for Burial, if he held the Office of Parish Clerk of such Parish or Ecclesiastical District at the Time of the passing of the special Act, but not otherwise, such Sum, if any, as shall be prescribed for that Purpose in the special Act.

Protection of Cemetery.

And with respect to the Protection of the Cemetery, be it enacted as follows:

Penalty for damaging the Cemetery.

LVIII. Every Person who shall wilfully destroy or injure any Building, Wall, or Fence belonging to the Cemetery, or destroy or injure any Tree or Plant therein, or who shall daub or disfigure any Wall thereof, or put up any Bill therein or on any Wall thereof, or wilfully destroy, injure, or deface any Monument, Tablet, Inscription, or Gravestone within the Cemetery, or do any other wilful Damage therein, shall forfeit to the Company for every such Offence a Sum not exceeding Five Pounds.

Penalty on Persons committing Nuisances in the Cemetery.

LIX. Every Person who shall play at any Game or Sport, or discharge Fire-arms, save at a Military Funeral, in the Cemetery, or who shall wilfully and unlawfully disturb any Persons assembled in the Cemetery for the Purpose of burying any Body therein, or who shall commit any Nuisance within the Cemetery, shall forfeit to the Company for every such Offence a Sum not exceeding Five Pounds.

Annual Account to be made up, and a Copy transmitted to the Clerk of the Peace, &c., and be open to Inspection.

LX. And with respect to the Accounts to be kept by the Company, be it enacted, That the Company shall every Year cause an Account to be prepared, showing the total Receipt and Expenditure of all Monies levied by virtue of this or the special Act for the Year ending on the Thirty-first Day of *December*, or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, certified by the Chairman of the Company, and duly audited, and shall send a Copy of the said Account, free of Charge, to the Clerk of the Peace for the County in which the Cemetery is situated, on or before the Expiration of One Month from the Day on which such Accounts end, which last-mentioned Account shall be open to the Inspection of the Public at all reasonable Hours, on Payment of the Sum of One Shilling for every such Inspection; and if the Company omit to prepare or send such Account as aforesaid, they shall forfeit for every such Omission the Sum of Twenty Pounds.

Tender of Amends.

LXI. And with respect to the Tender of Amends, be it enacted, That if any Person shall have committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this or the special Act, or any Act incorporated therewith, or by virtue of any Power or Authority thereby given, and if, before Action brought in respect thereof, such Party make Tender of sufficient Amends to the Party injured, such last-mentioned Party shall not recover in any such Action; and if no such Tender have been made, the Defendant, by Leave of the Court where such Action is pending, may at any Time before Issue joined pay into Court such Sum of Money as he thinks fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Recovery of Damages and Penalties.

And with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices, be it enacted as follows:

8 & 9 Vict. c 20. incorporated as to Damages, &c.

LXII. The Clauses of the Railways Clauses Consolidation Act, 1845, with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices, shall be incorporated with this and the special Act; and such Clauses shall apply to the Cemetery and to the Company respectively.

LXIII. Pro-

In Ireland Part of Penalty to be paid to Guardians of Unions.

LXIII. Provided always, That in *Ireland*, in the Case of any Penalty imposed by Justices, where the Application is not otherwise provided for, such Justices may award not more than One Half of such Penalty to the Informer, and shall award the Remainder to the Guardians of the Poor of the Union within which the Offence shall have been committed, to be applied in aid of the Poor Rates of such Union.

One Justice may, in certain Cases, act for Two.

LXIV. All Things herein or in the special Act, or any Act incorporated therewith, authorized or required to be done by Two Justices, may and shall be done by any One Magistrate having by Law Authority to act alone for any Purpose with the Powers of Two or more Justices.

Penalties on false Evidence.

LXV. Every Person who upon any Examination upon Oath, under the Provisions of this or the special Act, or any Act incorporated therewith, shall wilfully and corruptly give false Evidence, shall be liable to the Penalties of wilful and corrupt Perjury.

Access to special Act.

And with respect to affording Access to the special Act, be it enacted as follows:

Copies of special Act to be kept by Company at their Office, and deposited with the Clerk of the Peace, and be open to Inspection. 7 W. 4. & 1 Vict. c. 83.

LXVI. The Company shall, at all Times after the Expiration of Six Months after the passing of the special Act, keep in their principal Office of Business a Copy of the special Act, printed by the Printers to Her Majesty, or some of them, and shall also within the Space of such Six Months, deposit in the Office of the Clerk of the Peace of the County in which the Cemetery is situated a Copy of such special Act so printed as aforesaid; and the said Clerk of the Peace shall receive, and he and the Company respectively shall keep the said Copies of the special Act, and shall allow all Persons interested therein to inspect the same, and make Extracts or Copies therefrom, in the like Manner, and upon the like Terms, and under the like Penalty for Default as is provided in the Case of certain Plans and Sections by an Act passed in the First Year of the Reign of Her Majesty, intituled *An Act to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.*

Penalty on failing to keep or deposit them.

LXVII. If the Company fail to keep or deposit any of the said Copies of the special Act as hereinbefore mentioned they shall forfeit Twenty Pounds for every such Offence, and also Five Pounds for every Day afterwards during which such Copy shall be not so kept or deposited.

Company not exempt from any future general Act.

LXVIII. And be it enacted, That nothing herein contained shall be deemed to exempt the Company from any general Act relating to Burials in Towns or populous Places which may be passed in the same Session of Parliament in which the special Act is passed, or any future Session of Parliament.

Act may be amended, &c.

LXIX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

SCHEDULES to which the foregoing Act refers.

Form of Grant of Right of Burial.

By virtue of [*here name the special Act*] we [*here state the Name or Description of the Company*], in consideration of the Sum of to us paid by of do hereby grant unto the said the exclusive Right of Burial [*or* the Right of burying Bodies, *as the Case may be,*] [*or* the Right of placing a Monument, Tablet, or Gravestone,] in [*here describe the Ground intended for the exclusive Burial, or for placing a Monument, Tablet, or Gravestone, as the Case may be, so as to identify the same, and if a Place of exclusive Burial, add,* "numbered on the Plan of the Cemetery, made in pursuance of the said Act"] to hold the same to the said in perpetuity [*or the Period agreed upon*] for the Purpose of Burial [*or as the Case may be*].

Given under our Common Seal [*or* under our Hands and Seals, *as the Case may be,*] this Day of in the Year of our Lord .

Form of Assignment of Right of Burial.

I *A.B.* of in consideration of the Sum of paid to me by *C.D.* of do hereby assign unto the said *C.D.* the exclusive Right of Burial in [*here describe the Place*], and numbered on the Plan of the Cemetery made in pursuance of the said Act, which was granted to me [*or* unto *A.B.* of] in perpetuity [*or as the Case may be*] by [*here state the Name of the Company*] by a Deed of Grant bearing Date the Day of and all my Estate, Title, and Interest therein, to hold the same unto the said *C.D.* in perpetuity [*or, as the Case may be,* for the Remainder of the Period for which the same was granted by the said Company], subject to the Conditions on which I held the same immediately before the Execution hereof.

Witness my Hand and Seal this Day of .

CAP. LXVI.

An Act for extending the Provisions of the Law respecting Threatening Letters and accusing Parties with a view to extort Money. [9th *July* 1847.]

7 & 8 G. 4. c. 29. 9 G. 4. c. 55.

'WHEREAS it is expedient to extend the Provisions of so much of the Statute made and passed in the Seventh and Eighth Years of the Reign of King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*, and of an Act passed in the Ninth Year of the Reign of King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*,

'*therewith*, as relates to the Offences of sending Threatening Letters, and also so much of the Statute 'made and passed in the First Year of Her Majesty's Reign, intituled *An Act to amend the Laws* '*relating to Robbery and stealing from the Person*, as relates to the Offence of accusing Persons of 'unnatural Crimes, and to make further Provisions for the Punishment of such Offences:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person shall knowingly send, or deliver, or utter to any other Person, any Letter or Writing accusing or threatening to accuse either the Person to whom such Letter or Writing shall be sent or delivered, or any other Person, of any Crime punishable by Law with Death or Transportation, or of any Assault with Intent to commit any Rape, or of any Attempt or Endeavour to commit any Rape, or of any Crime in and by the said first-mentioned Act defined to be an infamous Crime, with a View or Intent to extort or gain, by means of such Threatening Letter or Writing, any Property, Money, Security, or other valuable Thing, from any Person whatever, or any Letter or Writing threatening to kill or murder any other Person, or to burn or destroy any House, Barn, or other Building, or any Rick or Stack of Grain, Hay, or Straw, or other agricultural Produce, or shall knowingly procure, counsel, aid, or abet the Commission of the said Offences or either of them, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned, with or without hard Labour, for any Term not exceeding Four Years, and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit), in addition to such Imprisonment.

7 W. 4. & 1 Vict. c. 87.

Persons sending Threatening Letters, accusing others with certain Crimes, with a view to extort Money, guilty of Felony.

II. And be it enacted, That if any Person shall accuse or threaten to accuse either the Person to whom such Accusation or Threat shall be made, or any other Person of any of the Crimes herein-before specified, with the View or Intent in any of the Cases last aforesaid to extort or gain from such Person so accused or threatened to be accused, or from any other Person whatever, any Property, Money, Security, or other valuable Thing, every such Offender shall be guilty of Felony, and, being convicted, thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned, with or without hard Labour, for any Term not exceeding Four Years, and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit), in addition to such Imprisonment.

Persons accusing others of Crimes herein-before mentioned, with the view of extorting Money, &c. guilty of Felony.

CAP. LXVII.

An Act to amend the Law as to the Custody of Offenders. [9th *July* 1847.]

'WHEREAS by an Act passed in the Fifth Year of the Reign of King *George* the Fourth, intituled '*An Act for the Transportation of Offenders from* Great Britain, it was enacted, that it should 'be lawful for His Majesty, by any Order or Orders in Council, to declare His Royal Will and Pleasure 'that Male Offenders convicted in *Great Britain*, and being under Sentence or Order of Transportation, 'should be kept to Labour in any Part of His Majesty's Dominions out of *England* to be named in such 'Order or Orders in Council: And whereas it is expedient that it should be made lawful to remove to 'the same Places of Confinement any Male Offender convicted in *Ireland* who would have been 'removable thereunto if he had been convicted in *Great Britain*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for One of Her Majesty's Principal Secretaries of State to direct that any Male Offender convicted in *Ireland*, and being under Sentence or Order of Transportation, may be removed to and confined and kept to Labour in any such Place of Confinement out of *England*, in like Manner as if he had been convicted in *Great Britain*; and every Offender who shall be so removed shall continue in Custody, and shall be kept to Labour in the Place of Confinement to be so provided, or any other Place of Confinement to be from Time to Time provided by Her Majesty out of *England*, until Her Majesty shall otherwise direct, or until the Offender shall be entitled to his Liberty; and that all the Enactments of the said Act relating to the Returns to be made concerning every Person in Custody in each of such Places of Confinement, and the Powers and Duties of the Superintendent and Overseer having the Custody of any such Offender, and to the Treatment of such Offenders while so confined, and the Time during which they shall be so confined, shall, subject to the Amendments made in the said Act by an Act passed in the last Session of Parliament, intituled *An Act for abolishing the Office of Superintendent of Convicts under Sentence of Transportation*, apply to all such Male Offenders convicted in *Ireland* and removed under the Authority of this Act, as if they had been convicted in *Great Britain* and removed under the Authority of the first-recited Act to such Places of Confinement.

5 G. 4. c. 84.

So much of 5 G. 4. c. 84. as enacts that Male Offenders sentenced to Transportation may be kept to hard Labour out of England extended to Offenders convicted in Ireland.

9 & 10 Vict. c. 26.

II. And be it enacted, That it shall be lawful for Her Majesty, by an Order in Writing, to be notified in Writing by One of Her Majesty's Principal Secretaries of State, to direct that any Persons under Sentence or Order of Transportation within *Great Britain* shall be removed from the Prisons in which they are severally confined to any other of Her Majesty's Prisons or Penitentiaries in *Great Britain*, there to be confined for such Time as Her Majesty by any such Order notified as aforesaid shall direct, not exceeding the Time for which they might have been lawfully confined in the Prisons from which they shall have been severally removed; and the Expence of maintaining any such Person in the Prison to which he shall be removed under this Act, and any other additional Expence incurred in such Prison by

Offenders under Sentence or Order of Transportation may be removed to any Prison in Great Britain.

by such Removal and Confinement, shall be defrayed in like Manner as the Expence of maintaining any such Person in any Place of Confinement appointed under the first-recited Act.

Act may be amended, &c.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. LXVIII.

An Act to suspend until the First Day of *October* One thousand eight hundred and forty-eight the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom. [22d *July* 1847.]

[*This Act is the same, except as to Dates, as* 9 & 10 *Vict. c.* 43.]

CAP. LXIX.

An Act for the more effectual Taxation of Costs on Private Bills in the House of Commons. [22d *July* 1847.]

6 G. 4. c. 123.

'WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to establish a Taxation of Costs on Private Bills in the House of Commons, and to prohibit the Sale of certain Offices under the Serjeant at Arms attending the House of Commons:* And whereas it is expedient to repeal the same, and to make more effectual Provision for taxing the Costs and Expences to be charged by Parliamentary Agents, Attornies, Solicitors, and others in future Sessions of Parliament in respect of Bills subject to the Payment of Fees in Parliament, commonly called Private Bills, and to be incurred in complying with the Standing Orders of the House of Commons relative to such Bills, and in preparing, bringing in, and carrying the same through, or in opposing the same in, the House of Commons:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, except as to any Costs, Charges, and Expences which shall have been incurred in the present or any preceding Session of Parliament, the said recited Act shall be repealed: Provided always, that the Repeal of the said recited Act shall not be construed to revive any Act or any Provision thereof which was thereby repealed.

Recited Act 6 G. 4. c. 123. repealed.

Parliamentary Agent, Attorney, or Solicitor not to sue for Costs until One Month after Delivery of his Bill.

II. And be it enacted, That no Parliamentary Agent, Attorney, or Solicitor, nor any Executor, Administrator, or Assignee of any Parliamentary Agent, Attorney, or Solicitor, shall commence or maintain any Action or Suit for the Recovery of any Costs, Charges, or Expences in respect of any Proceedings in the House of Commons in any future Session of Parliament relating to any Petition for a Private Bill, or Private Bill, or in respect of complying with the Standing Orders of the said House relative thereto, or in preparing, bringing in, and carrying the same through, or opposing the same in, the House of Commons, until the Expiration of One Month after such Parliamentary Agent, Attorney, or Solicitor, or Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, has delivered unto the Party to be charged therewith, or sent by Post to or left for him at his Counting-house, Office of Business, Dwelling House, or last known Place of Abode, a Bill of such Costs, Charges, and Expences, and which Bill shall either be subscribed with the proper Hand of such Parliamentary Agent, Attorney, or Solicitor, or in the Case of a Partnership by any of the Partners, either with his own Name or with the Name of such Partnership, or of the Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, or be enclosed in or accompanied by a Letter subscribed in like Manner referring to such Bill: Provided always, that it shall not in any Case be necessary, in the first instance, for such Parliamentary Agent, Attorney, or Solicitor, or the Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, in proving a Compliance with this Act to prove the Contents of the Bill delivered, sent, or left by him, but it shall be sufficient to prove that a Bill of Costs, Charges, and Expences subscribed in manner aforesaid, or inclosed in or accompanied by such Letter as aforesaid, was delivered, sent, or left in manner aforesaid; but nevertheless it shall be competent for the other Party to show that the Bill so delivered, sent, or left was not such a Bill as constituted a *bonâ fide* Compliance with this Act: Provided also, that it shall be lawful for any Judge of the Superior Courts of Law or Equity in *England* or *Ireland*, or of the Court of Session in *Scotland*, to authorize a Parliamentary Agent, Attorney, or Solicitor to commence an Action or Suit for the Recovery of his Costs, Charges, and Expences against the Party chargeable therewith, although One Month has not expired from the Delivery of a Bill as aforesaid, on Proof to the Satisfaction of the said Judge that there is probable Cause for believing that such Party is about to quit that Part of the United Kingdom in which such Judge hath Jurisdiction.

Evidence of Delivery of Bill.

Power to Judge to authorize Action before Expiration of One Month.

Taxing Officer to be appointed by the Speaker.

III. And be it enacted, That the Speaker of the House of Commons shall appoint a fit Person to be the Taxing Officer of the House of Commons, and every Person so appointed shall hold his Office during the Pleasure of the Speaker, and shall execute the Duties of his Office conformably to such Directions as he may from Time to Time receive from the Speaker.

The Speaker to prepare List of Charges thenceforth to be allowed.

IV. And be it enacted, That the Speaker may from Time to Time prepare a List of such Charges as it shall appear to him that, after the present Session of Parliament, Parliamentary Agents, Attornies, Solicitors, and others may justly make with reference to the several Matters comprised in such List; and the several Charges therein specified shall be the utmost Charges thenceforth to be allowed upon the Taxation of any such Bill of Costs, Charges, and Expences in respect of the several Matters therein specified:

specified: Provided always, that the said Taxing Officer may allow all fair and reasonable Costs, Charges, and Expences in respect of any Matters not included in such List.

Taxing Officer empowered to examine Parties and Witnesses on Oath.

V. And be it enacted, That for the Purpose of any such Taxation the said Taxing Officer may examine upon Oath any Party to such Taxation, and any Witnesses who may be examined in relation thereto, and may receive Affidavits, sworn before him or before any Master or Master Extraordinary of the High Court of Chancery, relative to such Costs, Charges, or Expences; and any Person who on such Examination on Oath, or in any such Affidavit, shall wilfully or corruptly give false Evidence, shall be liable to the Penalties of wilful and corrupt Perjury.

Taxing Officer empowered to call for Books and Papers.

VI. And be it enacted, That the said Taxing Officer shall be empowered to call for the Production of any Books or Writings in the Hands of any Party to such Taxation relating to the Matters of such Taxation: Provided always, that nothing herein contained shall be construed to authorize such Taxing Officer to determine the Amount of Fees which may have been payable to the House of Commons in respect of the Proceedings upon any Private Bill.

Taxing Officer to take Fees allowed by House of Commons.

Application of Fees.

VII. And be it enacted, That it shall be lawful for the said Taxing Officer to demand and receive for any such Taxation such Fees as the House of Commons may from Time to Time by any Standing Order authorize and direct, and to charge the said Fees, and also to award Costs of such Taxation against either Party to such Taxation, or in such Proportion against each Party as he may think fit, and he shall pay and apply the Fees so received by him in such Manner as shall be directed by any such Standing Order as aforesaid.

On Application of Party chargeable, or on Application of Parliamentary Agent, Attorney, or Solicitor, the Taxing Officer to tax the Bill.

VIII. And be it enacted, That if any Person upon whom any Demand shall be made by any Parliamentary Agent, Attorney, or Solicitor, or Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, or other Person, for any Costs, Charges, or Expences in respect of any Proceedings in the House of Commons in any future Session of Parliament relating to any Petition for a Private Bill, or Private Bill, or in respect of complying with the Standing Orders of the said House relative thereto, or in preparing, bringing in, or carrying the same through, or in opposing the same in the House of Commons, or if any Parliamentary Agent, Attorney, or Solicitor, or the Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, or other Person, who shall be aggrieved by the Nonpayment of any Costs, Charges, and Expences incurred or charged by him in respect of any such Proceedings as aforesaid, shall make Application to the said Taxing Officer at his Office for the Taxation of such Costs, Charges, and Expences, the said Taxing Officer, on receiving a true Copy of the Bill of such Costs, Charges, and Expences which shall have been duly delivered as aforesaid to the Party charged therewith, shall in due Course proceed to tax and settle the same; and upon every such Taxation, if either the Parliamentary Agent, Attorney, or Solicitor, or the Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, or other Person, by whom such Demand shall be made as aforesaid, or the Party charged with such Bill of Costs, Charges, and Expences, having due Notice, shall refuse or neglect to attend such Taxation, the said Taxing Officer may proceed to tax and settle such Bill and Demand *ex parte*; and if pending such Taxation any Action or other Proceeding shall be commenced for the Recovery of such Bill of Costs, Charges, and Expences, the Court or Judge before whom the same shall be brought shall stay all Proceedings thereon until the Amount of such Bill shall have been duly certified by the Speaker as herein-after provided: Provided always, that no such Application shall be entertained by the said Taxing Officer if made by the Party charged with such Bill after a Verdict shall have been obtained or a Writ of Inquiry executed in any Action for the Recovery of the Demand of any such Parliamentary Agent, Attorney, or Solicitor, or the Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, or other Person, or after the Expiration of Six Months after such Bill shall have been delivered, sent, or left as aforesaid: Provided also, that if any such Application shall be made after the Expiration of Six Months as aforesaid, it shall be lawful for the Speaker, if he shall so think fit, on receiving a Report of special Circumstances from the said Taxing Officer, to direct such Bill to be taxed.

No Application to be entertained by Taxing Officer after Verdict obtained.

Taxing Officer to report to the Speaker.

If either Party complain and memorialize, the Speaker may require a further Report.

If no Memorial deposited, Speaker may issue Certificate of the Amount found due.

Certificate to have the Effect of a Warrant to confess Judgment.

IX. And be it enacted, That the said Taxing Officer shall, if required by either Party, report his Taxation to the Speaker, and in such Report shall state the Amount fairly chargeable in respect of such Costs, Charges, and Expences, together with the Amount of Costs and Fees payable in respect of such Taxation as aforesaid; and within Twenty-one clear Days after any such Report shall have been made either Party may deposit in the Office of the said Taxing Officer a Memorial, addressed to the Speaker, complaining of such Report or any Part thereof, and the Speaker may, if he shall so think fit, refer the same, together with such Report, to the said Taxing Officer, and may require a further Report, in relation thereto, and on receiving such further Report may direct the said Taxing Officer, if necessary, to amend his Report; and if no such Memorial be deposited as aforesaid, or so soon as the Matters complained of in any such Memorial shall have been finally disposed of, the Speaker shall, upon Application made to him, deliver to the Party concerned therein, and requiring the same, a Certificate of the Amount so ascertained, which Certificate shall be binding and conclusive on the Parties as to the Matters comprised in such Taxation, and as to the Amount of such Costs, Charges, and Expences, and of the Costs and Fees payable in respect of such Taxation, in all Proceedings at Law or in Equity or otherwise; and in any Action or other Proceeding brought for the Recovery of the Amount so certified such Certificate shall have the Effect of a Warrant of Attorney to confess Judgment; and the Court in which such Action shall be commenced, or any Judge thereof, shall, on Production of such Certificate, order Judgment to be entered up for the Sum specified in such Certificate in like Manner as if the Defendant in any such Action had signed a Warrant to confess Judgment in such Action to that Amount: Provided always,

that if such Defendant shall have pleaded that he is not liable to the Payment of such Costs, Charges, and Expences, such Certificate shall be conclusive only as to the Amount thereof which shall be payable by such Defendant in case the Plaintiff shall in such Action recover the same.

Construction of certain Words in this Act.

X. And be it enacted, That in the Construction of this Act the Word "Month" shall be taken to mean a Calendar Month; and every Word importing the Singular Number only shall extend and be applied to several Persons, Matters, or Things as well as one Person, Matter, or Thing; and every Word importing the Plural Number shall extend and be applied to one Person, Matter, or Thing as well as several Persons, Matters, or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male; and the Word "Person" shall extend to any Body Politic, Corporate, or Collegiate, Municipal, Civil, or Ecclesiastical, Aggregate or Sole, as well as an Individual; and the Word "Oath" shall include Affirmation in the Case of Quakers, and any Declaration lawfully substituted for an Oath in the Case of any other Person allowed by Law to make a Declaration instead of taking an Oath; unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Form of citing the Act.

XI. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal and other Instruments, it shall be sufficient to use the Expression "The House of Commons Costs Taxation Act, 1847."

Act may be amended, &c.

XII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. LXX.

An Act to amend the Law as to the School Attendance of Children employed in Print Works.

[22d *July* 1847.]

8 & 9 Vict. c. 29.

'WHEREAS it is expedient that so much of an Act passed in the Ninth Year of the Reign of Her Majesty, intituled *An Act to regulate the Labour of Children, young Persons, and Women in Print Works*, as relates to the School Attendance of Children employed in Print Works, should be amended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That those Parts of the said Act which in the Copies thereof printed by the Queen's Printer are printed as separate Clauses, and severally numbered XXIII., XXIV., and XXV., and also so much of the Schedule annexed to the said Act marked (A.) as relates to Certificates of School Attendance, shall be repealed from and after the First Day of *August* in the Year One thousand eight hundred and forty-seven; provided, that all Certificates given before the said First Day of *August* shall be as valid as if this Act had not been passed, and all Offences committed before the said First Day of *August* against any of the Enactments hereby repealed shall be dealt with and punished as if this Act had not been passed.

Sections 23, 24, and 25, and Part of Schedule (A.) of recited Act repealed.

Schoolmaster to keep a Register of Children's Attendance.

II. And be it enacted, That the Master of any School which shall be attended by Children employed in a Print Work shall keep a Register of their Names and Attendance, and if the Inspector of the District shall disapprove of the Form of Register adopted by the Schoolmaster it shall be kept in such other Form as the Inspector may direct.

Occupiers of Print Works to obtain Certificate from Schoolmaster of Child's Attendance at School.

III. And be it enacted, That after the said First Day of *August* the Occupier of every Print Work shall, before employing any Child therein, obtain from a Schoolmaster a Certificate, according to one of the Forms and according to the Directions given in the Schedule marked (A.) to this Act annexed, that such Child had attended School for at least Thirty Days and not less than One hundred and fifty Hours during the Half Year immediately preceding the First Day of the Employment of such Child, or if it shall have left the said Print Works and shall be again employed therein, the said School Attendance shall have been during the Half-year immediately preceding the First Day of such Re-employment, and such School Attendance shall be after the Hour of Eight of the Clock in the Morning, and before the Hour of Six of the Clock in the Evening; but no Attendance of less than Two and a Half Hours on any one Day shall be reckoned as any Part of the said One hundred and fifty Hours, nor shall any Attendance on any one Day for more than Five Hours be reckoned for more than Five Hours; and a like Certificate shall be obtained at the Beginning of each Period of Six Calendar Months during which the Employment of such Child shall be continued in that Print Work; and such Occupier shall keep every such Certificate so long as such Child shall continue in his Employment for Twelve Calendar Months after the Date thereof, and shall produce the same to any Inspector or Sub-Inspector when required during such Period.

Certificate to be given according to Schedule.

IV. And be it enacted, That from and after the said First Day of *August* the Forms of Certificates of School Attendance of Children employed in Print Works shall be in one of the Forms given in the Schedule marked (A.) annexed to this Act.

Acts to be construed together.

V. And be it enacted, That this Act and the said Act as amended by this Act shall be construed together and as one Act.

Act may be amended, &c.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

SCHE-

SCHEDULE to which the foregoing Act refers.

SCHEDULE (A.)

I.—Form of School Certificates for One Child.

I hereby certify, that the Child *A.B.*, Son [*or* Daughter] of *C.D.* and *E.F.*, residing in attended the School kept by me at for the Number of Hours and at the Time on each Day specified in the Columns opposite to his [*or* her] Name.

During the several Weeks ending the Day, Month, and Year stated in the First Column.

Week ending Saturday.			Monday.		Tuesday.		Wednesday.		Thursday.		Friday.		Saturday.		Total No. of Hours during this Week.	Signature of Schoolmaster.	Date of signing.
Day.	Month.	Year.	From	To	From	To	From	To	From	To	From	To	From	To			

No Part of the School Attendance certified shall be valid for a longer Time than Six Months after the Date of such Attendance; and if a Child for whom this Form of Certificate has been given shall cease to be employed in the Print Work to the Occupier of which such School Certificate was delivered, the Child's Parent, or any Person having direct Benefit from the Wages of such Child, shall be entitled on Demand to have the said Certificate restored to him.

II.—Form of School Certificate which may be used when Two or more Children employed in the same Print Work attend the same School.

I hereby certify, That the Children whose Names are under-written, employed in the Print Work of at in the Parish of and County of attended for the Number of Hours and at the Time specified in the Columns opposite to their respective Names, at the School kept by me at in the Parish of and County of

During the Week ending on Saturday the Day of 18 .

Child's Name.		Monday.		Tuesday.		Wednesday.		Thursday.		Friday.		Saturday.		Total No. of Hours during this Week.
Surname.	Christian Name.	From	To	From	To	From	To	From	To	From	To	From	To	

Signed Schoolmaster.

This Day of 18 .

General Directions applicable to both Forms.

In the Columns headed with the Days of the Week, the Hours of Attendance shall be stated; as thus, from Nine to Twelve, or, from Two to Five, or any other Time, as the Case may be; and the Schoolmaster shall, in his own Handwriting, fill up the Date when the Week ends during any Part of which the Child shall have attended his School.

The Hours of School Attendance, or the Word "absent," shall be stated in the Column for each Day, in the Handwriting of the Schoolmaster; and no Certificate shall be valid, unless the Schoolmaster shall in his own Handwriting subscribe to it his Christian and Surname in full, affixing the Date when he signs the same.

CAP. LXXI.

An Act to authorize Her Majesty to assent to a certain Bill of the Legislative Council and Assembly of the Province of *Canada*, for granting a Civil List to Her Majesty; and to repeal certain Parts of an Act for re-uniting the Provinces of *Upper* and *Lower Canada*, and for the Government of *Canada*. [22d *July* 1847.]

'WHEREAS the Legislative Council and the Legislative Assembly of the Province of *Canada*, constituted and assembled by virtue of and under the Authority of the Act of Parliament passed in the Session holden in the Third and Fourth Years of Her Majesty's Reign, intituled *An Act to re-unite the Provinces of* Upper *and* Lower Canada, *and for the Government of* Canada, did, in the Year One thousand eight hundred and forty-six, pass a Bill, intituled *An Act for granting a Civil List to Her Majesty*, of which Bill a Copy is contained in the Schedule to this present Act annexed: And whereas the said Bill was presented for Her Majesty's Assent to the then Governor of the said Province of *Canada*; and the said Governor did thereupon declare that he reserved the said Bill for the Signification of Her Majesty's Pleasure thereon: And whereas it is by the final Provision of the said reserved Bill provided that the foregoing Provisions thereof shall have no Force or Effect until such Parts as are therein mentioned of the said recited Act of Parliament shall have been repealed: And whereas it is not competent to Her Majesty to assent to the said reserved Bill without the express Authority of Parliament for that Purpose, inasmuch as the said Bill is in certain Respects repugnant to the said recited Act of Parliament: And whereas it is expedient that Her Majesty should be authorized to assent to the said reserved Bill, and that so much and such Parts as aforesaid of the said recited Act should thereupon be repealed:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for Her Majesty, with the Advice of Her Majesty's Privy Council, to assent to the said reserved Bill, any thing in the said recited Act of Parliament or any Law, Statute, or Usage to the contrary in anywise notwithstanding.

3 & 4 Vict. c. 35.

Her Majesty empowered, with the Advice of Her Council, to assent to the reserved Bill.

If Her Majesty shall assent to the said reserved Bill, certain Provisions in the recited Act repealed.

II. And be it enacted, That if Her Majesty, with the Advice of Her Privy Council, shall assent as aforesaid to the said reserved Bill, those Parts of the first-recited Act which in the Copies thereof printed by the Queen's Printer are printed as separate Clauses, and severally numbered L., LI., LII., LIII., LIV., LV.; LVI., LVII., and also the Schedules annexed to the said first-recited Act, being the Parts thereof mentioned or referred to in the said final Provision of the said reserved Bill, shall be repealed upon and from the Day on which the said reserved Bill (being first so assented to by Her Majesty in Council) shall take Effect in the said Province.

Act may be amended, &c.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

SCHEDULE.

AN ACT for granting a CIVIL LIST to HER MAJESTY.

Most Gracious Sovereign:

WHEREAS Your Majesty has been most graciously pleased to declare to Your faithful Canadian Commons, in Provincial Parliament assembled, Your Majesty's gracious Desire to owe to the spontaneous Liberality of your Canadian People such Grant, by way of Civil List, as shall be sufficient to give Stability and Security to the great Civil Institutions of the Province, and to provide for the adequate Remuneration of able and efficient Officers in the executive, judicial, and other Departments of Your Majesty's public provincial Service, the granting of which Civil List constitutionally belongs only to Your Majesty's faithful Canadian People in their Provincial Parliament.

We, therefore, Your Majesty's most dutiful and loyal Subjects, the Commons of Canada, in Provincial Parliament assembled, desirous that a certain competent Revenue for the Purpose may be settled upon Your Majesty (to whom may God grant a long and happy Reign) as a Testimony of our unfeigned Affection to Your sacred Person and Government, have accordingly freely resolved to grant unto Your Majesty a certain Revenue payable out of the Consolidated Revenue Fund of this Province; we do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Legislative Council, and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the Authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled "An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of "Canada;" and it is hereby enacted, by the Authority of the same, That all Duties and Revenues over which the respective Legislatures of Upper Canada or Lower Canada had before the passing of the Act of the Imperial Parliament, intituled "An Act to re-unite the Provinces of Upper and Lower Canada, and "for the Government of Canada," or over which the Legislature of this Province has or may have Power

of

of Appropriation, shall form One Consolidated Revenue Fund, to be appropriated for the Public Service of this Province in the Manner and subject to the Charges herein-after mentioned.

And be it enacted, That the Consolidated Revenue Fund of this Province shall be permanently charged with all the Costs, Charges, and Expences incident to the Collection, Management, and Receipt thereof, such Costs, Charges, and Expences being subject, nevertheless, to be reviewed and audited in such Manner as shall be directed by any Act of the Legislature.

And be it enacted, That there shall be payable in every Year to Her Majesty, Her Heirs and Successors, out of the Consolidated Revenue Fund of this Province, a Sum not exceeding Thirty-four thousand six hundred and thirty-eight Pounds Fifteen Shillings and Four-pence Currency, for defraying the Expence of the several Services and Purposes named in the Schedule (A.) to this Act annexed; and during the Life of Her Majesty, and for Five Years after the Demise of Her Majesty, there shall be payable in every Year to Her Majesty, Her Heirs and Successors, out of the said Consolidated Revenue Fund, a further Sum not exceeding Thirty-nine thousand two hundred and forty-five Pounds Sixteen Shillings Currency, for defraying the Expence of the several Services and Purposes named in the Schedule marked (B.) to this Act annexed; the said Sums of Thirty-four thousand six hundred and thirty-eight Pounds Fifteen Shillings and Four-pence, and Thirty-nine thousand two hundred and forty-five Pounds Sixteen Shillings to be issued by the Receiver General in discharge of such Warrant or Warrants as shall be from Time to Time directed to him under the Hand and Seal of the Governor; and the said Receiver General shall account to Her Majesty for the same, through the Lords Commissioners of Her Majesty's Treasury, in such Manner and Form as Her Majesty shall be graciously pleased to direct.

And be it enacted, That the Sums set down in the First Column opposite to each Office or Department in the said Schedules (A.) and (B.) shall be payable for each, while the present Incumbents shall respectively remain in Office; and as often as any such present Incumbent shall cease to hold such Office the Sums respectively mentioned in the First Column shall cease to be payable, and the Sums mentioned in the Second Column shall, as each Case arises, be payable instead, as in the said Schedules mentioned.

And be it enacted, That it shall be lawful for the Governor to abolish any of the Offices named in the Schedule (B.), or to vary the Sums thereby appropriated to such Purposes connected with the Administration of the Government of this Province, as to Her Majesty, Her Heirs and Successors, shall seem fit; and that Accounts in detail of the Expenditure of the several Sums expended under the Authority of this Act shall be laid before both Houses of the Legislature within Thirty Days from the Beginning of the Session next after such Expenditure shall be made: Provided always, that not more than Two thousand two hundred and twenty-two Pounds Two Shillings and Four-pence shall be payable at the same Time for Pensions to the Judges out of the Sum mentioned in the said Schedule (A.), and that not more than Five thousand five hundred and fifty-five Pounds Eleven Shillings and One Penny shall be payable at the same Time for Pensions out of the Sum mentioned in Schedule (B.); and that a List of all such Pensions, and of the Persons to whom the same shall have been granted, shall be laid in every Year before the Legislature.

And be it enacted, That during the Time for which the said several Sums mentioned in the said Schedules are severally payable, the same shall be accepted and taken by Her Majesty, by way of Civil List, instead of all territorial and other Revenues now at the Disposal of the Crown arising in this Province; and that Three Fifths of the net Produce of the said territorial and other Revenues now at the Disposal of the Crown within this Province shall be paid over to the Account of the said Consolidated Revenue Fund; and also that during the Life of Her Majesty, and for Five Years after the Demise of Her Majesty, the remaining Two Fifths of the net Produce of the said territorial and other Revenues now at the Disposal of the Crown within this Province shall also be paid over in like Manner to the Account of the said Consolidated Revenue Fund.

And be it enacted, That the Consolidation of the Duties and Revenues of this Province shall not be taken to affect the Payment out of the said Consolidated Revenue Fund of any Sum or Sums heretofore charged upon the Rates and Duties now raised, levied, and collected, or to be raised, levied, and collected, to and for the Use of either of the former Provinces of Upper or Lower Canada, or of this Province, for such Time as shall have been appointed by the several Acts of the Legislature of the Province by which such Charges were severally authorized.

And be it enacted, That it shall not be lawful for the Legislative Assembly to originate or pass any Vote, Resolution, or Bill for the Appropriation of any Part of the said Consolidated Revenue Fund, or of any other Tax or Impost, to any Purpose which shall not have been first recommended by a Message of the Governor to the said Legislative Assembly during the Session in which such Vote, Resolution, or Bill shall be passed.

Provided always, and be it enacted, That the foregoing Provisions of this Act shall have no Force or Effect until the Fiftieth, Fifty-first, Fifty-second, Fifty-third, Fifty-fourth, Fifty-fifth, Fifty-sixth, and Fifty-seventh Sections of the Act of the Parliament of the United Kingdom of Great Britain and Ireland, intituled "An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of "Canada," and the Schedules referred to in the said Sections, shall have been repealed.

SCHEDULE (A.)

OFFICES, &c.	Amount payable while the present Incumbent is in Office. Currency.			Amount to be allowed in future as Vacancies occur by Removal of the present Incumbents. Currency.		
	£	s.	d.	£	s.	d.
Governor General, to be in lieu of Fees, Seizures, and Forfeitures, 7,000*l.* Sterling	7,777	15	6	7,777	15	6
UPPER CANADA.						
One Chief Justice	1,666	13	4	1,250	0	0
Four Puisné Judges, at 1,000*l.* each	4,000	0	0	4,000	0	0
One Vice Chancellor	1,250	0	0	1,111	2	2
LOWER CANADA.						
One Chief Justice of Lower Canada	1,666	13	4	1,250	0	0
Three Puisné Judges at Quebec, at 1,000*l.* each	3,000	0	0	3,000	0	0
One Chief Justice of Montreal or of Quebec, as the Case may be	1,222	4	4	1,200	0	0
Three Puisné Judges at Montreal, at 1,000*l.* each	3,000	0	0	3,000	0	0
One Judge at Three Rivers	1,000	0	0	500	0	0
One Judge of the District of St. Francis	555	11	1	500	0	0
First Judge, District of Gaspé	555	11	1	500	0	0
Second Judge, District of Gaspé	500	0	0	500	0	0
Pensions to Judges	2,222	2	4	2,222	2	4
Attorneys and Solicitors General, Salaries and Allowances for Contingencies	3,900	0	0	3,900	0	0
Court of Vice-Admiralty	472	4	4	470	0	0
Circuit Allowances to Judges	1,550	0	0	1,550	0	0
Permanent Clerk attached to Crown Law Department	300	0	0	300	0	0
Totals, Currency £	34,638	15	4	33,031	0	0

SCHEDULE (B.)

OFFICERS, &c.	Amount payable while the present Incumbents are respectively in Office. Currency.			Amount to be allowed in future as Vacancies occur by Removal of the present Incumbents. Currency.		
	£	s.	d.	£	s.	d.
Governor's Secretary, and his Office	1,925	8	6	1,536	0	0
Provincial Secretary, and his Office	4,423	1	10	4,242	0	0
Registrar's Office, to merge in the Provincial Secretary's Office after the present Incumbency	1,083	6	6	650	0	0
Receiver General's Office	2,300	8	8	2,056	0	0
Inspector General, and his Office	4,022	13	4	3,856	0	0
Executive Council Office	2,922	4	4	2,637	0	0
Board of Management of Public Works	2,094	17	7	2,000	0	0
Emigrant Agent	752	4	2	752	4	2
Pensions	5,555	11	1	5,555	11	1
Indian Annuities	6,666	0	0	6,666	0	0
Contingencies of Public Offices	7,500	0	0	7,500	0	0
Totals, Currency £	39,245	16	0	37,450	15	3

CAP. LXXII.

An Act for the further Amendment of the Laws relating to Turnpike Roads in *South Wales*.

[22d *July* 1847.]

'WHEREAS it is expedient to amend an Act passed in the Session held in the Seventh and Eighth 'Years of the Reign of Her present Majesty, intituled *An Act to consolidate and amend the Laws* 7 & 8 Vict. c. 91. 'relating to Turnpike Trusts in* South Wales: And whereas by the said Act Provision is made for the 'assessing, levying, and collecting of a Rate for the Purposes of the said Act, to be termed a County 'Road Rate, and also for the levying and collecting of Tolls, and the Distances within which it shall be 'lawful to collect the same, and for other Purposes: And whereas Difficulty has been found in carrying 'these and other Provisions of the said Act into execution:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said recited Act as requires the High Constables of any Hundred or Division to perform any Part or Duty in the levying or collecting of any County Road Rates, or to act in anywise therein, shall be and is hereby repealed, and the Provisions of an Act passed in the same last-mentioned Session of Parliament, intituled *An Act for facilitating the Collection of County Rates, and for relieving High Constables from Attendance at Quarter Sessions in certain Cases, and from certain other Duties*, shall be deemed to apply to such County Road Rates in like Manner as to any County Rates.

So much of 7 & 8 Vict. c. 91. as requires High Constables to act in Collection of County Road Rates repealed, and 7 & 8 Vict. c. 33. to apply.

II. And be it enacted, That whenever the Justices of the Peace in any of the Counties in *South Wales* to which the said first-recited Act applies shall, in conformity with the Provisions and for the Purposes of the said Act, order a County Road Rate to be assessed and collected with and as Part of the County Rate for any of the said Counties respectively, they shall cause the same to be collected by the same Officers or Parties as shall for the Time being collect the County Rate; and in every Precept or Warrant to be issued for the Collection of the said County Rate and County Road Rate jointly, the Amount assessed upon each Parish, Township, or other Place in respect of each of such Rates shall be set forth separately.

County Road Rate to be collected by the same Officers or Parties as the County Rate.

III. And be it enacted, That in any Case in which the Justices of any such County shall not issue their Precept to the Guardians of any Union for the Payment of the County Rate to the Treasurer of the County, in conformity with the Statute in that Behalf, then and in such Case the Clerk of the Peace of such County shall, so soon as the Warrants for the Collection of the County Rate and of the County Road Rate shall have been issued, send a Copy of every such Warrant which shall relate to any Parish or other Place comprised in such Union to the Clerk to the Guardians of such Union.

Clerks of the Peace to send Copies of Warrants to Clerks of Boards of Guardians in certain Cases.

IV. And be it enacted, That the Clerk to the Board of Guardians of every Union either wholly or in part contained within the several Counties to which such first-recited Act applies, upon the Receipt of the Precept of the Justices or of the Copy of the Warrant, as the Case may be, shall (so soon as the Sum stated therein shall have been paid in pursuance of the Precept or Warrant) compare the Amount of the County Road Rate assessed upon each Parish or other Place within his Union with the Amount of the last Assessment which shall have been allowed by the Justices for the Purpose of being levied in such Parish or Place for the Relief of the Poor out of which the said Sum shall have been paid, and shall ascertain the proportionate Amount in the Pound which such County Road Rate bears in reference to the whole Amount of the said Assessment, and shall forthwith transmit to the Overseers of such Parish or Place, or to the Assistant Overseers or Collectors, if any there be, a Statement of such proportionate Amount; and every such Clerk shall receive, for his Trouble therein such Compensation, out of the Monies to be raised by such County Road Rate, as the Justices at their General Quarter Sessions assembled shall deem fit.

Clerks of Boards of Guardians to ascertain the Proportion which the County Road Rate forms of the Poor Rate Assessment, and to give Notice thereof to Overseers.

V. And be it enacted, That the Overseers, Assistant Overseers, or Collectors shall, upon Receipt of such Statement as aforesaid, give and publish Notice, in like Manner as parochial Notices are usually given and published in such Parish or Place, of the proportionate Amount in the Pound of the County Road Rate so stated by the said Clerk to the Guardians; and the said Overseers, Assistant Overseers, or Collectors who shall be entitled to receive or shall have received the last Rate upon which the Proportion shall have been ascertained as aforesaid shall, upon Request of any Party who shall have paid any Rate contained in such Assessment, compute and certify in Writing the Sum which such Party has contributed to the County Road Rate out of the Sum so paid, according to the Proportion declared by the said Clerk as aforesaid; and such Certificate shall be signed by such Overseer, Assistant Overseer, or Collector; and the Sum therein stated to have been contributed to the County Road Rate shall, if correctly computed, be the Sum which the Occupier shall be empowered to deduct from the next Payment of his Rent, according to the Provisions of the said first-recited Act; and any Overseer, Assistant Overseer, or Collector who shall refuse to give any such Certificate as aforesaid, upon Demand of the Person entitled to receive the same, shall be liable to a Penalty not exceeding Twenty Shillings, upon Conviction before the Justices of the County in which the Parish shall be situated, to be recovered and applied as Penalties under the Act of the Fifth Year of the Reign of His late Majesty for the Amendment of the Laws for the Relief of the Poor.

Overseers to publish Notice of the Proportion so ascertained, and to give Certificates to Rate-payers of Amount of Road Rate paid by them.

VI. And be it enacted, That the said Clerk to the Guardians shall be empowered to call upon the Overseers, or other Persons having the Custody thereof, for the Rate or Rate Books, which he shall require for the Purpose aforesaid, as and when he shall so require them, giving reasonable Notice for the

Clerk to the Guardians empowered to call for Rate Books, &c.

the same; and every Person having the Custody thereof who shall wilfully neglect or refuse to allow him to have or inspect the same for such Purpose shall be liable to forfeit and pay a Sum not exceeding Five Pounds, upon Conviction before the Justices of the County in which the Parish shall be situated, to be recovered and applied as Penalties under the Act of the Fifth Year of the Reign of His late Majesty for the Amendment of the Laws for the Relief of the Poor.

Provision where a Parish does not form Part of a Union.

VII. And be it enacted, That in the Case of any Parish or Place not forming Part of any Union under the Laws relating to the Relief of the Poor, all the Acts, Matters, and Things hereby directed to be done and performed by the Clerk to the Board of Guardians shall, so far as the same are practicable, be done and performed in like Manner by the Overseers or other Persons empowered by Law to levy the County Rates, Police Rates, or other Rates in such Parish or Place for the Time being.

Rate already made declared valid, but to be collected according to this Act.

VIII. 'And whereas before the passing of this Act certain Rates have been made, and certain Sums of 'Money have been ordered by the Justices of certain of the said Counties, in Quarter Sessions assembled, 'to be levied and collected as and for County Road Rate, but by reason of the Difficulties before mentioned 'in carrying the said first-recited Act into operation the same could not be or have not been collected;' be it enacted, That such Rates shall be deemed to be good and valid, but the said Justices shall issue new Precepts or Warrants for the levying and collecting of the same, or such Parts thereof as shall not have been levied or collected, to the Guardians, Overseers, or other Persons empowered by Law to collect the same under the Provisions of the said secondly-recited Act and of this Act; and the Provisions and Regulations in this Act contained shall apply to the said last-mentioned Rates, in like Manner as to any Rates to be hereafter made.

Mode of measuring Roads in reference to clearing of Gates defined.

IX. 'And whereas by the said recited Act it is enacted, "that from and after the Repeal of the said 'Local Acts respectively, when any Toll shall have been once taken in respect of any Horse or other 'Animal not drawing, or of any Horse or other Animal drawing any Carriage or Vehicle at any Toll 'Gate or Bar within any of the said Counties, no Toll shall thereafter be taken in respect of the 'same Horse or other Animal, or in respect of the same Carriage or other Vehicle, on the same Day (to 'be computed from Twelve of the Clock of the Night to Twelve of the Clock in the next succeeding 'Night) for repassing through the same Gate or Bar, or for passing or repassing through any other 'Gate or Bar in the same County, within the Distance of Seven Miles from the Gate or Bar at which 'such Toll shall have been taken (such Distance measured along Turnpike Roads only), nor for passing 'or repassing through any Gate or Bar in any other of the said Counties adjoining within the Distance 'of Two Miles from the Gate or Bar at which such Toll shall have been taken, to be measured as 'aforesaid, along and in respect of Turnpike Roads within either of such Counties:" And whereas 'Doubts have arisen in what Manner and along what Description of Roads such Distances respectively 'ought to be measured, and whether Portions of Road within the Boundaries of Cities or Towns 'separately maintaining their own Roads, and also whether County Bridges and the Approaches thereto, 'and Ferries, ought to be included in or excluded from such Measurement;' for the Removal of such Doubts it is hereby declared and enacted as follows; (that is to say,)

Wherever there is a continuous Line of Turnpike Road between Two Turnpike Gates such Distances shall be measured along such continuous Turnpike Road:

A Turnpike Road shall be deemed to be continuous, for the Purpose of such Measurement, notwithstanding that any County Bridge or the Approaches thereto, or any Ferry, or any Roads within the Limits of any City or Town which may be maintained by any local Commissioners, or which may be separately maintained according to the Provisions of the said recited Act, may intervene so as to form Part of the Line of such continuous Turnpike Road between Two Gates; and in any such Case the Portions of Road upon or forming the Approaches to such County Bridge and such Ferry shall be included; but the Roads within the Limits of any such City or Town (if the same be a Market Town, but not otherwise,) shall be excluded from such Measurement.

Power to fill up Vacancies in County Roads Boards occasioned by Non-attendance.

X. And be it enacted, That if any Member of any County Roads Board shall absent himself from the Meetings of the said Board for the Space of Twelve Months continuously, the Justices of the Peace for such County shall, at any General Quarter Sessions held after the Expiration of such Period, elect and appoint another Person in the Room of such Member, in like Manner as if such Member had died or resigned.

Regulation of Roads of Presteigne Trust, situate in the County of Radnor, acting under 3 G. 4. c. xvi.

XI. 'And whereas certain Roads or Portions of Road included within the Powers of an Act passed 'in the Third Year of the Reign of His Majesty King *George* the Fourth, and intituled *An Act for 'continuing the Term and altering the Powers of Three Acts for repairing the Roads leading from* 'Ryeway *in the Parish of* Yaspole *in the County of* Hereford *to* Presteigne *in the County of* Radnor, '*and several other Roads therein mentioned in the said County of* Radnor *and in the Counties of* 'Hereford *and* Salop, are locally situated within the County of *Radnor*, and it is expedient that certain 'of the Regulations applicable to the other Roads within the said County should extend to and include 'the said first-mentioned Roads;' be it therefore enacted, That it shall and may be lawful for the Trustees acting under the Powers of the said recited Act to reduce the Tolls payable at any Turnpike Gate on any of such first-mentioned Roads situate within the said County to the Amounts specified in the Second Schedule to the said first-recited Act annexed, and thereupon to agree with the County Roads Board of the said County that all Turnpike Gates upon such first-mentioned Roads shall clear the Turnpike Gates upon Roads within the Jurisdiction of the said County Roads Board which may be situate within the Distance of Two Miles therefrom, and shall be cleared by such last-mentioned Turnpike Gates reciprocally, and in that Case such Distance shall be measured and computed according

to

to the Rules herein-before prescribed for the Measurement of Distances between Turnpike Gates for the Purposes of this and the said first-recited Act.

Compensation to be made to Trustees of Presteigne Trust.

XII. 'And whereas some Diminution of Tolls may by reason of this Act be occasioned to the Trustees 'acting under the Provisions of the last-recited Act, and it is reasonable that Compensation should be 'made to them for the same;' be it enacted, That it shall be lawful for the County Roads Board of the County of *Radnor* to agree with the said Trustees for the Payment to them and their Successors of such annual Sum, to be paid at such Times and in such Manner as shall be determined and specified by such Agreement, and such Agreement shall be valid and effectual in Law; provided that such Payment as aforesaid shall always be made out of the County Roads Fund of the said County, and shall form a Charge upon such County Roads Fund next in order after the Annuity payable to the Public Works Loan Commissioners, and prior to all other Charges upon the same.

Certain Parts of the Road near Swansea to be in future under the Management of the County Roads Board of Glamorgan.

XIII. 'And whereas it is expedient that the Two several Pieces of Road herein-after mentioned, 'and which were omitted in the Description of the Roads to be maintained and repaired under the 'Powers and Provisions of the Two herein-before recited Acts, should form Part of the several Roads 'to be maintained and repaired under the Authority of the County Roads Board of the County of 'Glamorgan, (that is to say,) the Road which leads from the old Turnpike Toll House near *Greenhill* 'in the Parish of *Swansea*, and passing over the *Aberdyverthy Bridge*, joins the Turnpike Road from 'Swansea to *Neath* at or near the Eastern End of the said Bridge, and the Road which leads from the 'Turnpike Road from *Swansea* to *Gower* at or near the Eastern Entrance to *Saint Helen's*, and joins 'the lower Road from *Swansea* to the *Mumbles*, at or near a certain Direction Post on the said Lower 'Road;' be it therefore enacted, That from and after the passing of this Act the said Two several Pieces of Road shall be managed, maintained, and repaired under the Authority of the County Roads Board of the County of *Glamorgan*, and for the Purposes of this Act and the said recited Acts shall be deemed and taken to form Part of the County Roads of the said County of *Glamorgan*.

31 G. 3. c. 106. and 9 G. 4. c. cvi. repealed.

XIV. And be it enacted, That an Act passed in the Thirty-first Year of the Reign of King *George* the Third, intituled *An Act for amending, widening, and keeping in repair the Road leading from the Town of* Haverfordwest, *through the Town of* Fishguard, *to the Town of* Newport *in the County of* Pembroke, *and also from the Town of* Fishguard *to the City of* Saint David's *in the said County of* Pembroke, and also another Act passed in the Ninth Year of the Reign of King *George* the Fourth, intituled *An Act for repairing the Roads from* Tavernspite *to the Towns of* Pembroke *and* Tenby *and to* Hubberston Hakin, *and from* Loveston Mountain *to* Cavaston Bridge, *and from the End of* Toch Lane *on the said Road from* Tavernspite *to* Hubberston Hakin *to the Road from* Loveston Mountain *to* Cavaston Bridge, *and from the Parish of* Cranwear *to* Pembroke Dock *and* Hobb's Point, *all in the County of* Pembroke, shall be and the same are respectively hereby repealed.

Commencement of Act.

XV. And be it enacted, That this Act shall come into operation on the First Day of *August* One thousand eight hundred and forty-seven.

Construction of Act.

XVI. And be it enacted, That the Act passed in the Session held in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to consolidate and amend the Laws relating to Turnpike Trusts in* South Wales, and another Act passed in the Session held in the Eighth and Ninth Years of the Reign of Her said Majesty, intituled *An Act to make certain further Provisions for the Consolidation of Turnpike Trusts in* South Wales, and the present Act, shall be construed as one Act.

Act may be amended, &c.

XVII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. LXXIII.

An Act to authorize the Advance of Money out of the Consolidated Fund for Loans towards defraying the Expence of making certain Railways in *Ireland*. [22d *July* 1847.]

'WHEREAS an Act was passed in the Fifty-seventh Year of the Reign of His late Majesty King 'George the Third, intituled *An Act to authorize the Issue of Exchequer Bills and the Advance* 57 G. 3. c. 34. '*of Money out of the Consolidated Fund to a limited Amount, for the carrying on of Public Works and* 'Fisheries in the United Kingdom, and Employment of the Poor in Great Britain, *in manner therein* 'mentioned: And whereas another Act was passed in the same Session of Parliament, intituled *An Act* 57 G. 3. c. 124. '*to amend an Act made in the present Session of Parliament, for authorizing the Issue of Exchequer* 'Bills and the Advance of Money for carrying on Public Works and Fisheries, and the Employment of 'the Poor: And whereas another Act was passed in the First Year of the Reign of His Majesty King 'George the Fourth, intituled *An Act to amend and continue Two Acts passed in the Fifty-seventh Year* 1 G. 4. c. 60. '*of His late Majesty King* George *the Third, for authorizing the Issue of Exchequer Bills and the* 'Advance of Money for carrying on of Public Works and Fisheries, and Employment of the Poor, and 'to extend the Powers of the Commissioners for executing the said Acts in Great Britain: And whereas 'another Act was passed in the First and Second Years of the Reign of His said late Majesty King 'George the Fourth, intituled *An Act to empower the Commissioners in* Great Britain *for the Execution* 1 & 2 G. 4. c. 111. '*of several Acts for authorizing the Issue of Exchequer Bills for carrying on of Public Works and* 'Fisheries, and Employment of the Poor, and to extend the Time for the Payment of certain Advances 'under the said Acts; And whereas another Act was passed in the Third Year of the Reign of His said last- 'mentioned Majesty, intituled *An Act to amend Two Acts of the Fifty-seventh Year of His late Majesty* 3 G. 4. c. 86.

'*and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills and the* '*Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor, and to* '*authorize a further Issue of Exchequer Bills for the Purposes of the said Acts:* And whereas another
4 G. 4. c. 63. 'Act was passed in the Fourth Year of the Reign of His said last-mentioned Majesty, intituled *An Act* '*to authorize the Advance of Money by the Commissioners under several Acts for the Issue of Exchequer* '*Bills for Public Works, for the building, rebuilding, enlarging, or repairing of Gaols in* England: And '*whereas another Act was passed in the Fifth Year of the Reign of His said last-mentioned Majesty,*
5 G. 4. c. 36. 'intituled *An Act to amend and render more effectual the several Acts for the Issue of Exchequer Bills*
5 G. 4. c. 77. '*for Public Works:* And whereas another Act was passed in the same Year, intituled *An Act to amend* '*the Acts for the Issue of Exchequer Bills for Public Works:* And whereas another Act was passed in
6 G. 4. c. 35. 'the Sixth Year of the Reign of His said last-mentioned Majesty, intituled *An Act to render more* '*effectual the several Acts for authorizing Advances for carrying on Public Works, so far as relates to* 'Ireland: And whereas another Act was passed in the Seventh Year of the Reign of His said last-
7 G. 4. c. 30. 'mentioned Majesty, intituled *An Act to amend the several Acts for authorizing Advances for carrying* '*on Public Works, and to extend the Provisions thereof in certain Cases:* And whereas another Act was
7 & 8 G. 4. c. 12. 'passed in the Seventh and Eighth Years of the Reign of His said last-mentioned Majesty, intituled *An* '*Act to amend an Act of the First Year of His present Majesty, for the Advance of Money for carrying*
7 & 8 G. 4. c. 47. '*on Public Works in* Ireland: And whereas another Act was passed in the same Year, intituled *An Act* '*for the further Amendment and Extension of the Powers of the several Acts authorizing Advances for* '*carrying on Public Works:* And whereas another Act was passed in the First and Second Years of the
1 & 2 W. 4. c. 24. 'Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend several Acts passed for* '*authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works* '*and Fisheries, and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for* '*the Purposes of the said Acts:* And whereas another Act was passed in the Third and Fourth Years of
3 & 4 W. 4. c. 32. 'the Reign of His said late Majesty, intituled *An Act to amend several Acts authorizing Advances for* '*carrying on Public Works:* And whereas another Act was passed in the Fourth and Fifth Years of the
4 & 5 W. 4. c. 72. 'Reign of His said late Majesty, intituled *An Act to amend several Acts for authorizing the Issue of* '*Exchequer Bills for carrying on Public Works and Fisheries, and Employment of the Poor, and to* '*authorize a further Issue of Exchequer Bills for the Purposes of the said Acts:* And whereas another
7 W. 4. & 1 Vict. c. 51. 'Act was passed in the First Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An* '*Act to authorize the further Issue of Exchequer Bills for Public Works and Fisheries, and Employment* '*of the Poor, and to amend the Acts relating thereto:* And whereas another Act was passed in the First
1 & 2 Vict. c. 88. 'and Second Years of the Reign of Her present Majesty, intituled *An Act to authorize the further Issue* '*of Exchequer Bills for Public Works and Fisheries, and Employment of the Poor, and to amend the* '*Acts relating thereto:* And whereas another Act was passed in the Third Year of the Reign of Her
3 & 4 Vict. c. 10. 'present Majesty, intituled *An Act to authorize the Issue of Exchequer Bills for Public Works and* '*Fisheries and Employment of the Poor:* And whereas another Act was passed in the Fifth Year of the
5 & 6 Vict. c. 9. 'Reign of Her present Majesty, intituled *An Act to authorize the Advance of Money out of the Consoli-* '*dated Fund to a limited Amount, for carrying on Public Works and Fisheries, and Employment of the* '*Poor, and to amend the Acts authorizing the Issue of Exchequer Bills for the like Purposes:* And '*whereas another Act was passed in the Ninth and Tenth Years of the Reign of Her present Majesty,*
9 & 10 Vict. c. 80. 'intituled *An Act to authorize the Advance of Money out of the Consolidated Fund for carrying on* '*Public Works and Fisheries, and Employment of the Poor:* And whereas sundry Advances or Loans 'have been made by the Commissioners of the said recited Acts for the Purposes in the same Acts 'specified, and great Benefits have been derived therefrom: And whereas Applications have been made 'to the said Commissioners by the *Great Southern and Western* Railway Company for the Advance or 'Loan of the Sum of Five hundred thousand Pounds, by the *Waterford and Kilkenny* Railway Company 'for the Sum of Eighty-three thousand Pounds, and by the *Dublin and Drogheda* Railway Company for 'the Sum of Thirty-six thousand Pounds; and it is deemed expedient to make further Advances of 'Money out of the Consolidated Fund for the Purposes of such Loans:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for the Purposes of such Advances or Loans as aforesaid the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being are hereby empowered, by Warrant under the Hands of any Three or more of them, to charge the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* (after providing for all preceding Charges, but having Preference of all future Charges), and to direct the Issue or the Payment thereout to the Account of the Commissioners for the Time being for the Reduction of the National Debt of a Sum or Sums of Money not exceeding Six hundred and twenty thousand Pounds.

Power to Treasury to charge the Consolidated Fund, and direct the Issue thereout of 620,000*l.*

II. And be it enacted, That all and every the several Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures contained in the said recited Acts or any of them shall not be affected by any Act or Acts of Parliament passed or to be passed, save so far as the same may be therein and thereby altered, varied, or repealed by express Reference to the said recited Acts or this Act; and all and every the said several Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures, so far as the same can be made applicable and are not varied by this

Powers, &c. of recited Acts to have the same Force as if re-enacted in this Act.

this Act, shall be taken to extend to this Act, and to every thing to be done in pursuance of this Act, and as if such Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures were herein repeated and set forth.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament. Act may be amended, &c.

CAP. LXXIV.

An Act to provide for the Repayment of Sums due by the County of the City of *Limerick* for Advances of public Money for the Improvement of the Navigation of the River *Shannon*.

[22d *July* 1847.]

'WHEREAS by the Provisions of an Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in* Ireland, and of another Act passed in the same Session, intituled *An Act to annex certain Parts of certain Counties of Cities to adjoining Counties, to make further Provision for Compensation of Officers in Boroughs, to limit the Borough Rate, and to continue for a limited Time* 'An Act to restrain the Alienation of Corporate Property in Ireland,' certain Alterations were made in the Boundaries of the County of the City of *Limerick* as then existing, and of the ancient Liberties thereof, and certain Parts or Portions thereof which before the passing of said Act formed a Part of said County of the City of *Limerick* are not included within the Boundaries defined under the said first-mentioned Act as the Boundaries of the Borough of *Limerick*, and said Parts and Portions so excluded from the said County of the City of *Limerick* are by the said secondly-mentioned Act made, for all the Purposes of Grand Jury Presentments and of Criminal Jurisdiction, and also of Civil Jurisdiction of the Superior Courts of Common Law in *Dublin*, Part of the County of *Limerick*: And whereas under the Provisions of an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of His late Majesty King *William* the Fourth, intituled *An Act for the Improvement of the Navigation of the River* Shannon, and of another Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act for the Improvement of the Navigation of the River* Shannon, the said County of the City of *Limerick* as originally bounded and defined became liable to repay to the Commissioners of Her Majesty's Treasury the Sum of Two thousand three hundred and fifty-eight Pounds Eighteen Shillings and Eleven-pence Three Farthings for Principal, and a Sum for Interest which, when computed up to the Twenty-eighth Day of *February* in the Year One thousand eight hundred and forty-eight, will amount to the Sum of Five hundred and eleven Pounds Three Shillings and Four-pence, as and for the Proportion of the said County of the City of *Limerick* as originally bounded and defined towards the Repayment of Monies issued and advanced to the Commissioners for the Improvement of the River *Shannon* under the Authority of the said last-mentioned Act, for the Purposes thereof, as appears by the Certificate of the said Commissioners acting in the Execution of the said Act: And whereas by a certain Award duly made pursuant to the said Act of the Third and Fourth Years of Her present Majesty, secondly above recited, it was determined that the Parts, Portions, or Precinct of the County of the City of *Limerick* annexed under and by virtue of the said last-mentioned Act to the County of *Limerick* should contribute Four Fifths, and that the Borough of *Limerick* as now defined by the said first-mentioned Act should contribute One Fifth Part, of the Debts due by the said County of the City of *Limerick* as originally bounded and defined: And whereas such Proportions appear to be just and reasonable for the Apportionment of the said Principal Sum and Interest upon the said Borough and the said Districts so constituting Part of the County of the City of *Limerick* as originally bounded and defined, and now added to the said County of *Limerick* as aforesaid; and it is expedient that Provision should be made at the Spring Assizes of the Year One thousand eight hundred and forty-eight for the Payment of the whole of the said Sum of Five hundred and eleven Pounds Three Shillings and Four-pence which will be then due for Interest as aforesaid, according to the Proportions aforesaid, and also for the Repayment, according to the like Proportions, of the said Principal Sum of Two thousand three hundred and fifty-eight Pounds Eighteen Shillings and Eleven-pence Three Farthings, with the further Interest thenceforth to accrue on the Balances of the Principal thereof from Time to Time remaining unpaid, by Twelve equal Instalments, which said Principal Sum, apportioned according to such Proportions as aforesaid, is calculated to amount to the respective Sums herein-after mentioned in that Behalf:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Borough or County of the City of *Limerick* as now constituted shall be and be deemed and are hereby declared to be liable to pay the Sum of Four hundred and seventy-one Pounds Fifteen Shillings and Nine-pence Halfpenny, with Interest, as herein-after mentioned, as and for the Share and Proportion of the said Borough towards the said Principal Sum of Two thousand three hundred and fifty-eight Pounds Eighteen Shillings and Eleven-pence Three Farthings so due to the Commissioners of Her Majesty's Treasury, and to pay the Sum of One hundred and two Pounds Four Shillings and Eight-pence as and for the Share and Proportion of the said Borough towards the said Sum of Five hundred and eleven Pounds Three Shillings and Four-pence so due and computed for Interest as aforesaid; and that the Parts, Portions, or Precinct aforesaid annexed to the County of *Limerick* as aforesaid shall be and be deemed liable to pay and contribute the Sum of One thousand eight

3&4 Vict. c. 108.
3&4 Vict. c. 109.
5&6 W. 4. c. 67.
2&3 Vict. c. 61.
Borough or County of the City of Limerick, &c. now annexed to the County of Limerick shall be liable to the respective Proportions as herein mentioned of the Debt due to the

Treasury in respect of the Improvement of the River Shannon.

eight hundred and eighty-seven Pounds Three Shillings and Two-pence Farthing, with Interest, as herein-after mentioned, as and for the Share and Proportion of the said Parts, Portions, or Precinct towards the said Sum of Two thousand three hundred and fifty-eight Pounds Eighteen Shillings and Eleven-pence Three Farthings so due to the Commissioners of Her Majesty's Treasury for Principal as aforesaid, and to pay and contribute the Sum of Four hundred and eight Pounds Eighteen Shillings and Eight-pence as and for the Share and Proportion of the said Parts, Portions, or Precinct towards the said Sum of Five hundred and eleven Pounds Three Shillings and Four-pence due to the said Commissioners of Her Majesty's Treasury for Interest as aforesaid.

The Grand Juries of the County of the City and of the County of Limerick shall at the Spring Assizes of 1848 present their respective Proportions of Interest to be raised and paid forthwith; and their respective Proportions of the Principal, with further Interest, to be raised and paid by Twelve Instalments.

II. And be it enacted, That the Grand Jury for the County of the City of *Limerick* as now constituted and the Grand Jury for the County of *Limerick* respectively shall and they are hereby required at the Spring Assizes of the Year One thousand eight hundred and forty-eight to be held for the said County of the City of *Limerick*, and County of *Limerick* respectively, to present to be raised off the said Borough or County of the City of *Limerick* as now constituted, and off the Parts, Portion, or Precinct which formed Part of said County of the City of *Limerick*, but are now annexed as aforesaid to the said County of *Limerick* respectively, the aforesaid Sums of One hundred and two Pounds Four Shillings and Eight-pence and Four hundred and eight Pounds Eighteen Shillings and Eight-pence, to which they are hereby respectively declared liable as aforesaid, for Interest, and to be paid to the said Commissioners of Her Majesty's Treasury; and the said Grand Jury for the County of the City of *Limerick*, at the Spring Assizes in the Year One thousand eight hundred and forty-eight, shall and they are hereby required, without Application to Presentment Sessions, to present the said Principal Sum of Four hundred and seventy-one Pounds Fifteen Shillings and Nine-pence Halfpenny, together with a Sum calculated at the Rate of Thirteen Pounds Ten Shillings *per Centum* on the said Principal Sum, as and for the Interest at Four Pounds *per Centum per Annum* which would accrue on such Principal Sum whilst such Principal Sum should be in progress of Payment, by Twelve equal Instalments, such compound Sum of Principal and Interest to be paid to the Commissioners of Her Majesty's Treasury in Twelve equal Instalments, and to be raised and levied off the said County of the City of *Limerick* as now constituted, the first of such Instalments to be paid at the Summer Assizes in the Year One thousand eight hundred and forty-eight, and each of the other Instalments to be paid successively at each of the succeeding Assizes for the said County of the City of *Limerick*, until the whole of such Twelve Instalments shall have been fully paid off; and the said Grand Jury of the County of *Limerick* at the Spring Assizes in the Year One thousand eight hundred and forty-eight shall and they are hereby required, without Application to Presentment Sessions, to present the said Principal Sum of One thousand eight hundred and eighty-seven Pounds Three Shillings and Two-pence Farthing, together with a Sum calculated at the Rate of Thirteen Pounds Ten Shillings *per Centum* on the said last-mentioned Principal Sum, as and for the Interest at Four Pounds *per Centum per Annum* which would accrue on such Principal Sum whilst such Principal Sum should be in progress of Payment, by Twelve equal Instalments, such compound Sum of Principal and Interest to be paid to the Commissioners of Her Majesty's Treasury in Twelve equal Instalments, and to be raised and levied off the Parts, Portion, or Precinct aforesaid now annexed to the County of *Limerick*, the first of such Instalments to be paid at the Summer Assizes in the Year One thousand eight hundred and forty-eight, and each of the other Instalments to be paid successively at each of the succeeding Assizes for the said County of *Limerick*, until the whole of such Twelve Instalments shall have been fully paid off; and in all such Cases, and also in case the Grand Jury of the County of the City of *Limerick* or County of *Limerick* shall neglect or refuse to make said Presentments or any of them, the Treasurer for the Time being of the said Borough or now County of the City of *Limerick* and the Treasurer for the Time being of the said County of *Limerick* respectively shall and they are hereby respectively required, without further Presentment or Authority in that Behalf, to insert respectively in their Warrants to be issued after the said respective Spring Assizes of the Year One thousand eight hundred and forty-eight for the levying of public Money off the said County of the City of *Limerick* and County of *Limerick* respectively, the Amount of the Sums hereby respectively directed to be raised and paid for Interest as aforesaid, and also to insert respectively in such their Warrants to be issued after the Spring Assizes of the Year One thousand eight hundred and forty-eight, and the several succeeding Assizes, the Amount of the respective Instalments of Principal and Interest hereby directed to be raised and paid as aforesaid, when and as the same shall be leviable respectively under this Act, in addition to the other Monies to be levied after each such Assizes; and any such respective Sums, when raised and levied as aforesaid, shall be paid over by such respective Treasurer to such Bank or Person and in such Manner as the said Commissioners of Her Majesty's Treasury shall direct.

The Precincts of Limerick not to be liable to the Proportion payable by the County, but such Precincts shall be credited with the Amount already paid.

III. 'And whereas under the Provisions of the said recited Acts of the Fifth and Sixth Years of 'His late Majesty's Reign and of the Second and Third Years of Her present Majesty's Reign the 'County of *Limerick* as originally bounded and defined became liable to repay to the Commissioners of 'Her Majesty's Treasury a certain Sum for Principal and Interest, as the Proportion of the said County 'of *Limerick* towards the Repayment of Monies advanced to the Commissioners for the Improvement of 'the River *Shannon* as aforesaid: And whereas by reason that the said Parts, Portions, or Precinct 'of the County of the City of *Limerick* have as aforesaid become Part of the County of *Limerick*, and 'have thereby become liable to be assessed, and have, as being Part of the County of *Limerick*, hitherto 'been assessed with and have paid divers Sums of Money for and on account of the said Proportion of 'the said County of *Limerick* towards the Repayment of the Monies so advanced to the Commissioners 'for the Improvement of the River *Shannon:* And whereas, in consideration that by the Provisions of

'this

'this Act the said Parts, Portions, or Precinct are made liable to pay and contribute to said Proportion 'of Charge payable as aforesaid by the County of the City of *Limerick*, the said Parts, Portions, or 'Precinct ought therefore to be reimbursed for the Sums so paid in respect of the said Proportion of 'Charge payable by the County of *Limerick*, and ought to be exonerated from any further Payment in 'respect of the same;' be it therefore enacted, That the said Parts, Portions, or Precinct so annexed to and become Part of the County of *Limerick* shall not be liable or bound to contribute to the Payment of the said Proportion, or any Part thereof, payable by the County of *Limerick* towards the Repayment of the Monies so advanced for the Improvement of the River *Shannon;* and the Grand Jury of the County of *Limerick* at the Spring or Summer Assizes for the Year One thousand eight hundred and forty-eight shall and they are hereby required to ascertain the total Amount of the Sums from Time to Time levied from and paid by the said Parts, Portions, or Precinct so annexed to the said County, for or in respect of the said Proportion payable by the said County of *Limerick* as aforesaid, and when the same shall have been so ascertained the Grand Jury of the said County of *Limerick* shall and they are hereby required to allow Credit to the said Parts, Portions, or Precinct for the Sum so ascertained, as against the Funds and Monies of the rest of the said County of *Limerick* exclusive of the said Parts, Portions, or Precinct, and shall and they are hereby required to present the Amount of the so ascertained Sum to be again assessed upon and to be levied and raised on and from the rest of the said County of *Limerick* exclusive of the said Parts, Portions, or Precinct; and the said Sum shall be accordingly so raised and levied, in like Manner and subject to like Provisions and Regulations as other Monies duly presented by the said Grand Jury are raised and levied, save that no Part of the said Sum shall be raised or levied off the said Parts, Portions, or Precinct so annexed to the said County as aforesaid; and the said Sum, or every Part thereof, as the same shall be from Time to Time raised or levied, shall be applied to replace the Amount of the Sum for which Credit shall have been so allowed to such Parts, Portions, or Precinct as aforesaid.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

CAP. LXXV.

An Act for the further Improvement of the Fishery Piers and Harbours of *Ireland*.

[22d *July* 1847.]

'WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act to encourage the Sea Fisheries of* Ireland, *by promoting and aiding with Grants of Public Money the Construction of Piers, Harbours, and other Works*, Provision was made of Funds, partly by way of Grant and partly by way of Loan, for the Purposes therein specified; and it is expedient that further Sums of Money should be provided, to be applied in like Manner; and the Powers granted to the Commissioners constituted under that Act were, by another Act passed in the last Session of Parliament, intituled *An Act to extend and consolidate the Powers hitherto exercised by the Commissioners of Public Works in Ireland, and to appoint additional Commissioners*, transferred to and vested in the Commissioners of Public Works in *Ireland:*' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* may cause to be issued from Time to Time to the said Commissioners of Public Works in *Ireland*, as they may find necessary for the Purposes of the said Act, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any further Sum or Sums of Money not exceeding in the whole the Sum of Forty thousand Pounds. 9 & 10 Vict. c. 3. 9&10 Vict. c. 86. Treasury may issue the Sum of 40,000*l.* out of Consolidated Fund.

II. And be it enacted, That the said Commissioners of Public Works, with the Approval of the Commissioners of Her Majesty's Treasury, may make Advances by way of Grant to an Amount not exceeding in the whole the Sum of Forty thousand Pounds, and such further Sum or Sums of Money as shall be from Time to Time voted by Parliament to be applied for the Purposes of the first-recited Act and this Act, in the Manner and on the Conditions specified in the said Act concerning any Grant of Money made under the Authority of the said Act; and every Grant of Money made under the Authority of this Act shall be subject to all the Provisions of the Act as fully as if the said Act had authorized the Advance and Appropriation to the Purposes of the said Act of the said further Sum of Forty thousand Pounds, and of any such other Sum or Sums of Money as shall be from Time to Time voted by Parliament as aforesaid; and Loans may be made by the said Commissioners of Public Works in aid of any such Grant in like Manner and upon the like Security as is provided with respect to any Work to be executed under the Provisions of the first-recited Act. Appropriation of 40,000*l.* and of such further Sums as shall be voted for the Purposes of 9 & 10 Vict. c. 3. and of this Act.

III. And be it enacted, That within Twelve Calendar Months after the passing of this Act the said Commissioners, by One or more Notices or Instruments in Writing under the Hands of Two or more of them, shall declare and describe the several Harbours, Piers, Quays, Landing Places, and other Works on the Sea Coast of *Ireland* which within Forty-five Years last passed have been made wholly or in part with public Money advanced for the Improvement of the Fisheries, and which the Commissioners shall deem fit and still useful for the Purposes of the Sea Fisheries, and which, in their Opinion, ought to be vested in the said Commissioners; and a Copy of every such Notice or Instrument shall be published within the said Period of Twelve Calendar Months in the *Dublin Gazette*, and in some One or more Newspapers Commissioners to give Notice of existing public Harbours which ought to be vested in them.

Newspapers circulating in the Neighbourhood of the Harbour, Pier, Quay, Landing Place, or other Work to which such Notice relates, and also, if the Commissioners think fit, shall be posted at some public Place in the said Neighbourhood, and by such Notice all Persons interested shall be required, on or before a Day to be named therein, not sooner than Two Weeks from such Publication, to send to the Secretary of the said Commissioners in *Dublin* their Objections, if any, in Writing, to the said Proceedings of the Commissioners.

Certain public Harbours vested in the Commissioners.

IV. And be it enacted, That after the Expiration of the Time so limited for receiving Objections with respect to any such Harbour, Pier, Quay, Landing Place, or other Work the Commissioners shall consider all such Objections, and shall inquire into the Grounds of the same, in such Manner as they think fit; and if thereupon they shall be of opinion, and shall finally determine, that any such public Harbour, Pier, Quay, Landing Place, or other Work should be vested in them, they shall signify their Determination by an Order under the Hands of Two or more of them, which shall be published in the *Dublin Gazette;* and any such public Harbour, Pier, Quay, Landing Place, or other Work respecting which such Order shall have been made and published as aforesaid, with all Ways, Rights, Members, and Appurtenances thereunto belonging, shall thereupon be vested in the said Commissioners and their Successors, and shall be deemed to be so vested, and shall be maintained and repaired in like Manner as if it had been constructed under the Provisions of the said Act.

Commissioners to apportion the Charge of Repair of Harbours, &c. in case of Insufficiency of Tolls.

V. And be it enacted, That in and by the Order made as aforesaid for vesting any such Harbour, Pier, Quay, Landing Place, or other Work in the Commissioners they shall specify the County which, under the Provisions herein-before contained, shall be liable to be charged with the Costs and Charges of the Repair and Maintenance thereof in case of the Insufficiency of the Tolls, Rates, or Rents accruing thence to the Commissioners to make good the same; and if any such Harbour, Pier, Quay, or Landing Place shall be in or adjacent to more than one County, the Commissioners in and by the same Order shall fix the Proportion in which each of such Counties shall be liable to be charged towards making good such Deficiency; and every such Order shall be binding and conclusive on every such County, and on all Persons whomsoever.

If Tolls, &c. are insufficient to repair Harbour, &c. Commissioners may execute the same out of Loans for Public Works.

VI. Provided always, and be it enacted, That if the Tolls, Rates, or Rents accruing to the said Commissioners from any Harbour, Pier, Quay, Landing Place, or other Work vested in them under the Provisions of the first-recited Act or of this Act shall be insufficient to defray the Charge of the Maintenance and Repair thereof, the Commissioners may from Time to Time execute such Repairs out of any Monies in their Hands applicable for Loans for Public Works, and shall in every such Case draw up an Award specifying the Amount of the Sums expended by them in and about such Repairs, and all Expences incident thereto, over and above the Amount of the said Tolls, Rates, and Rents applicable thereunto, and deducting any Sum which under the Power herein-after contained shall have been advanced by them by way of Grant for the first Repair of any Harbour, Pier, Quay, Landing Place, or other Work vested in them under this Act, and shall charge such Amount, with Interest, upon the County or Counties in or adjacent to which such Pier, Harbour, Quay, Landing Place, or other Work is situated; and the Commissioners shall sign such Award under the Hands of Two or more of them; and every such Award shall be deemed a final Award of the Commissioners, such as they are empowered by the first-recited Act to make, as soon as any Work for the Purposes of the said Act is completed, and shall be dealt with in like Manner, and be of the like Force and Effect; and all Proceedings in respect thereto shall be had as by the said Act is provided with respect to Proceedings upon any such final Award of the Commissioners.

First Repairs of old Harbours, &c. may be executed partly by Grant out of 40,000*l.*

VII. Provided always, and be it enacted, That the Commissioners, with the Approval of the Commissioners of Her Majesty's Treasury, may, if they think fit, out of the said Sum of Forty thousand Pounds, or any further Sum which shall be from Time to Time voted by Parliament for the Purpose of the first-recited Act and this Act, advance by way of Grant any Part of the Expences of the first Repair of any Harbour, Pier, Quay, Landing Place, or other Work vested in them under this Act, and previously to such first Repair such Proceedings shall be had and taken as by the said first-recited Act are required to be previously had or taken in the Case of any new Pier, Quay, Harbour, or other Work the Expence of which is partly to be paid by any County or District.

Acts to be construed together.

VIII. And be it enacted, That this Act and the first-recited Act as amended by this Act shall be construed together as one Act.

Act may be amended, &c.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. LXXVI.

An Act to empower the Commissioners of Her Majesty's Woods to purchase Lands for the Purpose of a Harbour of Refuge at or near *Holyhead* in the County of *Anglesea.* [22d *July* 1847.]

50 G. 3. c. 93. 4 G. 4. c. 74. 3 & 4 W. 4. c. 43.

'WHEREAS an Act was passed in the Fiftieth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for the improving and completing the Harbour of* Holyhead *in the Isle of* Anglesea: And whereas an Act was passed in the Fourth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for vesting in Commissioners the Bridges now building over the* Menai Straits *and the River* Conway, *and the Harbours of* Howth *and* Holyhead, *and the Road from* Dublin *to* Howth, *and for the further Improvement of the Road from* London *to* Holyhead: And whereas an Act was passed in the Third and Fourth Years of the Reign of His Majesty King *William* the Fourth, intituled *An Act for transferring to the Commissioners of His Majesty's Woods and Forests the several Powers*

'*Powers now vested in the* Holyhead *Road Commissioners, and for discharging the last-mentioned Commissioners from the future Repairs and Maintenance of the Roads, Harbours, and Bridges now under their Care and Management:* And whereas by an Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act to apply the Sum of Eight millions three hundred and fifty-six thousand one hundred and seventy-three Pounds Seventeen Shillings and Eleven-pence out of the Consolidated Fund, and Monies in the Exchequer, to the Service of the Year One thousand eight hundred and forty-six, and to appropriate the Supplies granted in this Session of Parliament,* the Sum of Eighty-five thousand six hundred and eighty-one Pounds was directed to be issued and applied for *Holyhead* Harbour: And whereas by an Act passed in this present Session of Parliament, intituled *An Act to empower the Commissioners of Her Majesty's Woods to purchase Land for the Purposes of a Harbour of Refuge and Breakwater in the* Isle of Portland *in the County of* Dorset, Powers are therein contained for enabling the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings to carry out and effect the purchase of the Lands and Hereditaments therein mentioned: And whereas, for the Promotion of the Service and Interests of the United Kingdom of *Great Britain* and *Ireland*, and for further facilitating the Intercourse between Her Majesty's Subjects in *Great Britain* and *Ireland*, it is intended to construct a new and improved Harbour at or near *Holyhead* in the County of *Anglesea*, and the Lands and Hereditaments mentioned in the Schedule hereunto annexed are required for the Purposes of the said Harbour and the Works, Matters, and Things incident to or connected therewith; and for acquiring such Lands it is expedient that such Provision should be made as is herein-after contained:' May it therefore please your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being, on behalf of Her Majesty, and they are hereby authorized and empowered, by and out of any Monies which have been or may hereafter be granted by Parliament for *Holyhead* Harbour, to purchase the Lands and Hereditaments mentioned in the Schedule hereunto annexed, and such Lands and Hereditaments when purchased shall be conveyed and assured to Her Majesty, Her Heirs and Successors, for the Purposes of the said Harbour.

9 & 10 Vict. c. 116.

10 & 11 Vict. c. 24.

Power to Commissioners of Woods, &c. to purchase the Lands mentioned in the Schedule.

II. And be it enacted, That the Maps or Plans already made describing the said Lands, after the same shall have been authenticated in Duplicate by the Signatures of the Lords of the Admiralty for the Time being, shall be deposited in the Office of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and in the Office of the Lords of the Admiralty respectively; and the Maps and Plans so authenticated and deposited shall remain in such Offices respectively, to the End that all Persons may at all reasonable Times inspect the same at their Will and Pleasure, on Payment of One Shilling for every such Inspection.

Maps, &c. after having been authenticated to be deposited in the Offices of Woods, &c. and the Admiralty.

III. And for the Purpose of empowering the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, on behalf of Her Majesty, to take and use for the Purposes of the said intended new and improved Harbour at or near *Holyhead*, and the Works, Matters, and Things incident to or connected therewith, the Land, Houses, Tenements, and Hereditaments mentioned in the said Schedule hereunto annexed, and for empowering the said Commissioners, on behalf of Her Majesty, to stop up, divert, raise, lower, or alter all or any of the Roads, Ways, Paths, Passages, Streams, and Watercourses which now lead into, through, across, or over the said Lands, Tenements, or Hereditaments, and for the compulsory Purchase of all or of so much and such Part or Parts of the said Lands, Tenements, and Hereditaments, as the said Commissioners may deem it necessary or expedient to purchase and acquire for the Purposes aforesaid, be it enacted, That all the Powers, Clauses, Provisions, Matters, and Things contained in the last herein-before recited Act of this present Session of Parliament, except such of them or such Parts thereof as are by this Act repealed, altered, or otherwise provided for, and also except the special Provisions in the said Act contained for the ascertaining and appropriating the Price to be paid for the Rights and Interests of any Person or Persons in the common or commonable Lands therein mentioned, shall extend and apply to the Lands and Hereditaments mentioned in the Schedule to this Act as fully and effectually as if the same several Powers, Provisions, Matters, and Things were repeated in this Act, and re-enacted with reference to the Lands and Hereditaments hereby authorized to be purchased, and to the several Purposes and Things before mentioned or referred to, and as if the Expression "County of *Anglesea*" was substituted in the said lastly herein-before recited Act for the Expression "County of *Dorset*," and as if the Expression "new and improved Harbour at or near *Holyhead*" was substituted for the Expressions "Harbour of Refuge and Breakwater intended to be constructed on or near the North-east Side of the *Isle of Portland*;" and all Pains and Penalties which may be incurred, imposed, or inflicted under or by virtue of the said last herein-before recited Act of this present Session of Parliament for Offences against the Provisions therein specified, shall and may be incurred, enforced, and inflicted for similar Offences against the Provisions of this Act, and in all respects as if the same were repeated in this Act.

Powers of the 10 & 11 Vict. c. 24. extended to this Act and to the Lands mentioned in the Schedule.

IV. And be it enacted, That before any superfluous Lands to be purchased by or on behalf of Her Majesty under the Authority of this Act shall be sold, such superfluous Lands shall, unless situate within a Town, or be Lands built upon or used for Building Purposes, be first offered to the Person then entitled to the Lands (if any) from which the same were originally severed; or if such Person refuse to purchase the same, or cannot, after diligent Inquiry, be found, then the like Offer shall be made to the Person or to the several Persons whose Lands shall immediately adjoin the Lands so proposed to be sold, such Persons being

Lands to be offered to Owner of Lands from which they were originally taken, or to adjoining Owners.

being capable of entering into a Contract for the Purchase of such Lands; and where more than One such Person shall be entitled to such Right of Pre-emption, such Offer shall be made to such Persons in Succession, one after another, in such Order as by or on behalf of Her Majesty shall be thought fit; and if any such Persons be desirous of purchasing such Lands, then, within Six Weeks after such Offer of Sale, they shall signify their Desire in that Behalf to the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or if they decline such Offer, or if for Six Weeks they neglect to signify their Desire to purchase such Lands, the Right of Pre-emption of every such Person so declining or neglecting in respect of the Lands included in such Offer shall cease; and a Declaration in Writing made before a Justice by some Person not interested in the Matter in question, stating that such Offer was made, and was refused or not accepted within Six Weeks from the Time of making the same, or that the Person or all the Persons entitled to the Right of Pre-emption were out of the Country, or could not, after diligent Inquiry, be found, or were not capable of entering into a Contract for the Purchase of such Lands, shall in all Courts be sufficient Evidence of the Facts therein stated; and if any Person entitled to such Pre-emption be desirous of purchasing any such Lands, and such Person and the said Commissioners do not agree as to the Price thereof, then such Price shall be ascertained by Arbitration, and the Costs of such Arbitration shall be in the Discretion of the Arbitrators; and upon Payment or Tender to the said Commissioners, on behalf of Her Majesty, of the Purchase Money so agreed upon or determined as aforesaid, they shall, on behalf of Her Majesty, convey such Lands to the Purchasers thereof, and such Conveyance shall be effectual to vest the Lands comprised therein in the Purchaser of such Lands for the Estate which shall have been so purchased by him, and a Receipt under the Hands of the said Commissioners or any Two them shall be a sufficient Discharge to the Purchaser of any such Lands for the Purchase Money in such Receipt expressed to be received.

Act may be amended, &c.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Public Act.

VI. And be it enacted, That this Act shall be deemed to be a Public Act; and shall be judicially taken notice of as such by all Judges, Justices, and others.

SCHEDULE to which the foregoing Act refers.

N° on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	Mountain or Waste -	The Crown and Lord Stanley.		
1a	Public Footpath -	The Surveyors of Highways.		
1b	Public Footpath -	The Surveyors of Highways.		
2	Pasture - -	The Crown, Mary Roberts, and Rowland Williams.	Rowland Williams	Rowland Williams.
3	Pasture - -	The Crown, Lord Stanley, and Mary Roberts.	- - -	Mary Roberts.
4	Pasture - -	The Crown, Lord Stanley, and Richard Roberts.	- - -	Richard Roberts.
5	Pasture - -	The Crown, Lord Stanley, and William Williams.	- - -	William Williams.
5a	Occupation Path or Road.	The Crown, Lord Stanley, and William Williams.	- - -	William Williams.
6	Arable and Pasture -	The Crown, Lord Stanley, and Richard Roberts.	- - -	Richard Roberts.
6a	Pigstye and Yard -	The Crown, Lord Stanley, and Richard Roberts.	- -	Richard Roberts.
7	Arable and Pasture -	The Crown, Lord Stanley, and Robert Roberts.	- - -	Robert Roberts and Jane Davies.
7a	Old Cowhouse and Yard.	The Crown, Lord Stanley, and Robert Roberts.	- - -	Robert Roberts and Jane Davies.
8	Arable - -	The Crown, Lord Stanley, and Elizabeth Hughes.	- - -	Elizabeth Hughes.
8a	Pigstye - -	The Crown, Lord Stanley, and Elizabeth Hughes.	- - -	Elizabeth Hughes.
8b	Pasture - -	The Crown, Lord Stanley, and Elizabeth Hughes.	- - -	Elizabeth Hughes.
9	Pasture - -	The Crown, Lord Stanley, and Elizabeth Hughes.	- - -	Elizabeth Hughes.
10	Arable - -	The Crown, Lord Stanley, and Elizabeth Hughes.	- - -	Elizabeth Hughes.
10a	Footpath or reputed Footpath.			

N° on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
11	Pasture - -	The Crown, Lord Stanley, and Elizabeth Hughes.	- - -	Elizabeth Hughes.
12	Pasture - -	Lord Stanley - -	- - -	Robert Owen.
13	Pasture - -	Lord Stanley and Henry Williams, Esquire.	- - -	Richard Morris and Robert Owen.
13a	Occupation Road -	The Marquess of Anglesey, Lord Stanley, and Henry Williams, Esquire.	- - -	Lewis Thomas, Robert Owen, and Richard Morris.
14	Pasture - -	Henry Williams, Esquire -	- - -	Richard Morris.
15	Arable - -	The Marquess of Anglesey	- - -	Lewis Thomas.
15a	Occupation Road -	The Marquess of Anglesey, Lord Stanley, and Henry Williams, Esquire.	- - -	Lewis Thomas, Robert Owen, and Richard Morris.
16	Rock and Pasture -	Henry Williams, Esquire -	- - -	Richard Morris.
16a	Pasture - -	Henry Williams, Esquire -	- - -	Richard Morris.
22	Pasture and Rocks -	The Marquess of Anglesey	- - -	Lewis Thomas.
22a	Occupation Road -	The Marquess of Anglesey	- - -	Lewis Thomas.
23	Pasture - -	The Marquess of Anglesey	- - -	Lewis Thomas.
25	Pasture and Occupation Road.	The Marquess of Anglesey	- - -	Lewis Thomas.
27	Arable - -	Lord Stanley - -	- - -	Lewis Thomas.
28	Arable - -	Henry Williams, Esquire -	- - -	Hugh Hughes and Lewis Thomas.
29	Pasture and Rock -	Henry Williams, Esquire, and the Crown.	- - -	Hugh Hughes.
30	Pasture, Arable, and Rock.	The Marquess of Anglesey and the Crown.	- - -	Lewis Thomas.
31	Arable - -	The Marquess of Anglesey	- - -	Lewis Thomas.
32	Arable and Rocks -	Lord Stanley and the Crown	- - -	Lewis Thomas and Robert Owen.
33	Arable - -	The Marquess of Anglesey	- - -	Lewis Thomas.
34	Pasture - -	Lord Stanley - -	- - -	Lewis Thomas and Robert Owen.
35	Pasture - -	The Marquess of Anglesey	- - -	Lewis Thomas.
36	Pasture and Rock -	The Marquess of Anglesey	- - -	Lewis Thomas.
37	Pasture and Rock -	Lord Stanley - -	- - -	William Bulkeley Jones.
38	Pasture and Rocks -	Henry Williams, Esquire, and the Crown.	- - -	Hugh Hughes.
38a	Rocks and Pasture -	Henry Williams, Esquire, and the Crown.	- - -	Hugh Hughes.
39	Pasture and Rocks -	The Marquess of Anglesey and the Crown.	- - -	Lewis Thomas and Richard Williams.
40	House - -	The Marquess of Anglesey	- - -	Lewis Thomas and Richard Williams.
40a	Occupation Road -	The Marquess of Anglesey	- - -	Richard Williams.
41	Arable, Pasture, and Rocks.	Lord Stanley and the Crown	- - -	William Bulkeley Jones.
41a	Occupation Road -	Lord Stanley - -	- - -	William Bulkeley Jones.
42	Pasture and Rock -	Lord Stanley - -	- - -	William Bulkeley Jones.
43	Pasture and Rock -	Lord Stanley and the Crown	- - -	Robert Owen.
43a	Path - -	Lord Stanley.		
44	Pasture and Rock -	Lord Stanley - -	- - -	Robert Owen.
44a	Occupation Road -	Lord Stanley - -	- - -	Robert Owen.
45	Pasture and Rock -	Lord Stanley and the Crown	- - -	Robert Owen.
46	Pasture and Rock -	Lord Stanley and the Crown	- - -	Robert Owen.
46a	Pasture and Rock -	Lord Stanley and the Crown	- - -	Robert Owen.
46b	Pasture and Rock -	Lord Stanley and the Crown	- -	Robert Owen.
46c	Rivulet - -	Lord Stanley and the Crown	- - -	Robert Owen.
46d	Occupation Road -	Lord Stanley - -	- - -	Robert Owen.

N° on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
46e	Path - -	Lord Stanley - -	- - -	Robert Owen.
47	Pasture - -	Lord Stanley - -	- - -	Robert Owen.
47a	Rivulet - -	Lord Stanley - -	- - -	Robert Owen.
48	Arable and Pasture -	Lord Stanley - -	- - -	Robert Owen.
48a	Arable and Pasture -	Henry Williams, Esquire, and Lord Stanley.	- - -	Robert Owen and Richard Morris.
49	Pasture - -	Lord Stanley - -	- - -	Reverend William Morgan.
49a	Occupation Road -	Lord Stanley - -	- - -	Reverend William Morgan.
50	Garden - -	Lord Stanley - -	- - -	Reverend William Morgan.
51	House and Yard -	Lord Stanley - -	- - -	Reverend William Morgan.
52	Farmyard - -	Lord Stanley - -	- - -	Reverend William Morgan.
53	Stackyard - -	Lord Stanley - -	- - -	Reverend William Morgan.
54	Barn and Cowhouse -	Lord Stanley - -	- - -	Reverend William Morgan.
54a	Cart Hovel - -	Lord Stanley - -	- - -	Reverend William Morgan.
54b	Pigstye - -	Lord Stanley - -	- - -	Reverend William Morgan.
55	Farmyard - -	Lord Stanley - -	- - -	Reverend William Morgan.
56	Occupation Road -	Lord Stanley - -	- - -	Reverend William Morgan.
56a	Stream - -	Lord Stanley - -	- - -	Reverend William Morgan.
57	Arable - -	Henry William Owen -	- - -	Richard Hughes.
58	Arable and Pasture -	Henry William Owen -	- - -	Richard Hughes.
58a	Pasture and Rocks -	Henry William Owen and the Crown.	- - -	Richard Hughes.
58b	Path - -	Henry William Owen.		
59	Arable - -	Lord Stanley - -	- - -	John Roberts.
59a	Path - -	Lord Stanley.		
60	Pasture and Rocks -	Henry William Owen and the Crown.	- - -	Richard Hughes.
61	Pasture - -	Eleanor Vickers - -	- - -	John Jones.
61a	Pasture and Rocks -	Eleanor Vickers and the Crown.	- - -	John Jones.
61b	Path - -	Eleanor Vickers.		
61c	Path - -	Eleanor Vickers.		
62	Pasture -	Lord Stanley - -	- - -	John Roberts.
62a	House and Ruins -	Lord Stanley - -	- - -	John Roberts.
63	Arable - -	Lord Stanley - -	- - -	John Roberts.
64	Pasture - -	Lord Stanley - -	- - -	John Roberts.
65	Pasture - -	Eleanor Vickers - -	- - -	John Roberts.
65a	Path - -	Eleanor Vickers.		
66	Pasture - -	Eleanor Vickers - -	- - -	John Jones.
67	Pasture - -	Lord Stanley - -	- - -	Grace Evans, Widow, and the Executors of the late Hugh Evans.
68	Arable - -	Lord Stanley - -	- - -	Grace Evans, Widow, and the Executors of the late Hugh Evans.
68a	Path - - -	Lord Stanley - -	- - -	Grace Evans, Widow, and the Executors of the late Hugh Evans.

N° on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
69	Pasture - -	Lord Stanley - -	- - -	Grace Evans, Widow, and the Executors of the late Hugh Evans.
70	Arable - -	Lord Stanley - -	- - -	Grace Evans, Widow, and the Executors of the late Hugh Evans.
70a	Pasture and Rocks -	Lord Stanley and the Crown - - -	- - -	Grace Evans, Widow, and the Executors of the late Hugh Evans.
70b	Path - -	Lord Stanley - -		
70c	Path - - -	Lord Stanley - -		
71	Arable - -	Eleanor Vickers - -	- - -	Griffith Owen.
71a	Path - - -	Eleanor Vickers.		
72	Pasture - -	Eleanor Vickers - -	- - -	Griffith Owen.
72a	Pasture and Rocks -	Eleanor Vickers and the Crown.	- - -	Griffith Owen.
72b	Drain and Well -	Eleanor Vickers - -	- - -	Griffith Owen.
73	Pasture - -	Jesus College, Oxford -	- - -	Executors of Hugh Evans, Grace Evans, Widow, and John Thomas.
73a	Pasture and Rocks -	Jesus College, Oxford, and the Crown.	- - -	Executors of Hugh Evans, Grace Evans, Widow, and John Thomas.
74	Stackyard - -	Lord Stanley - -	- - -	Robert Prichard.
75	Pasture - -	Lord Stanley - -	- - -	Robert Prichard.
75a	Cowhouse - -	Lord Stanley - -	- - -	Robert Prichard.
76	Pasture and Rocks -	Lord Stanley and the Crown	- - -	Robert Prichard.
76a	Pasture and Rocks -	Lord Stanley and the Crown	- - -	Robert Prichard.
77	Pasture - -	Lord Stanley - -	- - -	Robert Prichard.
78	Arable - -	Lord Stanley - -	- - -	Robert Prichard.
79	Arable - -	Lord Stanley - -	- - -	Robert Prichard.
80	Pasture - -	Jesus College, Oxford -	- - -	Reverend Charles Williams.
80a	Path - - -	Jesus College, Oxford.		
81	Pasture and Rocks -	Jesus College, Oxford, and the Crown.	- - -	Reverend Charles Williams and John Thomas.
82	Pasture - -	Eleanor Vickers - -	- - -	William Walthew, Esquire.
83	Arable - -	Lord Stanley - -	- - -	John Thomas.
84	Pasture - -	Lord Stanley - -	- - -	John Thomas.
84a	Pasture and Rocks -	Lord Stanley and the Crown	- - -	John Thomas.
84b	Path - -	Lord Stanley.		
85	Garden and Yard -	Lord Stanley - -	Mary Davies, Widow.	Mary Davies, Widow.
86	Yard - - -	Lord Stanley - -	Ellin Roberts, Widow.	Ellin Roberts, Widow.
87	House and Yard -	Lord Stanley - -	Mary Davies, Widow.	Mary Davies, Widow.
87a	Three Pigstyes -	Lord Stanley - -	Mary Davies, Widow.	Mary Davies, Widow.
88	House - -	Lord Stanley - -	Ellin Roberts, Widow.	Ellin Roberts, Widow.
88a	Wash-house - -	Lord Stanley - -	Ellin Roberts, Widow.	Ellin Roberts, Widow.
89	House, Yard, and Privy.	Lord Stanley - -	Ellin Roberts, Widow, and Jaret Nicholson.	James Somerville and Ellin Roberts.
90	House - -	Lord Stanley - -	Ellin Roberts, Widow.	Robert Roberts.

N° on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
91	House and Yard -	Lord Stanley - -	Ellin Roberts, Widow.	Samuel Wilkes.
92	Occupation Road -	Lord Stanley.		
93	Rock and Pasture -	Lord Stanley - -	- - -	John Thomas.
93[a]	Public Footpath.			
94	House, Stable, and Cowhouse.	Lord Stanley - -	- - -	John Thomas.
95	Garden - -	Lord Stanley - -	- - -	John Thomas.
95[a]	Two Pigstyes -	Lord Stanley - -	- - -	John Thomas.
96	Cart Hovel and Engine House.	Lord Stanley - -	- - -	John Thomas.
97	Stackyard - -	Lord Stanley - -	- - -	John Thomas.
98	Pasture - -	Lord Stanley - -	- - -	John Thomas.
98[a]	Occupation Road	Lord Stanley - -	- - -	John Thomas.
99	Chapel and Yard -	Lord Stanley - -	Robert Spencer and others, Trustees of the Wesleyan Chapel.	Robert Spencer and others, Trustees of the Wesleyan Chapel.
100	Garden - -	Lord Stanley - -	William Roberts	Grace Lewis, Widow.
101	Arable - -	Henry Williams, Esquire -	Robert Williams	John Thomas.
101[a]	Path - - -	Henry Williams, Esquire.		
101[b]	North West Street or Lane.			
102	House and Yard -	Lord Stanley - -	Jane Williams and Mary Foote.	William Woodhouse.
102[a]	Garden - -	Lord Stanley - -	Jane Williams and Mary Foote.	William Woodhouse.
103	Pasture - -	Lord Stanley - -	- - -	John Thomas.
104	Garden - -	Lord Stanley - -	- - -	John Thomas and William Woodhouse.
105	Arable - -	Eleanor Vickers - -	- - -	Margaret Barrett, Samuel Hadley, Jaret Nicholson, and John Griffiths.
105[a] 105[a]	Rocks - -	Eleanor Vickers, the Crown, and Lord Stanley.		
106	Boat House - -	Eleanor Vickers - -	- - -	John Griffiths.
107	Garden - -	Eleanor Vickers - -	- - -	John Griffiths.
108	Garden and Pigstye -	Eleanor Vickers - -	- - -	Jaret Nicholson.
109	Garden and Pigstye -	Eleanor Vickers - -	- - -	Samuel Hadley.
110	Garden and Pigstye -	Eleanor Vickers - -	- - -	Margaret Barrett.
111	Passage or Yard -	Eleanor Vickers - -	- - -	Samuel Hadley, Margaret Barrett, Jaret Nicholson, and John Griffiths.
111	House -	Eleanor Vickers - -	- - -	Margaret Barrett.
112	House - -	Eleanor Vickers - -	- - -	Samuel Hadley.
113	House - -	Eleanor Vickers - -	- - -	Jaret Nicholson.
114	House and Pigstye -	Eleanor Vickers - -	- - -	John Griffiths.
115	House - -	Eleanor Vickers - -	- - -	Owen Williams.
116	House - -	Eleanor Vickers - -	- - -	Ellin Jones.
117	House - -	Eleanor Vickers - -	- - -	Jane Parry.
118	Passage - -	Eleanor Vickers.		
119	Garden and ruinous Pigstyes.	Henry Williams, Esquire -	Robert Williams	John Thomas.
120	House - -	Henry Williams, Esquire -	Robert Williams	William Williams.
121	House - -	Henry Williams, Esquire -	Robert Williams	Margaret Tumblety, Hugh Williams, and William Owen.
122	House - -	Henry Williams, Esquire -	Robert Williams	William Roberts.
123	House - -	Henry Williams, Esquire -	Robert Williams	Richard Roberts.
124	Public Road - -	The Surveyors of Highways.		

N° on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
125	House - -	Lord Stanley - -	- - -	Mary Owen.
126	House - -	Lord Stanley - -	- - -	Watkin Thomas.
127	House - -	Lord Stanley - -	- - -	Lewis Jones.
128	House - -	Lord Stanley - -	- - -	William Owens.
129	Public Street -	Surveyor of Highways.		
129[a]	Pigstye - -	Lord Stanley - -	- - -	Watkin Thomas.
129[b]	Pigstye - -	Lord Stanley - -	- - -	Mary Owen.
129[c]	Pigstye - -	Lord Stanley - -	- - -	Owen Jones.
130	House and Yard -	Lord Stanley - -	- - -	John Thomas and Richard Roberts.
131	House and Yard -	Lord Stanley - -	- - -	Owen Nicholson and William Griffith.
132	House and Yard -	Lord Stanley -	- - -	Thomas Morris.
133	House and Yard -	Lord Stanley - -	- - -	Joseph Duff.
134	House and Yard -	Lord Stanley - -	- - -	William Duggan.
135	House and Yard -	Lord Stanley - -	- - -	Grace Williams and Hugh Hughes.
136	House and Yard -	Lord Stanley - -	- - -	William Hughes and Hugh Parry.
137	House and Yard -	Lord Stanley - -	- - -	William Prichard and Thomas Jones.
138	Rocks - -	Lord Stanley and the Crown.		
138[a]	Public Street -	Surveyor of Highways.		
139	House - -	Eleanor Vickers - -	- - -	Owen Jones and Richard Roberts.
140	House - -	Eleanor Vickers - -	- - -	Edward Jones.
141	House - -	Eleanor Vickers - -	- - -	Catherine Jones.
142	House - -	Eleanor Vickers - -	- - -	Owen Thomas.
143	House - -	Eleanor Vickers - -	- - -	John Jones.
144	House - -	Eleanor Vickers - -	- - -	Griffith Griffiths.
145[a]	Rocks and Sea Shore	The Crown, Lord Stanley, and Eleanor Vickers.		
146	House and Yard -	Eleanor Vickers - -	William Hughes	William Hopson.
147	House and Yard -	Eleanor Vickers - -	William Hughes	William Hughes.
148	House and Yard -	Eleanor Vickers - -	John Hughes -	Richard Owen.
149	House and Yard -	Eleanor Vickers - -	Elizabeth Hughes	Elizabeth Hughes and Robert Phillips.
150	House and Yard -	Eleanor Vickers - -	- - -	Hugh Thomas and John Roberts.
151	House and Yard -	Eleanor Vickers - -	- - -	Daniel Meredith and Mary Brady.
152	House and Yard -	Eleanor Vickers - -	- - -	Owen Jones and Elizabeth Griffith.
153	House and Yard -	Eleanor Vickers - -	- - -	William Rowlands.
154	House and Yard -	Eleanor Vickers - -	- - -	Robert Hughes.
155	House and Yard -	Eleanor Vickers - -	- - -	Robert Roberts and John Edwards.
156	Yard - -	Eleanor Vickers - -	- - -	John Goodall and Eleanor Vickers.
156[a]	Garden - -	Eleanor Vickers - -	- - -	Ann Jones.
157	House and Garden -	Lord Stanley - -	Susannah Thomas	James Hughes.
158	House, Outbuilding, and Yard.	Lord Stanley - -	Susannah Thomas	John Thomas.
159	House, Outbuilding, and Yard.	Lord Stanley - -	Susannah Thomas	John Williams and Edward Parry.
160	Street or Frontage -	Surveyor of Highways.		
160[b]	Passage - -	Surveyor of Highways.		
161	House, Yard, and Outbuilding.	Eleanor Vickers - -	John Owen -	Jane Evans.
162	House and Yard -	Eleanor Vickers - -	John Bouch - -	Empty.
163	House, Yard, and Garden.	Eleanor Vickers - -	John Owen -	John Owen.

N° on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
164	House, Yard, and Garden.	Eleanor Vickers - -	Robert Evans -	Robert Evans and Hugh Williams.
165	House, Yard, and Garden.	Eleanor Vickers - -	Robert Williams or Mary Wisdom.	John Woods.
166	Corner in Street -	Surveyor of Highways.		
167	House - -	Eleanor Vickers - -	- - -	Robert Jones.
168	House - -	Eleanor Vickers - -	- - -	Henry Carvell and John Rowlands.
169	House - -	Eleanor Vickers - -	- - -	Thomas Price.
170	House - -	Eleanor Vickers - -	- - -	Elizabeth Davies.
170[a]	Passage in front of Houses.	Surveyors of Highways.		
171	House - -	Eleanor Vickers - -	- - -	William Roberts.
172	House - -	Eleanor Vickers - -	- - -	John Dagherty, Hugh Rowlands, and Charles M'Lean.
173	House - -	Eleanor Vickers - -	- - -	William Jones and John Jones.
174	House - -	Eleanor Vickers - -	- - -	Robert Ellis and Elizabeth Ellis.
175	Coach-house -	Eleanor Vickers - -	- - -	Empty.
176	Warehouse - -	Eleanor Vickers - -	- - -	Joseph Hopson.
177	Stable - -	Eleanor Vickers - -	- - -	John Jones.
177[a]	Passage or Street -	Surveyor of Highways.		
178	House - -	Eleanor Vickers - -	- - -	Thomas Plaisted.
179	Workshop and Shed -	Eleanor Vickers - -	- - -	Thomas Plaisted.
180	House - -	Eleanor Vickers - -	- - -	Mary Easterly and Ellis Williams.
181	House - -	Eleanor Vickers - -	- - -	Hugh Williams, Thomas Ellis, and Isaac Woodall.
182	House - -	Eleanor Vickers - -	- - -	Richard Morris and Thomas Ellis.
183	House - -	Eleanor Vickers - -	- - -	Jane Morgans.
183[a]	Shed - -	Eleanor Vickers - -	- - -	Jane Morgans.
184	House - -	Eleanor Vickers - -	- - -	Hannah Jones.
185	House - -	Eleanor Vickers - -	- - -	Joseph Hopson.
186	Frontage or Street -	Surveyor of Highways.		
187 187	Road and Quay -	The Crown.		
188	Swivel Bridge -	The Crown.		
189	Pasture - -	The Crown - -	- - -	John Provis, Esquire.
190 190 190	House and Outbuildings -	The Crown - -	- - -	John Provis, Esquire.
191	Garden - -	The Crown - -	- - -	John Provis, Esquire.
192	Occupation Road -	The Crown - -	- - -	John Provis, Esquire.
193 193 193	Pasture - -	The Crown - -	- - -	John Provis, Esquire.
193[a] 193[a] 193[a]	Rocks - -	The Crown - -	- - -	John Provis, Esquire.
194	Gun-shed - -	The Crown - -	- - -	The Board of Admiralty.
195	Powder House -	The Crown - -	- - -	The Commissioners of Woods and Forests.
196	Sea Shore - -	The Crown.		
209	Pasture - -	The Crown and Lord Stanley.	- - -	Robert Owen.
212	Pasture and Waste -	Lord Stanley - -	- - -	Robert Owen.
213	Pasture - -	Henry Williams, Esquire -	- - -	Richard Morris.

N° on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
217	Arable - -	Lord Stanley - -	- - -	Robert Owen.
217[a]	Occupation Road -	Lord Stanley - -	- - -	Robert Owen.
218	Arable - -	Henry Williams, Esquire -	- - -	Hugh Hughes.
219	Pasture - -	Henry Williams, Esquire -	- - -	Richard Morris.
219[a]	Pasture - -	Henry Williams, Esquire -	- - -	Richard Morris.
219[b]	Pasture - -	Henry Williams, Esquire -	- - -	Richard Morris.
220	Arable and Waste -	Lord Stanley - -	- - -	Robert Owen.
220[a]	Arable and Waste -	Lord Stanley - -	- - -	Robert Owen.
221	Arable and Waste -	Henry Williams, Esquire -	- - -	Richard Morris.
227	Pasture - -	Henry Williams, Esquire -	- - -	Richard Morris.
228	Arable and Pasture -	Lord Stanley - -	- - -	Henry Jones.
229	Arable - -	The Marquess of Anglesy -	Henry Jones -	Henry Jones.
230	Arable - -	Henry Williams, Esquire -	- - -	Richard Morris.
232	Occupation Road -	The Marquess of Anglesy -	- - -	Henry Jones and Richard Morris.
234	Arable - -	The Marquess of Anglesy -	Henry Jones -	Henry Jones.
235	Arable - -	Henry Williams, Esquire -	- - -	Richard Morris.
236 } 236 }	Occupation Road -	The Marquess of Anglesy, Lord Stanley, and Henry Williams.	- - -	Henry Jones and Richard Morris.
240	Pasture - -	Henry Williams, Esquire -	- - -	Richard Morris.
242	Arable - -	Lord Stanley - -	- - -	Robert Owen.
246	Arable and Rock -	The Marquess of Anglesy -	Henry Jones -	Henry Jones.
246[a]	Occupation Road -	The Marquess of Anglesy, Lord Stanley, and Henry Williams, Esquire.	- - -	Lewis Thomas, Robert Owen, and Richard Morris.
249	Arable - -	Lord Stanley - -	- - -	Robert Owen.

CAP. LXXVII.

An Act to continue until the First Day of *October* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, the Exemption of Inhabitants of Parishes, Townships, and Villages from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor. [22d *July* 1847.]

[3 & 4 *Vict. c.* 89. *continued as in Title.*]

CAP. LXXVIII.

An Act to amend an Act for the Registration, Incorporation, and Regulation of Joint Stock Companies. [22d *July* 1847.]

'WHEREAS by an Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for the Registration, Incorporation, and Regulation of Joint Stock Companies*, it is amongst other things enacted, that on the complete Registration of any Company being certified in the Manner prescribed in the said Act it shall be lawful for such Company, amongst other things, to purchase and hold Lands, Tenements, and Hereditaments in the Name of such Company, or of the Trustees or Trustee thereof, for the Purpose of occupying the same as a Place or Places of Business of the said Company, and also (but nevertheless with a Licence, general or special, for that Purpose, to be granted by the Committee of Privy Council for Trade, first had and obtained,) such other Lands, Tenements, and Hereditaments as the Nature of the Business of the Company may require: And whereas Doubts have in certain Cases arisen as to the Meaning of the said Provision, and it is expedient that such Doubts should be removed, and that further Provision should be made as to the granting of such Licences as aforesaid by the said Committee of Privy Council:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whenever any Company, having obtained a Certificate of complete Registration under the said Act, is desirous of purchasing or holding, taking on Lease, holding on Mortgage, or in any other Manner acquiring an Interest such as Bodies Politic or Corporate are by Law incapacitated from acquiring in any Lands, Tenements, or Hereditaments, other than such as it is under said Act entitled to purchase and hold, as a Place or Places of Business, it shall be lawful for such Company to make Application to the Lords of the said Committee of Privy Council for Trade for a Licence to purchase, take, or hold the same; 7&8 Vict. c. 110.

Any Company, having obtained Certificate of complete Registration, being desirous of holding Lands, may apply to

the Board of Trade for a Licence, who may, if they see fit, grant the same.

same; and the Lords of the said Committee shall thereupon take such Application into their Consideration, and may, if they see fit, grant a Licence to such Company accordingly; and in such Licence the Lords of the said Committee may either authorize such Company to purchase, take, and again let, sell, or otherwise dispose of such Lands, Tenements, or Hereditaments as may in the Licence be particularly described, and to hold the same for such Time as may be specified in such Licence, or in any Licence to be subsequently and from Time to Time granted by the said Committee of Privy Council for Trade on the Application of such Company, or may authorize them from Time to Time to acquire, dispose of, and again acquire such Lands, Tenements, or Hereditaments as the Company may from Time to Time desire, or may authorize them to hold Lands, Tenements, or Hereditaments on Mortgage, and may frame such Licence in such Manner, and insert in the same such Conditions, as with reference to the special Circumstances of each Case they may deem expedient; and such Licence shall be held to confer upon such Company the Rights and Powers therein expressed to be given in respect of purchasing, holding, and disposing of Lands, Tenements, or Hereditaments as aforesaid.

Accounts of Licences, Renewals, Extensions, &c. to be annually laid before Parliament.

II. And be it enacted, That there shall be presented to both Houses of Parliament in each Year, within Fourteen Days after the Commencement of the Session, an Account of the several Licences and Renewals or Extensions of Licences, so granted by the Committee of the Privy Council for Trade, specifying the Nature and Extent of the Powers contained in each of such Licences, and of the Lands so authorized to be held, and also, in the Case of any Renewal or Extension of such Licences, an Account of the Extent of Land actually held by the Company at the Time of such Renewal or Extension, and the Counties within which such Lands are situate.

Licences granted before passing of this Act deemed valid for the Purposes therein expressed.

III. 'And whereas certain Licences have from Time to Time been granted by the Lords of the said 'Committee in pursuance of the said Act;' be it enacted, That in case any Doubt arise as to the Effect thereof it shall be held that any Licence so granted before the passing of this Act is valid and effectual for the Purposes therein expressed, and shall be deemed sufficient Evidence that the Lands, Tenements, or Hereditaments therein described or referred to, or which have been purchased, taken, held, or disposed of under the Authority thereof, are such as the Nature of the Business of the Company requires.

So much of recited Act as requires the Return to the Office for Registration of Joint Stock Companies of a Copy of every Prospectus, &c. repealed.

IV. 'And whereas by the said recited Act the Promoters of any Company formed for any Purpose 'within the Meaning of the said Act are, amongst other things, required to return to the Office for the 'Registration of Joint Stock Companies a Copy of every Prospectus or Circular, Handbill, or Advertise-'ment, or other such Document, at any Time addressed to the Public, or to the Subscribers or others, 'relative to the Formation or Modification of such Company: And whereas the Registration of such 'Prospectuses and Advertisements has been found to be very burdensome to the Promoters of such 'Companies, and it is desirable to relieve such Promoters from the Necessity thereof, and in lieu thereof 'to substitute the Provisions herein-after contained;' be it therefore enacted, That so much of the said Act as is lastly herein-before recited shall be and the same is hereby repealed.

Certain additional Particulars required to be returned to the Office for Registration of Joint Stock Companies.

V. And be it enacted, That in addition to the Particulars which the Promoters of every such Company as aforesaid are by the said Act required to return to the said Office for the Registration of Joint Stock Companies, when and as from Time to Time they shall be decided on, such Promoters shall also return, and they are hereby required to return, to the said Office, the following additional Particulars, so soon as the same shall be decided on; (that is to say,)

First. The Amount of the proposed Capital of the Company:

Second. The Amount and Number of the Shares into which the same is to be divided:

And if the said Company be dissolved, or be incorporated by Act of Parliament, or by Royal Charter or by the Queen's Letters Patent, or be in any way withdrawn or supposed to be withdrawn from the Operation of the said Act, the Promoters of the Company shall forthwith give Notice thereof to the Registrar of Joint Stock Companies.

If any Alterations are made in Particulars registered, they shall be returned to the Registrar, under a Penalty.

VI. And be it enacted, That in case of any Alteration being made in any of the Particulars registered by the Promoters of any Company in pursuance of the said recited Act or of this Act, such Alteration shall forthwith be returned to the Registrar of Joint Stock Companies; and if such Return be not made within One Month after such Alteration has been made and decided upon, any Promoter of the Company shall be liable to forfeit for each and every Alteration not returned as aforesaid any Sum not exceeding Twenty Pounds.

Penalty on Promoters issuing, at any Time before complete Registration, any Prospectus, &c. containing Statement at variance with Particulars returned under recited Act.

VII. And be it enacted, That it shall not be lawful for the Promoters of any Company, or for any Person connected with any Company, at any Time before such Company has obtained a Certificate of complete Registration under the said recited Act, to issue or publish or in any Manner address or cause or suffer to be addressed to the Public, or to the Subscribers or others, any Prospectus or Circular, Handbill, or Advertisement, or other such Document relative to the Formation or Modification of the Company, containing any Statement at variance with the Particulars which may have been returned to the Registrar of Joint Stock Companies under the said recited Act or this Act, nor to issue, publish, or in any Manner address or cause or suffer to be addressed to the Public, or to the Subscribers or others, any such Prospectus, Circular, Handbill, or Advertisement, containing any Statements of Particulars which are by the said recited Act or by this Act directed to be returned to the Registrar of Joint Stock Companies, until such Particulars have been so returned; and if any Prospectus or Circular, Handbill or Advertisement, be issued, published, or addressed to the Public, or to the Subscribers or others, contrary hereto, any Promoter of the Company shall be liable for each and every such Issue or Publication to forfeit any Sum not exceeding Twenty Pounds.

VIII. And

VIII. And be it enacted, That the Penalties imposed by this Act shall be sued for, recovered, and applied in the same Manner as Penalties imposed by the said recited Act are therein directed to be sued for, recovered, and applied respectively. Penalties under this Act to be sued for as under recited Act.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament. Act may be amended, &c.

CAP. LXXIX.

An Act to continue for a limited Time the Provisions for summary Proceedings contained in an Act of the last Session to amend the Acts for promoting the Drainage of Lands, and for other Purposes; and to amend the said Act. [22d *July* 1847.]

'WHEREAS an Act was passed in the Session held in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to promote the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in* Ireland: And whereas the said Act was amended by an Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to amend an Act of the Sixth Year of Her present Majesty, for promoting the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in* Ireland; and also by an Act passed in the Ninth Year of the Reign of Her present Majesty, intituled *An Act to amend the Acts for promoting the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in* Ireland, *and to afford Facilities for increased Employment for the Labouring Classes in Works of Drainage during the present Year:* And whereas by the last-mentioned Act, after referring to the Failure or Destruction of a Portion of the Potato Crop of the then last Year in *Ireland*, and to the Distress which might thereby prevail among the Labouring Classes in certain Districts, and to the Expediency of giving for Part of the then present Year increased Facilities for various Works of Utility connected with the Drainage and Improvement of Lands in such Districts, it was enacted and declared, that the Provisions therein-after contained should be called and deemed to be "Provisions for summary Proceedings" under the said Act, and that no Work should be undertaken or commenced under such Provisions for summary Proceedings as to the Execution of which Work the Assents of the Proprietors of Lands, as required by the Provisions of the said Act therein-before contained, should not have been given or obtained before the First Day of *August* in the Year One thousand eight hundred and forty-seven; and by the same Act it was therein-after provided, that the Commissioners for the Execution of the same should, as therein mentioned, ascertain that the Assent in Writing of the Proprietors, as defined in the said first-recited Act, with the Consent of the Tenants, if any, (as by the said Act required in that Behalf,) of more than One Half in Extent of the Lands to be drained or improved, should have been given to the proposed Works: And whereas, by reason of the Destruction of a large Portion of the Potato Crop of last Year in *Ireland*, it is expedient, for the Purposes of affording increased Facilities for Employment, to continue for a limited Time the aforesaid Provisions for summary Proceedings, amending the same as herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That notwithstanding anything contained in the said last-mentioned Act it shall be lawful to commence or undertake, under the Provisions for summary Proceedings in the same Act contained, any Works by such Provisions authorized as to the Execution of which Works the Assents of the Proprietors of Lands as required by the same Act (subject to the Provisions of this Act) shall be given or obtained at any Time before the Termination of Twelve Months from the passing of this Act, or before the End of the then next Session of Parliament, but no later; and that all the said Provisions for summary Proceedings shall be valid and effectual accordingly for the Purposes of Works to be commenced or undertaken under the Provisions of this present Act. Provisions for summary Proceedings continued for One Year, &c.

II. 'And whereas under the Provisions of the first-recited Act and the Acts amending same it was enacted, amongst other things, that where any Portion of Land proposed to be drained or improved by Drainage should, at the Time appointed for the giving such Assent as therein mentioned by the Proprietors of the Land to the Execution of the proposed Works, be in the actual Occupation of any Person under any Grant, Lease, or Agreement in Writing for a Lease for a Life or Lives, or for a Term of Years whereof more than Fourteen Years should be unexpired, the Consent in Writing of such Person should be necessary in order to give Validity to the Assent of the Proprietor in respect of the Lands comprised in such Grant, Lease, or Agreement: And whereas great Delay in consequence of such Provision has arisen in the Commencement of the Works under said Acts without any commensurate Advantage to the Parties interested, and, in order to increase the Facilities for affording Employment, it is expedient to amend the same;' be it enacted, That notwithstanding any thing in the said recited Acts or any of them contained, no Consent of any Person in the actual Occupation of any Land under any Grant, Lease, or Agreement in Writing for a Lease for a Life or Lives or for a Term of Years whereof more than Fourteen Years shall be unexpired to the Execution of the proposed Works under the Provisions of the said recited Acts, or any of them, shall be necessary in order to give Validity to the Assent of the Proprietor in respect of the Lands comprised in such Grant, Lease, or Agreement. Assent of Proprietors valid without the Concurrence of Occupiers.

III. 'And whereas by the said Act of the Ninth Year of Her Majesty's Reign it was also enacted, that in all Cases where for the Purposes of Navigation connected with Drainage a free Grant of a Where under recited Acts a free Grant of a

Moiety or more of the Cost of any Navigation shall be made, the Residue of the Cost to be charged upon the Districts benefited, without previous Presentment.

'Moiety or more of the Expence of making or improving any such Navigation should be made under 'the Authority of Parliament, and the other Moiety or Residue of the Expence of making or improving 'such Navigation should be raised or advanced by way of Loan under the Provisions of the said herein- 'before recited Acts, or of the Act now reciting, then such Moiety or Residue so raised or advanced 'should, with Interest from the Date of such Loan, be charged upon the District which by the Declara- 'tion to be made in such Case by the Commissioners in the said Act mentioned, under the Provisions of 'the said first-recited Act, it should be declared would be benefited by the making or improving of 'such Navigation, and the several Baronies, Half Baronies, and Townlands in such District, and should 'be repaid by and levied from such Baronies, Half Baronies, and Townlands in the Proportions in which 'it should be so declared that such Baronies, Half Baronies, and Townlands would be respectively 'benefited, in One Sum, or by Instalments, under and subject to the several Provisions and Regulations 'in the said therein recited Acts or the Act now reciting contained in relation to the Levy and Recovery 'of any Sums which, under the final Award of the said Commissioners, should be payable by the Grand 'Jury of any County in respect of the Improvement of the Navigation of any River: And whereas it 'is expedient to explain and confirm the Provision last herein-before recited, and to make such further 'Provisions as are herein-after contained;' be it enacted and declared, That notwithstanding any thing in the herein-before recited Acts contained, in all Cases where, for the Purposes of Navigation connected with Drainage, a free Grant of a Moiety or more of the Expences of making or improving any such Navigation shall be or shall have been made by the Authority of Parliament, and the other Moiety or Residue of the Expence of making or improving such Navigation shall be or shall have been raised or advanced by way of Loan, under the aforesaid Provisions, then such Moiety or Residue so raised or advanced shall, as by the last-recited Act provided, be charged upon the District therein mentioned, and the several Baronies, Half Baronies, and Townlands in such District, and shall be repaid by and levied from such Baronies, Half Baronies, and Townlands, as by the said Act provided, without any Declaration of the Justices and associated Cess-payers, and without any Presentment previously made by the Grand Jury of the County or any of the Counties wherein such District as aforesaid shall be situate; and in all such Cases all Proceedings hitherto taken by or before the Commissioners for the Execution of the said Acts, under the said last-recited Provision, and all Loans, if any, made to them, and all Securities given by them for the same, under such Provision, shall be valid and effectual, notwithstanding any Omission or Defect as regards any such Declaration or Presentment as aforesaid.

Publication in Dublin Gazette Evidence of Publication of final Notice.

IV. And be it enacted, That the Publication in the *Dublin Gazette* as by the said recited Acts directed of any final Notice heretofore given or hereafter to be given under the Provisions and for the Purposes of the said recited Acts or this Act, or any of them, shall be deemed conclusive Evidence of the due Publication of such final Notice.

Construction of Act.

V. And be it enacted, That the said recited Acts and this Act shall be construed together as One Act, and the several Words and Expressions to which an extended Signification is given in the said recited Acts, or any of them, shall have the like Signification in this Act.

Act may be amended, &c.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. LXXX.

An Act to amend an Act of the last Session for facilitating the Employment of the labouring Poor in the distressed Districts in *Ireland*, so far as relates to Compensation for Damages.

[22d *July* 1847.]

9 & 10 Vict. c. 107. 10 & 11 Vict. c. 10.

'WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act to facilitate the 'Employment of the labouring Poor for a limited Period in the distressed Districts in* Ireland: 'And whereas another Act was passed in the present Session of Parliament, intituled *An Act to render 'valid certain Proceedings for the Relief of Distress in* Ireland, *by Employment of the labouring Poor, 'and to indemnify those who have acted in such Proceedings:* And whereas under the Provisions of the 'said Acts the Commissioners of Public Works in *Ireland* were authorized to execute the Works therein 'provided to be executed for the Relief of the Poor, and for that Purpose, by themselves and their Officers 'and Persons employed by them, to take and acquire any Ground that might be necessary for the making 'of such Works, Satisfaction being rendered to the Proprietors or Occupiers in the Manner by the said 'first-recited Act provided: And whereas under the Provisions of the said recited Acts the Cost of 'executing such Works (save Works of Drainage and Subsoiling in the said secondly-recited Act men- 'tioned) were directed to be charged upon the respective Baronies, Half Baronies, Electoral Divisions, 'or Parts of Electoral Divisions, Districts, Counties of Cities, or Counties of Towns, as the Case may be, 'for which such Works were presented, and to be levied in like Manner as Poor Rate, and it is expedient 'that the Compensation for Damages caused by taking of Land for the Execution of such Works should 'be charged upon the same respective Places, and in the same Manner respectively: And whereas, owing 'to the great Extent of the Failure of the Potato Crop, and the Number of such Works required to be 'executed for the Employment of the Poor, the Compensation claimed for Damages is likely to amount to 'a considerable Sum, and it is therefore expedient to make other Provision for the Levy and Payment 'thereof than is by the said first-recited Act provided, and to empower Grand Juries, if they shall so think 'fit, to postpone such Levy and Payment for a limited Time:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons,

mons, in this present Parliament assembled, and by the Authority of the same, That after the passing of this Act it shall be lawful for the Grand Jury of any County, County of a City, or County of a Town, at the Summer Assizes of this Year, in Cases of Claims for Compensation for Damages to any Land or Premises taken or occupied for the Purpose of any Works under the Provisions of the said recited Acts, to postpone the making of Presentments in such Cases as to them shall seem expedient, from the said Summer Assizes to the Spring Assizes of the Year One thousand eight hundred and forty-eight, at which last-mentioned Assizes it shall be lawful for the Grand Jury to make Presentment for such Damages in Cases where the Amount of the same shall have been determined on the Trial of Traverses at the said Summer Assizes pursuant to the said recited Acts, without further Notice or Trial, in the same Manner as such Presentments could be made at the said Summer Assizes; and in all other Cases of Claims for such Damages where Presentments shall not have been made as hereby last authorized, or at such Summer Assizes, or, in the Case of the County of *Dublin* at the Presenting Term of this Year (whether or not Application shall have been made for such Damages at such Summer Assizes or Presenting Term), it shall and may be lawful for the respective Persons claiming such Compensation for Damages to any Land or Premises in respect of which Certificates shall have been given by the proper Officers of the said Commissioners of Public Works, or the County Surveyor, as the Case may be, under the Provisions of the first-recited Act or this Act, upon giving such Notice as in the said first-recited Act required, to make any such Application to the Grand Jury, or to enter any such Traverse for Damages, and for the respective Grand Juries to present for such Damages at the Spring Assizes or Presenting Term, as the Case may be, of the Year One thousand eight hundred and forty-eight, but not at any subsequent Assizes or Presenting Term, unless some Order of the Court shall be made at such Spring Assizes or Presenting Term for the Adjournment of any such Application, Traverse, or Presentment respectively, the Sums so presented to be paid in the Manner herein-after mentioned; and such Applications, Traverses, or Presentments, and the several Matters relating to the same, shall be subject to like Provisions as in the said first-recited Act contained as such Provisions are amended by this Act: Provided always, that the Claims of the several Parties interested in the same Premises, and claiming such Compensation, shall, so far as conveniently may be, be heard, considered, or tried together.

Grand Jury may postpone Traverses, &c. for Damages under the recited Acts not already tried to the Spring Assizes 1848.

II. And be it enacted and declared, That Applications for Compensation as aforesaid, and Traverses for Damages, may be made, entered, or presented for in respect of Damages caused by the taking of Land for Works executed under the Provisions of the said secondly-recited Act (save Works of Drainage and Subsoiling as aforesaid) in like Manner as in the Case of Works executed under the Provisions of the said first-recited Act; provided that Certificates shall be obtained from the respective Officers of the said Commissioners of Public Works or the County Surveyor, as the Case may be, pursuant to the Provisions of the said first-recited Act as amended by this Act.

Provisions as to Compensation for Damages to apply to Works under secondly-recited Act.

III. And be it enacted, That, any thing in the said first-recited Act to the contrary notwithstanding, any Certificate of the Amount of Damage sustained, or of other Matters in the said Act specified and therein required to be given, by the Officer or County Surveyor by whom any such Works shall have been or shall be executed, may be given by any Officer of the said Commissioners of Public Works by them appointed for that Purpose, and that in such Certificate the total estimated Amount of the Damage or Injury done to all Parties interested in the same Premises may be stated, the Officer making due Allowance in fixing such Amount for any Advantages conferred by such Work upon such Parties: Provided always, that nothing herein or in the said recited Acts contained shall be construed to prevent the Grand Jury, or any Jury before whom such Claim shall be tried upon a Traverse, from increasing or lessening the Amount of Compensation mentioned in such Certificate.

Certificates from Officers of the Board of Works.

IV. And be it enacted, That in all Cases of Presentments made at the Summer Assizes of this Year, or at any subsequent Assizes, or future Presenting Term, for the Payment of any Sum or Sums of Money to any Person or Persons as the Occupier or Occupiers of any such Land, such Sum or Sums of Money shall be inserted in and levied under the Warrant of the Treasurer, to be issued at the Time of issuing such Treasurer's Warrant for the Levy of Grand Jury Cess after such Assizes or Presenting Term; and such Sum or Sums, when the same shall be levied under such Warrant, shall be paid over to such respective Person or Persons entitled thereto.

The Amount of Damages presented to be paid to Occupiers shall be levied after the Assizes at which the Presentment is made.

V. And be it enacted, That any Sum of Money which shall have been presented at the said Summer Assizes of this Year, or which shall hereafter be presented at any Assizes or Presenting Term, for such Damages to be paid to any Person or Persons other than the Occupier of any Land, shall not be levied or inserted in the Treasurer's Warrant for such Levy until after the Summer Assizes or Presenting Term of the Year One thousand eight hundred and forty-eight; and in all Cases of such Presentments to be made after the passing of this Act for such Damages to be paid to such Person or Persons other than Occupiers, it shall be lawful for the respective Grand Juries, if they shall so think fit, to present that the same shall be paid to such Person or Persons other than the Occupier either in One Sum or by any Number of Instalments, not exceeding Ten, after the said Summer Assizes or Presenting Term of the Year One thousand eight hundred and forty-eight, and each succeeding Assizes or Time limited for the Payment of Grand Jury Cess, as the Case may be, till the same shall be fully raised and levied, and such Sum or Instalments shall be accordingly raised and levied, and shall, when so levied, be paid over to the Person or Persons so entitled.

Sums awarded for Damages to other Persons than Occupiers may be presented to be raised and paid after the Summer Assizes 1848 or by Ten Instalments.

VI. And be it enacted, That any such Sum of Money which shall have been or shall be presented at the said Summer Assizes of this Year, or at any subsequent Assizes, or which hereafter shall be presented at any Presenting Term, for Damages as aforesaid, under the Provisions of the said recited Acts or either of

Sums presented for Damages to be raised and levied off re-

spective Baronies, &c. as Poor Rate.

of them, shall be raised and levied off the Barony, Half Barony, Electoral Division, Part of an Electoral Division, District, County of a City, or County of a Town, as the Case may be, upon which same shall be chargeable under the Provisions of the said recited Acts, and shall be levied under the Warrant of the Treasurer, which he is hereby required to issue, and shall be charged upon and applotted, raised, and levied upon and from the Occupiers of and other Persons rateable in respect of Lands and Hereditaments within such Barony, Half Barony, Electoral Division, Part of an Electoral Division, District, County of a City, or County of a Town respectively, and rated under the then last preceding Rate or Rates made or from Time to Time made in respect of the same under the Provisions of an Act of the First and Second Years of the Reign of Her present Majesty, for the more effectual Relief of the destitute Poor in *Ireland*, and the several Acts amending the same, and shall be payable by the respective Rate-payers who, under the said last preceding Rate or Rates, shall have paid or contributed or been liable to pay or contribute Rate in respect of Property in such Barony, Half Barony, Electoral Division, Part of an Electoral Division, District, County of a City, or County of a Town, according to the several Valuations and Proportions according to which respectively such last preceding Rate or Rates shall have been so made, charged upon, and payable by the Rate-payers in respect of such Land or Hereditaments respectively; and any such Sum of Money shall be applotted, assessed, and levied by the respective High Constable or Collector of Grand Jury Cess for or in such Barony, Half Barony, or Place, as a Poundage Assessment, equally upon the net annual Value of the several Lands and Hereditaments within such Barony, Half Barony, Electoral Division, Part of an Electoral Division, District, or County of a City or County of a Town respectively, rated as aforesaid, as such net annual Value shall have been stated in such last preceding Rate or Valuation as aforesaid; and on Receipt of the respective County Treasurer's Warrant as aforesaid such High Constable or Collector is hereby authorized and required to levy the Money therein mentioned, and to give to the Parties paying the same separate Duplicate Receipts therefor, which shall not be subject to Stamp Duty; and such Money shall and may be collected and levied, sued for and recovered, by such and the same Ways and Means as any Grand Jury Cess, or the Money applotted on the several Persons liable to pay any Grand Jury Cess, or any Rate for the Relief of the destitute Poor, may be collected and levied, and with like Powers, Poundage, Authorities, and Privileges and Immunities to any such Collector as in case of the levying of any Grand Jury Cess, or any Rate for the Relief of the destitute Poor in *Ireland;* and the several Clauses, Provisions, Powers, and Authorities in the said first-recited Act contained with respect to the Monies to be raised and levied under the same, and the Collectors thereof, and their Powers, Proceedings, Securities, and Duties, and the obtaining Copies of Rates and Valuations, and any Penalty in respect of the same, and with respect to any Deduction to be made from any Rent in respect of any Assessment under the said Act, and also the several Provisions and Powers of the said Acts, for the more effectual Relief of the destitute Poor in *Ireland*, with respect to any such Deduction to be made from Rent or Tithe, shall be extended and applied to the Monies to be assessed, raised, or levied under the Provisions of this Act; and the several Words and Expressions to which an extended Meaning is given in the said first-recited Act shall include the like Significations in this Act.

Powers of Recovery.

Judge of Assize to certify the Number of Days on which the Court was occupied in trying Traverses for Damages under recited Acts, and to order the Treasurer to pay the Clerk of the Crown Three Guineas for each such Day.

VII. And be it enacted, That it shall be lawful for any Judge at the Assizes or Presenting Term to certify under his Hand the Number of Days on which the Court at such Assizes or Presenting Term shall have been occupied in the hearing or trying of any such Traverses for Damages under the said recited Acts or either of them; and thereupon such Judge shall make out an Order under his Hand, directing the respective Treasurer of the County, County of a City, or County of a Town, or the Finance Committee in the Case of the County of *Dublin*, as the Case may be, to pay to the respective Clerk of the Crown for such respective County, County of a City, or County of a Town a Sum not exceeding the Rate of Three Guineas for each Day, and so in proportion for any Part of a Day, on which it shall appear by such Certificate that the Court was occupied in the hearing or trying of any such Traverses for Damages; and such Treasurer or Finance Committee, as the Case may be, is hereby authorized and required, out of any public Money in his or their Hands, forthwith to pay to such Clerk of the Crown any such Sum of Money so ordered, and such Treasurer or Finance Committee shall be allowed the same in his or their Accounts; and the Grand Jury of such respective County, County of a City, or County of a Town shall, at such Assizes, or the next following Assizes or Presenting Term, as the Case may be, present all Sums so paid to the Clerk of the Crown, to be raised off the respective County, County of a City, or County of a Town, without any previous Application to Presentment Sessions; and it shall not be lawful for any Clerk of the Crown, Crier, or Officer of the Court to demand or take any Fee for or in respect of any such Traverse for Damages, or Presentment of the same, under the said recited Acts or either of them, other than is herein-before provided.

No other Fees to be taken.

Interpretation as to the County of Dublin.

VIII. And be it enacted, That in the Construction of this Act, in the Case of the County of *Dublin*, unless the Context and the Nature of the Case shall require a different Construction, the Word "Assizes" shall include the Presenting Term; the Word "Treasurer" shall include the Finance Committee; and the Periods for the Levy and Payment of Monies under this Act shall, as regards the said County, be deemed to be the respective Periods for the Levy and Payment of the respective Moieties of Grand Jury Cess in such County.

Act may be amended, &c.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. LXXXI.

An Act to limit the Time for taking the Poll at Elections of Members to serve in Parliament for Counties of Cities, Counties of Towns, and Boroughs in *Ireland*. [22d *July* 1847.]

'WHEREAS it is expedient that the Poll at all contested Elections of Members to serve in Parliament for Counties of Cities, Counties of Towns, and Boroughs in *Ireland* should be taken in One Day: And whereas by an Act of the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Representation of the People of* Ireland, it is amongst other things enacted, that such Poll may continue open until the Fifth Day thereof: And whereas it is expedient to repeal so much of the said recited Act as allows the Poll at such Elections for Counties of Cities, Counties of Towns, or Boroughs, so to continue open until the Fifth Day:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act so much of the said recited Act or any other Act as allows the Poll at such Elections for Counties of Cities, Counties of Towns, or Boroughs in *Ireland* to continue open until the Fifth Day of the Poll be and the same is hereby repealed.

2 & 3 W. 4. c. 88. s. 52.

So much of recited Act as allows the Poll at Elections in Ireland to continue open until the Fifth Day repealed.

II. And be it enacted, That at every contested Election of a Member or Members to serve in Parliament for any County of a City, County of a Town, or Borough in *Ireland* the Polling shall commence at Eight of the Clock in the Forenoon of the Day next but one after the Day fixed for the Election, and the Polling shall continue during such One Day only, and no Poll shall be kept open later than Five of the Clock in the Afternoon: Provided always, that when such Day next but one after the Day fixed for the Election shall be *Sunday*, *Good Friday*, or *Christmas Day*, then, in the Case it be *Sunday*, the Poll shall be on the *Monday* next following; and in the Case it be *Good Friday*, then on the *Saturday* next following; and in the Case it be *Christmas Day*, then on the next following Day, if the same shall not be *Sunday*, and if it be *Sunday* on the next following *Monday*: Provided also, that if the Day next following the Day fixed for the Election be a *Sunday*, *Good Friday*, or *Christmas Day*, such *Sunday*, *Good Friday*, or *Christmas Day* shall not be counted, but the Day of Polling shall be postponed, so that One Day over and above such *Sunday*, *Good Friday*, or *Christmas Day* shall intervene between the Day fixed for the Election and the Day of Polling.

Period of Polling.

III. And be it enacted, That it shall and may be lawful for the Returning Officer or Officers of every such County of a City, County of a Town, or Borough, and he and they are hereby required, to provide so many Booths or Polling Places for such County of a City, County of a Town, or Borough in convenient Parts of the same as may be necessary, and to make such a Division or Divisions of the Voters that it shall not be necessary for more than One hundred and twenty Voters, as the same shall appear on the Registry of Persons entitled to vote, to poll in any One Booth or Place of Polling, and making such Division of Voters according to the First Letter of their Names, when the Number of registered Voters whose Surnames shall begin with the same Letter of the Alphabet shall not exceed One hundred and twenty, and when the Number shall exceed One hundred and twenty, then as nearly as may be in alphabetical Order, according to the First, Second, and other Letters of their Names; and so also that the several Booths or Polling Places for Voters whose Surnames begin with the same Letter shall be as near as conveniently may be to one another; provided nevertheless, that all Voters who shall have the same Surname shall be obliged to vote in the same Place of Polling, even although their Number shall exceed One hundred and twenty; and which said Booths or Polling Places shall be provided at the equal Expence of the several Candidates, and the same shall be erected or provided by Contract with the Candidates, if they shall think fit to make such Contract, or if they shall not make such Contract then the same shall be provided or erected by the Sheriff or other Returning Officer or Officers at the Expence of the several Condidates as aforesaid, who shall be liable each to pay his own Proportion thereof, the Expence of each such Booth or Polling Place not to exceed the Sum of Three Pounds if in a public Building, and not to exceed the Sum of Five Pounds if not in a public Building; and it shall be lawful for such Returning Officer or Officers and he and they are hereby required to appoint as many Deputies and Poll Clerks as shall be necessary to take the Poll in such Places of Polling, not exceeding One Deputy or One Poll Clerk for each Place of Polling; and the Clerk of the Peace shall appoint, or on Failure thereof the Returning Officer or Officers shall appoint, a Deputy Clerk of the Peace, and likewise an Assistant to such Deputy, to be present in each Booth or Polling Place, who shall take with him into such Polling Place all the original Affidavits and Affirmations which have been made by the Persons capable of voting in such Place of Polling respectively, and which said Deputies, Clerks, and Assistants shall be paid the Sums following for taking the Poll at the said Election; that is to say, each Deputy Sheriff Two Guineas, his Clerk One Guinea; each Deputy Clerk of the Peace Ten Shillings, his Clerk or Assistant Five Shillings; the said several Payments to be made by the Sheriff or other Returning Officer who shall be entitled to receive the same from the several Candidates, who shall be liable each to pay his own Proportion or Share thereof.

Returning Officer to provide so many Booths that not more than One hundred and twenty Voters shall poll in any Booth.

IV. And be it enacted, That if the Vote of any Person shall be objected to by an Inspector of any Candidate the Poll shall not on that Account be delayed, but the Returning Officer's Deputy shall direct the Poll Clerk to enter a Memorandum on the Poll Books, showing to which Candidate or Candidates such Person has given his Vote, and that an Objection has been made to such Vote, and he shall, without waiting for a written Memorandum of such Objection, immediately proceed to receive the Vote of the next

If a Vote be objected to, Poll not to be delayed, but written Objection to be handed in

within a reasonable Time.

next Person who shall tender his Vote or offer to poll; and the Inspector who shall have made such Objection shall, either before the Close of the Poll on the Day on which such Objection shall have been made or within One Hour afterwards, cause to be delivered to the Sheriff or other Returning Officer or his Assessor at his Booth a Memorandum of such Objection in the Form now by Law required, and if such Memorandum shall not be delivered within such Time the same shall not be afterwards received, but such Objection shall be overruled and the Vote so objected to allowed; and in case the Objection taken to any Voter shall be in consequence of any alleged Defect in the Certificate produced by him, or such as requires the Production thereof before the Sheriff or his Assessor, it shall be necessary for the Inspector making such Objection to apprize the Voter and the Returning Officer's Deputy at the Time of making the same that such Certificate is required, and thereupon the Returning Officer's Deputy shall enter in the Poll Book a Memorandum to that Effect, and in such Case the said Deputy shall retain such Certificate, and transmit the same to the Sheriff or Returning Officer, to be by him retained till such Objection is disposed of, and then to be returned by the said Sheriff or Returning Officer to the Voter or some Person on his Behalf.

Public Notice of the Booths to be given.

V. And be it enacted, That before the Hour of Twelve of the Clock on the Day next before the Day fixed for taking the Poll at any such Election the Returning Officer or Officers shall give public Notice, by Placards or otherwise, of the Number and Situation of the Booths or Polling Places, and of the Division of Voters to poll therein respectively, and shall also, at the Request of any Candidate or his Agent, furnish to such Candidate or Agent a written or printed List or Statement of the same.

Continuance of the Poll on the following Day in case of Riot.

VI. And be it enacted, That in case it shall appear to the Returning Officer, on his own View or on the Evidence of Two or more credible Witnesses taken upon Oath, and which Oath the Returning Officer is hereby empowered to administer, that the taking of the Poll at any Booth or Polling Place shall have been obstructed by any Riot or open Violence, so that any Persons intending to offer themselves to poll at such Booth or Polling Place shall be unable to do so within the Time hereby limited for taking the Poll, or that any Persons intending to offer themselves to poll in such Booth or Polling Place have been by Force or Violence prevented from so doing within the Time hereby limited for taking the Poll, then and in either of such Cases it shall be lawful for the Returning Officer, and he is hereby required to keep such Booth or Polling Place open for another Day within the Hours herein-before mentioned, and so on from Day to Day, if such Force or Violence be repeated and be found to have taken place, upon such Evidence as aforesaid, to the Satisfaction of the Returning Officer: Provided always, that if on any such Second or other subsequent Day of Polling One Half Hour previously to the Hour of Five of the Clock in the Afternoon shall have elapsed without any Voter authorized to vote in such Booth or Polling Place tendering his Vote, then the Poll in such Booth or Polling Place shall be finally closed: Provided also, that nothing herein shall be taken to authorize a Continuance of the polling on a *Sunday, Good Friday,* or *Christmas Day,* but in every Case in which the Day on which the Continuance of the Poll as aforesaid would otherwise be had shall happen to be a *Sunday, Good Friday,* or *Christmas Day,* that Day or Days shall be passed over, and the following shall be the Day when the Poll shall be continued.

On the Close of the Poll remaining Objections to Voters to be disposed of by the Returning Officer.

VII. And be it enacted, That at the Close of the Poll in each Booth or Polling Place on the First Polling Day, and on any subsequent Day on which the Poll shall be continued as aforesaid in any Booth or Polling Place, the Poll Clerk shall deliver the Poll Book of such Booth or Polling Place to the Returning Officer or Officers, and such Returning Officer or Officers, or his or their Assessor, shall on the Evening of such Day, and, if necessary, on the following Day or Days, dispose of all Objections to Votes that shall not have been previously disposed of, and shall proceed in so doing from the Hour of Seven of the Clock in the Afternoon until the Hour of Ten of the Clock in the Afternoon of the Day on which the Poll shall so close, and from the Hour of Eight of the Clock in the Forenoon until the Hour of Five of the Clock in the Afternoon, and from Seven of the Clock until Ten of the Clock in the Afternoon of the following Day or Days, so far as shall be necessary, until all Objections to Votes not previously disposed of shall have been disposed of, when the Returning Officer or Officers shall finally declare the State of the Poll: Provided that in every Case in which the Day on which such Disposal of Objections would otherwise be continued shall happen to be a *Sunday, Good Friday,* or *Christmas Day,* that Day or Days shall be passed over, and the following Day shall be the Day on which such Disposal of Objections shall be continued.

In case of Personation, Vote may be taken off the Poll.

VIII. And be it enacted, That if any Person shall be admitted to poll at any such Election who has personated another Elector for the Purpose of polling at such Election, upon Complaint made by any Candidate or his Agent, and supported by an Affidavit at or at any Time before the opening of the Returning Officer's Booth, on the Day following the Close of the Poll in any Booth or Polling Place in which such Person shall have polled, unless the State of the Poll shall previously have been finally declared, it shall be lawful for the Returning Officer or Officers and he and they are hereby required and empowered to take the Vote of such Person off the Poll: Provided always, that the Act complained of as having been committed by such Person be set forth and described, and positively declared to have been committed by such Person, in such Affidavit as aforesaid, to be sworn before a Justice of the Peace, and that such Affidavit be delivered to the Returning Officer or Officers; and further, that the Act complained of shall appear to the Returning Officer or Officers upon a due Examination of One or more credible Witness or Witnesses concerning the same, upon his or their Oaths, to be proved to have been committed by such Person, which Oath or Oaths the Returning Officer or Officers is or are hereby authorized and empowered to administer.

IX. And

IX. And be it enacted, That all the Laws now in force as to the taking of the Poll at any such Election shall continue in force, save so far as they or any of them are repealed or altered by this Act. As to Continuance of Laws now in force as to Elections.

X. Provided always, and be it enacted, That nothing in this Act contained shall extend to or in anywise affect the Election of any Member or Members to serve in Parliament for the University of *Dublin*, or to the Polling at any such Election. Not to affect the University of Dublin.

XI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

CAP. LXXXII.

An Act for the more speedy Trial and Punishment of Juvenile Offenders. [22d *July* 1847.]

'WHEREAS, in order in certain Cases to ensure the more speedy Trial of Juvenile Offenders, and 'to avoid the Evils of their long Imprisonment previously to Trial, it is expedient to allow of 'such Offenders being proceeded against in a more summary Manner than is now by Law provided, and 'to give further Power to bail them:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Person who shall, subsequently to the passing of this Act, be charged with having committed or having attempted to commit, or with having been an Aider, Abettor, Counsellor, or Procurer in the Commission of any Offence which now is or hereafter shall or may be by Law deemed or declared to be Simple Larceny, or punishable as Simple Larceny, and whose Age at the Period of the Commission or attempted Commission of such Offence shall not, in the Opinion of the Justices before whom he or she shall be brought or appear as hereinafter mentioned, exceed the Age of Fourteen Years, shall, upon Conviction thereof, upon his own Confession or upon Proof, before any Two or more Justices of the Peace for any County, Riding, Division, Borough, Liberty, or Place in Petty Sessions assembled, at the usual Place, and in open Court, be committed to the Common Gaol or House of Correction within the Jurisdiction of such Justices, there to be imprisoned, with or without hard Labour, for any Term not exceeding Three Calendar Months, or, in the Discretion of such Justices, shall forfeit and pay such Sum, not exceeding Three Pounds, as the said Justices shall adjudge, or, if a Male, shall be once privately whipped, either instead of or in addition to such Imprisonment, or Imprisonment with hard Labour; and the said Justices shall from Time to Time appoint some fit and proper Person, being a Constable, to inflict the said Punishment of Whipping when so ordered to be inflicted out of Prison: Provided always, that if such Justices upon the Hearing of any such Case shall deem the Offence not to be proved, or that it is not expedient to inflict any Punishment, they shall dismiss the Party charged, on finding Surety or Sureties for his future good Behaviour, or without such Sureties, and then make out and deliver to the Party charged a Certificate under the Hands of such Justices stating the Fact of such Dismissal, and such Certificate shall and may be in the Form or to the Effect set forth in the Schedule hereto annexed in that Behalf: Provided also, that if such Justices shall be of opinion, before the Person charged shall have made his or her Defence, that the Charge is from any Circumstance a fit Subject for Prosecution by Indictment, or if the Person charged shall, upon being called upon to answer the Charge, object to the Case being summarily disposed of under the Provisions of this Act, such Justices shall, instead of summarily adjudicating thereupon, deal with the Case in all respects as if this Act had not been passed.

Persons not exceeding Fourteen Years of Age committing certain Offences may be summarily convicted by Two Justices.

Justices may dismiss the Accused if they deem it expedient not to inflict any Punishment.

II. And be it enacted, That any Two or more Justices of the Peace for any County, Riding, Division, Borough, Liberty, or Place in Petty Sessions assembled, and in open Court, before whom any such Person as aforesaid charged with any Offence made punishable under this Act shall be brought or appear, are hereby authorized to hear and determine the Case under the Provisions of this Act: Provided always, that any Magistrate of the Police Courts of the Metropolis sitting at any such Police Court, and any Stipendiary Magistrate sitting in open Court, having by Law the Power to do Acts usually required to be done by Two or more Justices of the Peace, shall and may within their respective Jurisdictions hear and determine every Charge under this Act, and exercise all the Powers herein contained, in like Manner and as fully and effectually as Two or more Justices of the Peace in Petty Sessions assembled as aforesaid can or may do by virtue of the Provisions in this Act contained.

Power to Justices to hear and determine.

One Magistrate may, in certain Cases, perform Acts usually done by Two.

III. And be it enacted, That every Person who shall have obtained such Certificate of Dismissal as aforesaid, and every Person who shall have been convicted under the Authority of this Act, shall be released from all further or other Proceedings for the same Cause.

Proceedings under this Act a Bar to further Proceedings.

IV. And for the more effectual Prosecution of Offences punishable upon summary Conviction by virtue of this Act, be it enacted, That where any Person whose Age is alleged not to exceed Fourteen Years shall be charged with any such Offence on the Oath of a credible Witness before any Justice of the Peace, such Justice may issue his Summons or Warrant to summon or to apprehend the Person so charged to appear before any Two Justices of the Peace in Petty Sessions assembled as aforesaid at a Time and Place to be named in such Summons or Warrant.

Mode of compelling the Appearance of Persons punishable on summary Conviction.

V. And be it enacted, That any Justice or Justices of the Peace, if he or they shall think fit, may remand for further Examination or for Trial, or suffer to go at large upon his or her finding sufficient Surety or Sureties, any such Person as aforesaid charged before him or them with any such Offence as aforesaid; and every such Surety shall be bound by Recognizance to be conditioned for the Appearance of such Person before the same or some other Justice or Justices of the Peace for further Examination,

Power to One Justice to remand and take Bail.

or

or for Trial before Two or more Justices of the Peace in Petty Sessions assembled as aforesaid, or for Trial at some Superior Court, as the Case may be; and every such Recognizance may be enlarged from Time to Time by any such Justice or Justices to such further Time as he or they shall appoint; and every such Recognizance which shall not be enlarged shall be discharged without Fee or Reward, when the Party shall have appeared according to the Condition thereof.

Application of Fines.

VI. And be it enacted, That every Fine imposed by any Justices under the Authority of this Act shall be paid to the Clerk to the convicting Justices, and shall be by him paid over to the Use of the general County Rate, or Rate in the Nature of a general County Rate, for the County, Riding, Division, Borough, Liberty, Franchise, City, Town, or Place in which the Offence in respect of which such Fine shall be imposed may have been committed.

As to the summoning and Attendance of Witnesses.

VII. And be it enacted, That it shall be lawful for any Justice of the Peace by Summons to require the Attendance of any Person as a Witness upon the Hearing of any Case before Two Justices, under the Authority of this Act, at a Time and Place to be named in such Summons; and such Justice may require and bind by Recognizance all Persons whom he may consider necessary to be examined touching the Matter of such Charge to attend at the Time and Place to be appointed by him, and then and there to give Evidence upon the Hearing of such Charge; and in case any Person so summoned or required or bound as aforesaid shall neglect or refuse to attend in pursuance of such Summons or Recognizance, then upon Proof being first given of such Person's having been duly summoned as herein-after mentioned, or bound by Recognizance as aforesaid, it shall be lawful for the Justices before whom any such Person ought to have attended to issue their Warrant to compel his Appearance as a Witness.

Service of Summons.

VIII. And be it enacted, That every Summons issued under the Authority of this Act may be served by delivering a Copy of the Summons to the Party, or by delivering a Copy of the Summons to some Inmate at such Party's usual Place of Abode, and every Person so required, by any Writing under the Hand or Hands of any Justice or Justices, to attend and give Evidence as aforesaid, shall be deemed to have been duly summoned.

Form of Conviction.

IX. And be it enacted, That the Justices before whom any Person shall be summarily convicted of any such Offence as herein-before mentioned may cause the Conviction to be drawn up in the Form of Words set forth in the Schedule to this Act annexed, or in any other Form of Words to the same Effect, which Conviction shall be good and effectual to all Intents and Purposes.

No Certiorari, &c.

X. And be it enacted, That no such Conviction shall be quashed for Want of Form, or be removed by Certiorari or otherwise into any of Her Majesty's Superior Courts of Record; and no Warrant of Commitment shall be held void by reason of any Defect therein, provided it be therein alleged that the Party has been convicted, and there be a good and valid Conviction to sustain the same.

Convictions to be returned to the Quarter Sessions.

XI. And be it enacted, That the Justices of the Peace before whom any Person shall be convicted under the Provisions of this Act shall forthwith thereafter transmit the Conviction and Recognizances to the Clerk of the Peace for the County, Borough, Liberty, or Place wherein the Offence shall have been committed, there to be kept by the proper Officer among the Records of the Court of General Quarter Sessions of the Peace; and the said Clerk of the Peace shall transmit to One of Her Majesty's Principal Secretaries of State a monthly Return of the Names, Offences, and Punishments mentioned in the Convictions, with such other Particulars as may from Time to Time be required.

No Forfeiture upon Convictions under Act, but presiding Justices may order Restitution of Property.

XII. And be it enacted, That no Conviction under the Authority of this Act shall be attended with any Forfeiture, but whenever any Person shall be deemed guilty under the Provisions of this Act it shall be lawful for the presiding Justices to order Restitution of the Property in respect of which such Offence shall have been committed to the Owner thereof or his Representatives, and if such Property shall not then be forthcoming, the same Justices, whether they award Punishment or dismiss the Complaint, may inquire into and ascertain the Value thereof in Money, and if they think proper order Payment of such Sum of Money to the true Owner, by the Person or Persons convicted, either at one Time or by Instalments at such Periods as the Court may deem reasonable, and the Party or Parties so ordered to pay shall be liable to be sued for the same as a Debt in any Court in which Debts may be by Law recovered, with Costs of Suit, according to the Practice of such Court.

Recovery of Penalties.

XIII. And be it enacted, That whenever any Justices of the Peace shall adjudge any Offender to forfeit and pay a pecuniary Penalty under the Authority of this Act, and such Penalty shall not be forthwith paid, it shall be lawful for such Justices, if they shall deem it expedient, to appoint some future Day for the Payment of such Penalty, and to order the Offender to be detained in safe Custody until the Day so to be appointed, unless such Offender shall give Security to the Satisfaction of such Justices for his or her Appearance on such Day; and such Justices are hereby empowered to take such Security by way of Recognizance or otherwise, at their Discretion; and if at the Time so appointed such Penalty shall not be paid, it shall be lawful for the same or any other Justices of the Peace, by Warrant under their Hands and Seals, to commit the Offender to the Common Gaol or House of Correction within their Jurisdiction, there to remain for any Time not exceeding Three Calendar Months, reckoned from the Day of such Adjudication, such Imprisonment to cease on Payment of the said Penalty.

Expences of Prosecutions how to be paid.

XIV. And be it enacted, That the Justices in Petty Sessions assembled as aforesaid, before whom any Person shall be prosecuted or tried for any Offence cognizable under this Act, are hereby authorized and empowered, at their Discretion, at the Request of the Prosecutor or of any other Person who shall appear on Recognizance or Summons to prosecute or give Evidence against any Person accused of any such Offence, to order Payment to the Prosecutor and Witnesses for the Prosecution of such Sums of Money as to the Justices shall seem reasonable and sufficient to reimburse such Prosecutor and Witnesses for the Expences

Expences they shall have severally incurred in attending before the examining Magistrate, and in otherwise carrying on such Prosecution, and also to compensate them for their Trouble and Loss of Time therein, and to order Payment to the Constables and other Peace Officers for the Apprehension and Detention of any Person or Persons so charged; and although no Conviction shall actually take place, it shall be lawful for the said Justices to order all or any of the Payments aforesaid when they shall be of opinion that the Parties or any of them have acted *bonâ fide;* and the Amount of Expences of attending before the examining Magistrate, and the Compensation for Trouble and Loss of Time therein, and the Allowances to the Constables and other Peace Officers for the Apprehension and Detention of the Offender, and the Allowances to be paid to the Prosecutor, Witnesses, and Constables for attending at the said Petty Sessions, shall be ascertained by and certified under the Hands of the Justices in such Petty Session assembled as aforesaid: Provided always, that the Amount of the Costs, Charges, and Expences attending any such Prosecution, to be allowed and paid as aforesaid, shall not in any one Case exceed the Sum of Forty Shillings: Provided also, that no Expences shall be allowed to Prosecutors, Witnesses, and Constables exceeding the Sums allowed, according to a Scale of Fees and Allowances authorized and settled by the Justices of the Peace at Quarter Sessions assembled, according to the Statute in such Case made and provided with respect to preliminary Inquiries before Justices of the Peace in Cases of Felony.

Orders for Payment how to be made.

XV. And be it enacted, That every such Order of Payment to any Prosecutor or other Person, after the Amount thereof shall have been certified by the Justices as aforesaid, shall be forthwith made out and delivered by the Clerk of the said Petty Session unto such Prosecutor or other Person, upon such Clerk being paid for the same the Sum of Sixpence for every such Person, and no more, and, except in Cases herein-after provided for, shall be made upon the Treasurer of the County, Riding, or Division in which the Offence shall have been committed, or shall be supposed to have been committed, who is hereby authorized and required, upon Sight of every such Order, forthwith to pay to the Person named therein, or to any other Person duly authorized to receive the same on his or her Behalf, the Money in such Order mentioned, and shall be allowed the same in his Accounts: Provided always, that no such Order shall be valid, nor shall such Treasurer pay any Money thereon, unless it shall have been framed and presented in such Form and under such Regulations as the Justices of the Peace in Quarter Sessions assembled shall from Time to Time direct.

Payment of Costs and Expences with respect to Boroughs, &c.

XVI. 'And whereas Offences cognizable under this Act may be committed in Liberties, Franchises, 'Cities, Towns, and Places which do not contribute to the Payment of any County Rate, some of which 'raise a Rate in the Nature of a County Rate, and others have neither any such Rate nor any Fund 'applicable to similar Purposes, and it is just that such Liberties, Franchises, Cities, Towns, and Places 'should be charged with all Costs, Expences, and Compensations ordered by virtue of this Act in respect 'of such Offences as aforesaid committed or supposed to have been committed therein respectively;' be it therefore enacted, That all Sums directed to be paid by virtue of this Act in respect of such Offences as aforesaid committed or supposed to have been committed in such Liberties, Franchises, Cities, Towns, and Places shall be paid out of the Rate in the Nature of a County Rate, or out of any Fund applicable to similar Purposes, where there is such a Rate or Fund, by the Treasurer or other Officer having the Collection or Disbursement of such Rate or Fund, and where there is no such Rate or Fund in such Liberties, Franchises, Cities, Towns, or Places, shall be paid out of the Rate or Fund for the Relief of the Poor of the Parish or Township, District or Precinct therein, where the Offence was committed or supposed to have been committed, by the Overseers or other Officers having the Collection or Disbursement of such last-mentioned Rate or Fund; and the Order of Court shall in every such Case be directed to such Treasurer, Overseers, or other Officers respectively, instead of the Treasurer of the County, Riding, or Division, as the Case may require.

Proceedings against Persons acting under this Act.

XVII. And for the Protection of Persons acting in the Execution of this Act, be it enacted, That all Actions and Prosecutions to be commenced against any Person for any thing done in pursuance of this Act shall be laid and tried in the County where the Fact was committed, and shall be commenced within Three Calendar Months after the Fact committed, and not otherwise; and Notice in Writing of such Action or Prosecution, and of the Cause thereof, shall be given to the Defendant One Calendar Month at least before the Commencement of the Action or Prosecution; and in any such Action or Prosecution the Defendant may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial to be had thereupon; and no Plaintiff shall recover in any such Action if Tender of sufficient Amends shall have been made before such Action brought, or if a sufficient Sum of Money shall have been paid into Court after such Action brought by or on behalf of the Defendant; and if a Verdict shall pass for the Defendant, or the Plaintiff shall become nonsuit, or discontinue any such Action or Prosecution after Issue joined, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff, the Defendant shall recover his full Costs as between Attorney and Client, and have the like Remedy for the same as any Defendant hath by Law in other Cases; and though a Verdict shall be given for the Plaintiff in such Action, the Plaintiff shall not have Costs against the Defendant unless the Judge before whom the Trial shall be shall certify his Approbation of the Action and of the Verdict obtained thereupon.

Extent of Act.

XVIII. And be it enacted, That nothing in this Act contained shall extend to *Scotland* or *Ireland.*

Act may be amended, &c.

XIX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

SCHEDULE of Forms to which this Act refers.

Form of Certificate of Dismissal.

} We of Her Majesty's Justices of the Peace for the County of
to wit. } [*or* I, a Magistrate of the Police Court of *as the Case may be,*] do hereby certify, That on the Day of in the Year of our Lord at in the said County of *M.N.* was brought before us the said Justices [*or* me the said Magistrate] charged with the following Offence, (that is to say,) [*here state briefly the Particulars of the Charge*], and that we the said Justices [*or* I the said Magistrate] thereupon dismissed the said Charge. Given under our Hands [*or* my Hand] this Day of .

Form of Conviction.

} Be it remembered, That on the Day of in the Year of our Lord One thou-
to wit. } sand eight hundred and at in the County of [*or* Riding, Division, Liberty, City, *&c., as the Case may be,*] *A.O.* is convicted before us, *J.P.* and *Q.R.*, Two of Her Majesty's Justices of the Peace for the said County [*or* Riding, *&c.*], [*or* me, *S.T.*, a Magistrate of the Police Court of *as the Case may be*], for that he the said *A.O.* did [*specify the Offence, and the Time and Place when and where the same was committed, as the Case may be, but without setting forth the Evidence*], and we the said *J.P.* and *Q.R.* [*or* I the said *S.T.*] adjudge the said *A.O.* for his said Offence to be imprisoned in the [*or* to be imprisoned in the and there kept to hard Labour for the Space of], [*or* we [*or* I] adjudge the said *A.O.* for his said Offence to forfeit and pay], [*here state the Penalty actually imposed*], and in default of immediate Payment of the said Sum, to be imprisoned in the [*or* to be imprisoned in the and there kept to hard Labour] for the Space of unless the said Sum shall be sooner paid. Given under our Hands and Seals [*or* my Hand and Seal] the Day and Year first above mentioned.

CAP. LXXXIII.

An Act for the Naturalization of Aliens. [22d *July* 1847.]

'WHEREAS by divers Acts, Statutes, or Ordinances enacted by the Legislatures of divers of Her 'Majesty's Colonies or Possessions abroad Provision hath been made for imparting to divers 'Aliens there resident the Privileges or some of the Privileges of Naturalization, to be exercised and 'enjoyed within the respective Limits of such Colonies and Possessions respectively: And whereas 'Doubts have arisen as to the Competency of the said Legislatures to enact any such Laws, Statutes, or 'Ordinances, and as to the Validity of the same when so enacted, and it is expedient that such Doubts 'be removed:' Be it therefore and it is hereby declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Acts, Statutes, and Ordinances heretofore made and enacted by the Legislatures of any of Her Majesty's Colonies and Possessions abroad for imparting to any Person or Persons the Privileges or any of the Privileges of Naturalization, to be by such Person or Persons exercised and enjoyed within the respective Limits of such Colonies or Possessions respectively, shall within such Limits have and be taken and reputed to have had from the Time of the Enactment thereof respectively all such and the same Force and Effect as doth by Law belong to any other Law, Statute, or Ordinance made or enacted by any such respective Legislatures.

All Acts, &c. of Colonial Legislatures imparting Privileges of Naturalization valid.

II. And be it and it is hereby enacted and declared, That all Laws, Statutes, and Ordinances which shall hereafter be made and enacted by the Legislatures of any of Her Majesty's Colonies or Possessions abroad for imparting to any Person or Persons the Privileges or any of the Privileges of Naturalization, to be by any such Person or Persons exercised and enjoyed within the Limits of any such Colonies and Possessions respectively, shall within such Limits have the Force and Authority of Law, any Law, Statute, or Usage to the contrary in anywise notwithstanding: Provided nevertheless, that all such Laws, Statutes, and Ordinances shall be made and enacted in such Manner and Form, and subject to and in conformity with all such Rules as now are or hereafter shall be in force in respect of other Laws, Statutes, or Ordinances enacted or to be enacted by any such Legislatures respectively, and shall and may be confirmed or disallowed by Her Majesty in such and the same Manner, and subject to the same Rules and Regulations as extend or as shall hereafter extend to the Confirmation or Disallowance of any other such Laws, Statutes, or Ordinances.

All Laws, &c. hereafter made imparting Privileges of Naturalization valid, but subject to Confirmation or Disallowance by Her Majesty.

III. 'And whereas a certain Act was made and enacted in the Seventh and Eighth Year of the Reign 'of Her present Majesty, intituled *An Act to amend the Laws relating to Aliens:* And whereas Doubts 'have arisen whether the said recited Act of the Seventh and Eighth Year of Her Majesty's Reign 'extends to and is in force in Her Majesty's Colonies or Possessions abroad;' now it is hereby further enacted and declared, That the said recited Act of the Seventh and Eighth Year of Her Majesty's Reign, or any Part of it, doth not extend to the said Colonies or Possessions, or to any of them.

7 & 8 Vict. c. 66. not to extend to Colonies or Possessions abroad.

IV. And be it enacted, That this Act may be amended or repealed by any other Act of this present Session of Parliament.

Act may be amended, &c.

CAP.

CAP. LXXXIV.

An Act to make Provision for the Punishment of Vagrants and Persons offending against the Laws in force for the Relief of the destitute Poor in *Ireland*. [22d *July* 1847.]

'WHEREAS it is expedient to make further Provision for the Punishment of Beggars and Vagrants and Persons offending against the Laws in force for the Relief of the destitute Poor in *Ireland*;' be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of an Act passed in the Second Year of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in* Ireland, as provides for the Punishment of Persons deserting and leaving their Wives or any Children whom such Persons may be liable to maintain, so that such Wives or Children should become destitute and be relieved in the Workhouse of a Union, shall be repealed. So much of 1 & 2 Vict. c. 56. as provides for the Punishment of Persons deserting their Wives and Children repealed.

II. And be it enacted, That every Person who shall desert or wilfully neglect to maintain his Wife or any Child whom he may be liable to maintain, so that such Wife or Child shall become destitute and be relieved in or out of the Workhouse of any Union in *Ireland*, shall on Conviction thereof before any Justice of the Peace be committed to the Common Gaol or House of Correction, there to be kept to hard Labour for any Time not exceeding Three Calendar Months. Punishment of Persons deserting or wilfully neglecting to maintain their Wives or Children.

III. And be it enacted, That every Person wandering abroad and begging, or placing himself in any public Place, Street, Highway, Court, or Passage to beg or gather Alms, or causing or procuring or encouraging any Child or Children so to do, and every Person who, having been resident in any Union in *Ireland*, shall go from such Union to some other Union, or from one Electoral or Relief District to another Electoral or Relief District in *Ireland*, for the Purpose of obtaining Relief in such last-mentioned Union or District, shall on Conviction thereof before any Justice of the Peace, if such Justice shall think fit, be committed to the Common Gaol or House of Correction, there to be kept to hard Labour for any Time not exceeding One Calendar Month. Punishment of Persons wandering abroad, or begging in public Places, &c.

IV. And be it enacted, That it shall be lawful for any Person whatsoever to apprehend any Person whom he shall find offending against this Act, and to take and convey such Offender as soon as may be reasonably practicable before any Justice of the Peace, to be dealt with as is herein-before provided, or to deliver him to any Constable or other Peace Officer of the County or Place wherein he shall have been apprehended to be so taken and conveyed as aforesaid; and it shall be the Duty of every Constable or Peace Officer to take into his Custody every such Offender so delivered to him, and to take and convey such Offender before a Justice of the Peace as soon as may be reasonably practicable, to be dealt with as is directed by this Act. Power to apprehend Persons offending against this Act without Warrant.

V. And be it enacted, That it shall be lawful for any Justice of the Peace, upon Proof that any Person hath committed any of the Offences herein-before mentioned, to issue his Warrant to apprehend such Offender, and to bring him before the same or some other Justice of the Peace, to be dealt with as is directed by this Act. Warrants may be issued for Apprehension of Persons.

VI. And be it enacted, That no Proceeding by or before any Justice of the Peace under the Provisions of this Act shall be quashed for Want of Form, or shall be removable into any of Her Majesty's Superior Courts by Writ of Certiorari; and every Conviction under this Act shall be in the Form or to the Effect following, or as near thereto as Circumstances will permit; (that is to say,) Proceedings not to be quashed for Want of Form, &c.

'} BE it remembered, That on the Day of in the Year of our Lord
'to wit.} at in the County of
'before me, *C.D.*, one of Her Majesty's Justices of the Peace in and for the said County, of an Offence
'against the Statute made in the Tenth Year of the Reign of Her Majesty Queen Victoria, intituled
'"An Act to make Provision for the Punishment of Vagrants and Persons offending against the Laws
'"in force for the Relief of the destitute Poor in Ireland;" (that is to say,) for that the said *A.B.* on
'the Day of at in the said County [*here state the Offence proved*
'*before the Magistrate*], and for which said Offence the said *A. B.* is adjudged to be committed to the
'House of Correction at there to be kept to hard Labour for the Space of .
'Given under my Hand and Seal the Day, Year, and at the Place first above written.' Form of Conviction. *A.B.* is convicted

VII. And be it enacted, That the Justice of the Peace before whom any such Conviction shall take place shall transmit the same to the Petty Sessions then next ensuing to be holden for the District in which such Conviction shall have taken place, and if there shall be no such Petty Sessions then to the next General or Quarter Sessions of the Peace to be holden in and for the County, County of a City, or County of a Town, or Place, wherein such Conviction has taken place, there to be filed and kept on record. Conviction to be transmitted to next Petty or Quarter Sessions.

VIII. And be it enacted, That in the Construction of this Act every Word importing the Singular Number or Masculine Gender only shall, except where the Context excludes such Construction, be understood to include and shall be applied to several Persons, Matters, or Things as well as one Person, Matter, or Thing, and to Females as well as Males respectively; and that the Word "Justice" shall be understood to include and extend to any Justice of the Peace or Magistrate of a County, County of a City, or County of a Town, or of any City or Town Corporate; and that the Word "Constable" shall Interpretation of Act.

be understood to include all Chief and other Constables and Sub-constables appointed under any Act relating to the Constabulary Force of *Ireland*, or for the Regulation of the Police District of *Dublin*.

Act may be amended, &c.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. LXXXV.

An Act for giving further Facilities for the Transmission of Letters by Post, and for the regulating the Duties of Postage thereon, and for other Purposes relating to the Post Office.

[22d *July* 1847.]

So much of 3 & 4 Vict. c. 96. as enacts that no Letter exceeding Sixteen Ounces Weight shall be sent by Post, repealed.

'WHEREAS by an Act passed in the Fourth Year of the Reign of Her present Majesty, intituled '*An Act for the Regulation of the Duties of Postage*, it is enacted, that no Letter exceeding 'Sixteen Ounces in Weight shall be forwarded by the Post between Places within the United Kingdom, 'except as therein mentioned: And whereas it is expedient that such Enactment should be repealed:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Enactment shall be and the same is hereby repealed.

Power to Treasury to fix maximum Weight of Letters to be sent by Post from Time to to Time.

II. And be it enacted, That in order to prevent Packets of an unwieldy Bulk or an inconvenient Size being transmitted by the Post it shall be lawful for the Commissioners of Her Majesty's Treasury, at any Time or Times hereafter, by Warrant under their Hands, to fix the maximum Weight of Letters to be sent by the Post, and from Time to Time to repeal or revoke such maximum Weight, wholly or in part, and declare any other Maximum of Weight in lieu thereof; and all Letters shall be forwarded, conveyed, and delivered by the Post in conformity with any such Warrant, and also in conformity with and under and subject to all such Orders, Conditions, Limitations, Regulations, and Restrictions as to the Form, Size, or Dimensions thereof, whether in proportion to the Weight or otherwise, as the Postmaster General, with the Consent of the Commissioners of Her Majesty's Treasury, shall from Time to Time direct.

Power to collect Foreign and Colonial Rates, and to require Pre-payment of Postage in Money or Stamps.

III. And be it enacted, That the Postmaster General may collect and receive the Foreign and Colonial Postage charged or chargeable on any Letters sent by the Post, and may also, with the Consent of the Commissioners of Her Majesty's Treasury, require the Postage (*British*, Colonial, or Foreign,) of any Letters sent by the Post to be pre-paid, either in Money or in Stamps (as he may think fit), on the same being put into the Post Office, and he may also, with such Consent, abolish or restrict the Pre-payment in Money of Postage on Letters sent by the Post, either altogether or on certain Letters, and may require the Pre-payment thereof to be in Stamps, and may refuse to receive or send by the Post any Letters tendered contrary to any Regulations made under this Enactment.

Power to Treasury to reduce British Postage.

IV. And be it enacted, That in all Cases in which the *British* Postage chargeable on any Letters sent by the Post shall exceed the Sum of One Penny, it shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant under their Hands, to reduce such Postage to any other Rate of Postage they may from Time to Time think fit.

Power to allow Writing or Marks, &c., in addition to the Direction, to be put on printed Newspapers.

V. And be it enacted, That it shall be lawful for the Postmaster General, if he shall think fit (with the Consent of the Commissioners of Her Majesty's Treasury), to allow any printed Words, Writing, or Marks (in addition to the Direction) to be put on any printed Newspapers or other printed Papers sent by the Post, or on the Covers thereof; and any such Newspapers or other printed Papers shall from thenceforth be forwarded either free of Postage, or subject to such Rates of Postage as the Postmaster General, with the Consent of the Commissioners of Her Majesty's Treasury, shall from Time to Time direct.

Repeal of Restriction on certain Letters of Seamen, &c.;

VI. And be it enacted, That the Enactment in the said Act passed in the Fourth Year of the Reign of Her present Majesty contained, that the Privilege thereby given to Seamen and Soldiers shall not extend to any Letters liable to any Foreign Rates of Postage, shall be and the same is hereby repealed.

but such Letters subject to Foreign Postage.

VII. And be it enacted, That the Privilege given to Seamen and Soldiers by the said Act passed in the Fourth Year of the Reign of Her present Majesty shall be enjoyed by such Seamen and Soldiers, whether any such Letters shall be liable to any Foreign Postage or not, but subject to the Payment of the Foreign Postage, if any be chargeable thereon.

Receipts to be given for Post Letters, &c. at Expence of Persons requiring the same.

VIII. And be it enacted, That it shall be lawful for the Postmaster General (if he shall think fit) to direct, that in case a Receipt for any Letters brought to the Post Office to be forwarded by the Post shall be required, a printed or written Receipt shall be given for the same, in such Form as the Postmaster General shall appoint, at the Expence of the Person requiring the same; and the Charge for such Receipt shall be fixed at such Amount, and shall be collected or paid at such Time and in such Manner, whether in Stamps or in Money, as the Postmaster General, with the Consent of the Commissioners of Her Majesty's Treasury, shall from Time to Time direct; and the Letters for which such Receipts may be required shall be delivered to the Post Office, and shall also be delivered by the Post Office, under and subject to all such Regulations in every respect as the Postmaster General shall from Time to Time appoint; but the giving of such Receipts shall not render the Postmaster General or any Officer of the Post Office or the Post Office Revenue liable for the Loss of any such Letters or the Contents thereof.

Dies to be provided by Commissioners of

IX. And be it enacted, That the Commissioners of Stamps and Taxes shall from Time to Time provide proper and sufficient Dies and other Implements for expressing and denoting the Rates or Duties of Postage payable within the United Kingdom under this Act, or under any Warrant or Warrants issued

issued by the Commissioners of Her Majesty's Treasury under the Provisions of this Act or the said recited Act, and also for expressing and denoting the Duties to be payable upon any such Receipts for Letters to be forwarded by the Post as aforesaid; and the Duties which shall be expressed or denoted by any such Dies shall be denominated and deemed to be Stamp Duties, and shall be under the Care and Management of the Commissioners of Stamps and Taxes for the Time being; and so much of the said Act passed in the Fourth Year of the Reign of Her present Majesty as relates to the Stamp Duties arising under that Act shall, so far as the same may be applicable, and consistent with the Provisions of this Act, be applicable to the Stamp Duties arising under this Act. Stamps and Taxes.

X. And be it enacted, That it shall be lawful for the Postmaster General and any Officer of the Post Office to detain any Letters which shall be posted or sent by the Post contrary to the Regulations of this Act or the said recited Act, or contrary to any Regulations made under the Authority of this Act or the said recited Act, or contrary to the Regulations of any Treasury Warrant which shall be issued under or by virtue of this Act, or which has been or shall be issued under or by virtue of the said recited Act, and to open such Letters, and either to return them to the Senders thereof, or to forward them to the Places of their Destination, charged in either Case with such Rates of Postage as the Postmaster General, with the Consent of the Commissioners of Her Majesty's Treasury, shall from Time to Time direct. Letters sent contrary to the Regulations of this or the recited Act may be detained.

XI. And be it enacted, That it shall be lawful for any Commissioner of Bankrupts or any Court of Bankruptcy acting under any Fiat or Commission of Bankruptcy, in *England* or *Ireland*, to order that for a Period not exceeding Three Calendar Months from the Date of any such Order all Post Letters directed or addressed to any Bankrupt at the Place of which he shall be described in the Fiat or Commission awarded or issued against him shall be re-directed, re-addressed, sent, or delivered by the Postmaster General, or the Officers acting under him, to the Official or other Assignee, or other Person named in such Order; and that upon Notice of any such Order to be given to the Postmaster General, or the Officers acting under him, by the Official or other Assignee, or other Person named in such Order, of the making of such Order, it shall be lawful for the Postmaster General, or such Officers as aforesaid, in *England* or *Ireland*, to re-address, re-direct, send, or deliver all such Post Letters to the Official or other Assignee, or other Person named in such Order, accordingly; and such Commissioner or Court of Bankruptcy may, upon any Application to be made for that Purpose, renew any such Order for a like or any other less Period as often as may be necessary. Commissioners under any Fiat of Bankruptcy may order Letters addressed to the Bankrupt to be re-directed or delivered to the Official Assignee.

XII. 'And whereas Provision is made by the Post Office Laws for Payment of the Postage of Letters 'which have been refused, or which have been addressed to Persons who are dead or cannot be found, 'by the Writers or Senders thereof; and it is expedient to extend such Provision to rejected Letters 'in certain Cases;' be it enacted, That in all Cases in which the Postage of any unstamped Letter shall not have been paid by the Sender thereof, and the Party to whom such Letter shall be addressed shall, upon receiving the same, and paying the Postage thereof, be desirous to reject such Letter, and to compel the Sender thereof to pay such Postage, it shall be lawful for the Postmaster General, upon the Application of the Party to whom any such Letter shall be addressed, and under such Regulations as the Postmaster General, with the Consent of the Commissioners of Her Majesty's Treasury, shall think fit, to charge the Postage thereof to the Sender of such Letter, and also the additional Postage of returning the same to him, and in every such Case the Sender of such Letter shall pay the Postage of sending and also of returning the same: Provided that nothing herein contained shall operate to release the Party to whom any such Letter shall be originally addressed from his Liability to pay the Postage thereof upon the Delivery of such Letter to him. Power to compel Senders to pay Postage of rejected Letters.

XIII. And be it enacted, That upon any Trial or Hearing of any Action or Proceeding for the Recovery of any Postage the Production of any Letter in respect of which such Postage shall be sought to be recovered, having thereupon a Post Office Stamp denoting that such Letter had been refused or rejected, or that the Party to whom any such Letter had been addressed was dead or could not be found, shall be *primâ facie* Evidence of the Refusal or Rejection of such Letter, or that such Person was dead or could not be found, according to the Import and Meaning of the said Post Office Stamp thereupon. Post Office Stamps to be Evidence of Letters being rejected.

XIV. And be it enacted and declared, That in any Suit or other Proceeding for the Recovery of any Postage payable under or by virtue of the Post Office Laws the Person from whom any Letter in respect of which any Postage shall be sought to be recovered shall purport to have come shall be deemed to be the Sender thereof, and the Onus shall lie upon the Party proceeded against to prove that such Letter did not come from and was not sent by him. In Proceedings for Postage the apparent Writer to be deemed the Sender of a Letter.

XV. And be it enacted, That in all Proceedings whatsoever for the Recovery of any Postage, either within the United Kingdom or within any of Her Majesty's Colonies, the Post Office Tax upon any Letter shall in all Cases be Evidence of the Liability of such Letter to be so taxed, and that the Sum so taxed thereupon is payable as and for the Postage thereof. Post Office Tax to be Evidence of Postage due.

XVI. 'And whereas by an Act passed in the Second Year of the Reign of Her present Majesty, 'intituled *An Act to provide for the Conveyance of the Mails by Railways*, Provision is made for the 'Transmission of the Mails by Railways;' be it enacted, That it shall be lawful for the Postmaster General to require, in the Manner prescribed by the said last-mentioned Act, that any Mails and Post Letter Bags shall be conveyed and forwarded by any Railway Company on their Railway, under and pursuant to the said Act, notwithstanding any Guard or other Officer of the Post Office shall not be sent with Power to send Mails by Railways in manner prescribed by 1 & 2 Vict. c. 98. without a Guard.

with the same or in charge thereof, and such Mails and Post Letter Bags shall be conveyed and forwarded by such Railway Company accordingly.

Postage Duties to be Part of the Post Office Revenue.

XVII. And be it enacted, That all Monies paid to or received by the Post Office for Rates or Duties of Postage under or by virtue of this Act, or for Receipts for Letters sent by the Post, shall form Part of the Revenue of the Post Office.

Treasury Warrants may be signed by Three Commissioners.

XVIII. And be it enacted, That whenever the Warrant of the Commissioners of Her Majesty's Treasury is required by this Act, such Warrant may be under the Hands of the Commissioners of Her Majesty's Treasury, or any Three of them; and that whenever the Order, Consent, Authority, or Direction of the Commissioners of Her Majesty's Treasury is prescribed by this Act, such Order, Consent, Authority, or Direction (not being by Warrant) may be signified either under the Hands of the Commissioners of Her Majesty's Treasury, or any Three of them, or under the Hand of One of their Secretaries or Assistant Secretaries.

London Gazette to be Evidence of Treasury Warrants.

XIX. And be it enacted, That any printed Copy of the *London Gazette* purporting to be printed and published by the Person or Persons having Authority to print and publish the same shall be admitted as Evidence by all Courts, Judges, Justices, and others, in any Part of Her Majesty's Dominions, of any Treasury Warrant which shall be issued under or by virtue of this Act, or which has been or shall be issued under or by virtue of the said Act passed in the Fourth Year of the Reign of Her present Majesty, or of an Act passed in the Eighth Year of the Reign of Her present Majesty, intituled *An Act for the better Regulation of Colonial Posts*, or either of them, and contained in any such Gazette, and of the due issuing thereof, and of the Rates and Regulations contained in any such Warrant having been duly made and established, and of the other Contents of any such Warrant, without any further or other Proof of such Warrant.

Interpretation of Act.

XX. And be it enacted, That this present Act shall be deemed and taken to be a Post Office Act; and that the following Terms and Expressions, whenever used in this Act, or in any Treasury Warrant issued under or by virtue thereof, shall have the several Interpretations herein-after respectively set forth, unless such Interpretations are repugnant to the Subject Matter or inconsistent with the Context in which they may be found; (that is to say,) that the Term "by the Post" shall include the Conveyance by any Post established under the Authority or Control of the Postmaster General; and that the Term "Letter," as also the Term "Letters," used in this Act, shall be construed according to the Interpretation of the Term "Letter" contained in the said Act passed in the Eighth Year of the Reign of Her present Majesty; and that the Term "Railway," used in this Act and in the said Act passed in the Second Year of the Reign of Her present Majesty, shall include every Railway already constructed or hereafter to be constructed under the Powers of any Act of Parliament; and that whenever the Term "Railway Company" or "Company of Proprietors" is used in this Act, or in the said last-mentioned Act, it shall be construed to extend to include the Proprietors for the Time being of any such last-mentioned Railway, and any Lessees or Tenants thereof; and that the several other Terms and Expressions used in this Act shall be construed according to the respective Interpretations contained or referred to in the said Act passed in the Fourth Year of the Reign of Her present Majesty, so far as those Interpretations are not repugnant to the Subject or inconsistent with the Context of such Terms and Expressions.

Commencement of Act.

XXI. And be it enacted, That this Act shall come into operation on the First Day of *August* One thousand eight hundred and forty-seven.

Act may be altered, &c.

XXII. And be it enacted, That this Act may be altered or repealed by any Act to be passed during the present Session of Parliament.

CAP. LXXXVI.

An Act to allow until the First Day of *March* One thousand eight hundred and forty-eight the Importation of Corn, Maize, Rice, Grain, Potatoes, Meal, Flour, Biscuit, and certain other similar Articles, from any Country, in any Ships. [22d *July* 1847.]

10 & 11 Vict. c. 2.

'WHEREAS by an Act passed in the present Session of Parliament, intituled *An Act to allow until the First Day of* September *One thousand eight hundred and forty-seven the Importation of Corn from any Country in Foreign Ships*, it is enacted, that it shall be lawful, until the First Day of *September* One thousand eight hundred and forty-seven, to import into the United Kingdom for Home Use, from any Country, in any Ship or Vessel of any Country, however navigated, certain Articles in the said Act enumerated: And whereas it is expedient that Permission so to import such Articles should be given for a longer Period:' Be it therefore enacted by the Queen's most Excellent Majesty by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for any Person, until the First Day of *March* which will be in the Year of our Lord One thousand eight hundred and forty-eight, to import into the United Kingdom for Home Use, from any Country, in any Ship or Vessel, wherever built, however owned, and however navigated, any Corn, Grain, Meal, Flour, Buck Wheat, Buck Wheat Meal, Maize or Indian Corn, Indian Corn Meal, Rice, Rice Meal, Barley (Pot or Hulled), Mandioca Flour, Biscuit (not being Fancy Biscuit or Confectionary), or Potatoes, the Growth or Produce of any Country, any thing in the Law of Navigation to the contrary in anywise notwithstanding.

Time for importing Corn, &c. in Vessels not British owned and navigated extended to 1st March 1848.

Act may be amended, &c.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session.

CAP.

CAP. LXXXVII.

An Act to facilitate the Recovery of Public Monies advanced for the Relief of Distress in *Ireland* by the Employment of the labouring Poor. [22d *July* 1847.]

'WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act to facilitate the Employment of the labouring Poor for a limited Period in the distressed Districts in* Ireland, and by the said recited Act Provisions were made for the holding of Extraordinary Presentment Sessions in certain Districts in *Ireland*, and authorizing them to make Presentments for Public Works within the Districts for which such Sessions were held, and authorizing the Commissioners of Public Works in *Ireland*, with the Approval of the Commissioners of Her Majesty's Treasury, and also authorizing the Commissioners of Her Majesty's Treasury, to advance Public Monies in the Manner in the said recited Act directed, for the Execution of such of the said Public Works or such Parts thereof as should be approved as in the said Act required, and providing that the said Commissioners of Public Works should cause the Execution of such Works; and it is by the said recited Act enacted, that the Monies from Time to Time to be advanced, pursuant to the Provisions of the said Act, by the Commissioners of Her Majesty's Treasury, for the Execution of any Works under the said Act, in any County, County of a City, or County of a Town, shall be repaid by Grand Jury Presentments, by half-yearly Instalments, not less than Four and not exceeding Twenty in Number, as the Commissioners of Her Majesty's Treasury shall direct, with Interest at the Rate of Three Pounds Ten Shillings *per Centum per Annum*, and to be raised and levied in the Manner therein-after mentioned off the respective Baronies or Half Baronies, County of a City, or County of a Town in respect whereof the Works shall have been presented; and it is also thereby enacted, that any Sum of Money so to be raised and levied shall be charged upon and applotted, raised, and levied upon and from the Occupiers of and other Persons rateable in respect of Lands and Hereditaments within such Barony, Half Barony, County of a City, or County of a Town respectively, and rated under the then last preceding Rate or Rates made or from Time to Time made in respect of the same under the Provisions of an Act of the First and Second Years of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in* Ireland, and any Act amending the same, and shall be payable by the respective Rate-payers in manner in the said recited Act provided: And whereas an Act was passed in the present Session of Parliament, intituled *An Act to render valid certain Proceedings for the Relief of Distress in* Ireland *by Employment of the labouring Poor, and to indemnify those who have acted in such Proceedings*, whereby, after reciting the said first-recited Act, and that by reason of the great Increase of Distress in *Ireland* it became necessary to provide further Means of employing the labouring Poor, and reciting that certain of the Proceedings had in relation to Presentments made at Sessions held under the said first-recited Act were not in strict Conformity with the Provisions of the said first-recited Act, it is amongst other things enacted, that such Proceedings should in certain Cases be made valid; and further, that Presentments made at Presentment Sessions after the Fifth Day of *October* One thousand eight hundred and forty-six of Works, other than Works of Drainage and Subsoiling, to be executed in the several Electoral Divisions or Parts of Electoral Divisions within the Barony, Half Barony, County of a City, or County of a Town for which such Sessions shall have been held, should be rendered valid; and that any Sum of Money mentioned in any Presentment made at any such Sessions held after the Fifth Day of *October* then last, and before the passing of the said Act, or so much thereof as has been or shall be expended in or about the Works executed or to be executed under such Presentments, shall be charged upon the Barony, Half Barony, County of a City, or County of a Town for which such Sessions were held, or upon the Electoral Division, or Part thereof, situate within such Barony, Half Barony, County of a City, or County of a Town respectively, within which such Work shall have been or shall be executed, as shall be determined by the Commissioners of Public Works, by an Instrument under the Hands and Seals of any Two of them, subject to such Appeal to the Lord Lieutenant, and to such Determination of the Lord Lieutenant thereupon, as in the said Act is provided, and Provision is thereby made for levying such Monies accordingly: And whereas the Failure of the Potato Crop in *Ireland* was more general and caused a greater Amount of Destitution than was anticipated at the Time of the passing of the said first-recited Act, so that in consequence thereof Famine prevailed in many Parts of *Ireland*, and large Sums of Public Money have been advanced by the Commissioners of Her Majesty's Treasury under and for the Purposes of the said recited Acts, and it is expedient that, save as herein-after provided, the Repayment of one Moiety of the said Public Monies advanced as aforesaid, and expended in manner aforesaid for the Relief of such Distress should, notwithstanding any thing in the said recited Acts, be remitted: And whereas it is also expedient to make further Provision for the Levy and Collection of the other Moiety of the said Sums so advanced and expended, with the Interest thereon, in manner herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Commissioners of Public Works in *Ireland* shall, before the Spring Assizes in the Year One thousand eight hundred and forty-eight, and in the Case of the County of *Dublin* before the Presenting Term of the said Year, ascertain and certify to the Commissioners of Her Majesty's Treasury the total Sums of Public Money advanced and expended within each County, County of a City, and County of a Town in *Ireland*, in each Barony, Half Barony, Electoral Division, Part of an Electoral Division, or District thereof, (as the Case may be,) in

9 & 10 Vict. c. 107.

1 & 2 Vict. c. 56.

10 & 11 Vict. c. 10.

The total Sums expended under recited Acts shall be ascertained by Commissioners of Public Works,

and certified to the Treasury.

in or about the Execution of Works under the Provisions of the said recited Acts or either of them, save and except Works of Drainage or Subsoiling, referred to and provided for in the said secondly-recited Act, and save and except also Railway Works and other Works (if any) of a private Nature, the Expences of which are to be provided for or payable by any Company, Person or Persons, and which Expences are to be recovered under the Provisions of said recited Acts.

One Moiety of such Sums to be a free Grant from the Consolidated Fund.

II. And be it enacted, That one Moiety of the total Sums so ascertained, and certified to the Commissioners of Her Majesty's Treasury to have been expended under the Provisions of the said Acts or either of them, shall be deemed to be a Grant from the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and shall not be liable to be repaid thereto, any thing in the said recited Acts to the contrary notwithstanding.

The other Moiety, with Interest up to 1st March 1848, shall be ascertained, and certified to Secretaries of Grand Juries.

III. And be it enacted, That the other Moiety of the Sums so ascertained and certified, together with the Interest thereon, shall be repaid in the Manner herein-after mentioned, and for such Purpose the said Commissioners of Public Works shall ascertain the Amount of the Interest at the Rate of Three Pounds Ten Shillings *per Centum per Annum* on the Moiety of the Sums so ascertained and certified, calculating the same from the Fifteenth Day of *August* One thousand eight hundred and forty-seven up to the First Day of *March* One thousand eight hundred and forty-eight, and shall add such Amount of Interest in each Case to the Moiety of the Principal Sums so ascertained and certified, and the compound Sums so made up shall be by them certified to the respective Secretaries of Grand Juries as herein-after mentioned.

An Annuity of Twelve Pounds per Centum per Annum to be paid for Ten Years, in Twenty Instalments, to repay Moiety with Interest.

IV. 'And whereas it is expedient that the compound Sums of Principal and Interest so ascertained as 'last aforesaid should, with the Interest to accrue during their Repayment, be discharged and paid by 'equal Instalments by way of Annuity;' be it therefore enacted, That for every Sum of One hundred Pounds of each such compound Sum there shall be paid as herein-after provided an Annuity of Twelve Pounds, and so in proportion for any lesser Sum during the Period of Ten Years, and such Annuity shall be charged upon the Barony, Half Barony, Electoral Division, Part of an Electoral Division, District, County of a City, or County of a Town, (as the Case may be,) in respect of which the said Commissioners shall as herein-after provided certify the same to be due, and such Annuity shall be payable by Two Instalments each Year, One such Instalment at each successive Assizes, until Twenty Instalments shall have been paid, and the first of the same being payable at the Summer Assizes in the Year One thousand eight hundred and forty-eight: Provided always, that in the Case of the County of *Dublin* such Instalments shall be payable at the successive Periods limited for the Payment of the respective Moieties of Grand Jury Cess for such County, the first of such Instalments being paid at the Period limited for the Payment of the first Moiety of such Grand Jury Cess after the presenting Term of the Year One thousand eight hundred and forty-eight; provided also, that the whole of any such compound Sum chargeable upon any Barony, Half Barony, Electoral Division, Part of an Electoral Division, District, County of a City, or County of a Town, as the Case may be, may be paid off at One Payment, in any Case where the Grand Jury shall think fit to make a Presentment for that Purpose, as herein-after provided.

Commissioners of Public Works shall issue a Certificate to each Secretary of a Grand Jury at Spring Assizes 1848 of total Sum expended, the Moiety, with Interest, to be repaid, and the Annuity for Repayment of same.

V. And be it enacted, That the said Commissioners of Public Works shall, before the respective Spring Assizes in the Year One thousand eight hundred and forty-eight, and in the Case of the County of *Dublin* before the Presenting Term of the said Year, certify to the Secretary of the Grand Jury of each County, County of a City, and County of a Town within which any of the said Monies so ascertainedand certified shall have been expended, under the Provisions of the said recited Acts or either of them, the total Amount of the said Principal Monies expended within such County, County of a City, or County of a Town, the Moiety thereof repayable as aforesaid, with the Amount of Interest on such Moiety so calculated to the First of *March* One thousand eight hundred and forty-eight, and the Instalment of Annuity payable at each Assizes or such Period as aforesaid, in discharge of such compound Sum of Principal and Interest; and such Certificate shall be in such Form as the Commissioners of Public Works shall, with the Sanction of the Commissioners of Her Majesty's Treasury, think fit and suitable to the Circumstances of the Case, and shall have in a Schedule thereto annexed, and to be deemed a Part of the same, a Statement of the Proportion of such respective Sums of Money which shall so have been expended in, and the Moiety thereof, with Interest as aforesaid, and the Instalment of Annuity as aforesaid, chargeable upon and payable by each or any Barony, Half Barony, Electoral Division, Part of an Electoral Division, or District (as the Case may be) within such County, County of a City, or County of a Town; and such Certificate, and Schedule annexed thereto, shall be signed by Two or more of the said Commissioners, and a Copy thereof shall be furnished to the Paymaster of Civil Services in *Ireland*.

Grand Jury at Spring Assizes 1848 shall present for the Moiety and Interest to be paid by Twenty Instalments, as specified in the Certificate.

VI. And be it enacted, That each such Secretary of the Grand Jury shall lay such Certificate before the Grand Jury of the County, County of a City, or County of a Town to which the same shall relate, at the said Spring Assizes, or (in the Case of the County of *Dublin*) at the Presenting Term in the Year One thousand eight hundred and forty-eight; and it shall be lawful for each such Grand Jury, and they are respectively hereby required, without any Application to Presentment Sessions, to present the total compound Sum of Principal and Interest specified in such Certificate to be payable as aforesaid by or out of such County, County of a City, or County of a Town, or any Part thereof respectively, and that the same shall be discharged by the Payment of One such Instalment of Annuity as in such Certificate specified, at each of the next succeeding Assizes or Periods limited for the Payment of the Moieties of Grand Jury Cess as aforesaid, until Twenty such Instalments shall have been paid, each such Instalment of Annuity to be raised and levied off the respective Baronies, Half Baronies, Electoral Divisions,

Parts

Parts of Electoral Divisions, or Districts, as the Case may be, specified in such Certificate, in the several Proportions therein specified with respect to the same, or off the County of a City or County of a Town, as the Case may be; and in all such Cases, and also in case the Grand Jury of any such County, County of a City, or County of a Town shall fail to present the said Sums and Instalments as mentioned in such Certificate, the Treasurer of such County, County of a City, or County of a Town, and (in the Case of the County of *Dublin*) the Finance Committee, shall and is and are hereby required, at the Time of issuing the Warrants for levying Grand Jury Cess after the said Spring Assizes or Presenting Term in the Year One thousand eight hundred and forty-eight, and after each succeeding Assizes or Presenting Term until Twenty such Instalments shall have been paid, without further Presentment or Authority, to insert the Amount of such Instalment or Instalments of Annuity in a separate Warrant to be by him or them issued for the Levy of the same, such Amount of Instalment to be raised and levied in the Manner and Proportions in the said Certificate specified as aforesaid; and such Proceeding by the Treasurer or Finance Committee shall, in default of such Presentment by Grand Jury, be as good and valid as if such Sums had been duly presented by such Grand Jury: Provided always, that in the Case of the County of *Dublin* the Finance Committee of the said County shall, in each such separate Warrant to be issued by them as aforesaid, insert the Amount of Two such Instalments, one Instalment to be levied within the Period limited for the Payment of One Moiety of Grand Jury Cess in such County after each Presenting Term, and the other Instalment within the Period limited for the Payment of the other Moiety of such Grand Jury Cess; provided also, that it shall be lawful for any such Grand Jury, when they shall so think fit, to present, as herein-after mentioned, that the whole of such compound Sum so charged upon or payable by any Barony, Half Barony, Electoral Division, Part of an Electoral Division, District, County of a City, or County of a Town, as the Case may be, shall be paid in One Sum at the Assizes or Period limited as aforesaid next after the Assizes or Presenting Term, as the Case may be, at which such Presentment shall be made.

Each Instalment of Annuity to be raised and levied off respective Baronies, &c. as Poor Rate.

VII. And be it enacted, That any such Sum of Money to be from Time to Time raised and levied off any Barony, Half Barony, Electoral Division, Part of an Electoral Division, District, County of a City, or County of a Town as aforesaid, shall be charged upon and applotted, raised, and levied upon and from the Occupiers of and other Persons rateable in respect of Lands and Hereditaments within such Barony, Half Barony, Electoral Division, Part of an Electoral Division, District, County of a City, or County of a Town respectively, and rated under the then last preceding Rate or Rates made or from Time to Time made in respect of the same under the Provisions of an Act passed in the First and Second Years of the Reign of Her present Majesty, for the more effectual Relief of the destitute Poor in *Ireland*, and the several Acts amending the same, and shall be payable by the respective Rate-payers who under the said last preceding Rate or Rates shall have paid or contributed or been liable to pay or contribute Rate in respect of Property in such Barony, Half Barony, Electoral Division, Part of an Electoral Division, District, County of a City, or County of a Town, according to the several Valuations and Proportions according to which respectively such last preceding Rate or Rates shall have been so made, charged upon, and payable by the Rate-payers in respect of such Land or Hereditaments respectively; and any such Sum of Money shall be applotted, assessed, and levied by the respective High Constable or Collector of Grand Jury Cess for or in such Barony, Half Barony, or Place as aforesaid, as a Poundage Assessment equally upon the net annual Value of the several Lands and Hereditaments within such Barony, Half Barony, Electoral Division, Part of an Electoral Division, District, or County of a City or County of a Town respectively rated as aforesaid, as such net annual Value shall have been stated in such last preceding Rate or Valuation as aforesaid; and on Receipt of the respective County Treasurer's Warrant as aforesaid such High Constable or Collector is hereby authorized and required to levy the Money therein mentioned, and to give to the Parties paying the same separate Duplicate Receipts therefor, which shall not be subject to Stamp Duty; and such Money shall and may be collected and levied, sued for, and recovered by such and the same Ways and Means as any Grand Jury Cess, or the Money applotted on the several Persons liable to pay any Grand Jury Cess, or any Rate for the Relief of the destitute Poor, may be collected and levied, and within the same Times as any Grand Jury Cess, and with like Powers, Authorities, Immunities, and Privileges to any such Collector, as in case of the levying of any Grand Jury Cess or any Rate for the Relief of the destitute Poor in *Ireland;* and the several Clauses, Provisions, Powers, and Authorities in the said first-recited Act contained with respect to the Monies to be raised and levied under the same, and the Collectors thereof, and their Powers, Securities, Remunerations, Proceedings, and Duties, and the obtaining Copies of Rates and Valuations, and any Penalty in respect of the same, and with respect to any Deduction to be made from any Rent in respect of any Assessment under the said Act, and also the several Provisions and Powers of the said Acts for the more effectual Relief of the destitute Poor in *Ireland* with respect to any such Deduction to be made from Rent or Tithe, shall be extended and applied to the Monies to be assessed, raised, or levied under the Provisions of this Act; and the several Words and Expressions to which an extended Meaning is given in the said first-recited Act shall include the like Significations in this Act.

Powers of Recovery.

County Treasurer to pay Instalment of Annuity at each Assizes to Paymaster of Civil Services.

VIII. And be it enacted, That the Treasurer of each such County, County of a City, or County of a Town, or the Finance Committee, (as the Case may be,) shall from Time to Time pay at each Assizes, and in the County of *Dublin* at the respective Times limited for paying in Grand Jury Cess, the Monies due in respect of each such Instalment of Annuity, to the Paymaster of Civil Services in *Ireland*, on account of Repayments under the said recited Acts and this Act, and by him shall be paid over to the said Consolidated Fund, in such Manner as the Commissioners of Her Majesty's Treasury shall direct.

Supplemental Certificate in Cases where certain Baronies have not been included in previous Certificate.

IX. And be it enacted, That in any Case in which by reason of the Pendency of any Appeal from the Decision of the Commissioners of Public Works under the Provisions of the said secondly-recited Act, or for any other Reason, the said Commissioners may be prevented from giving their Certificate to the Secretary of the Grand Jury of any County, County of a City, or County of a Town, before the said Spring Assizes or Presenting Term in the Year One thousand eight hundred and forty-eight, or from including in any such Certificate any particular Portion or Portions of the Monies required to be presented by such Grand Jury, and levied within such County, County of a City, or County of a Town, under the Provisions of the said recited Acts or either of them, it shall be lawful for the said Commissioners in their Certificate, if any, to specify the particular Barony, Half Barony, Electoral Division, Part of an Electoral Division, or District, the Expenditure for which as aforesaid is not included therein, and their said Certificate shall nevertheless be as good and valid for the Sums of Money contained therein as if it had included all the Sums of Money which might have been included therein as aforesaid; and it shall be lawful for the said Commissioners, before the Summer Assizes or Presenting Term in the Year One thousand eight hundred and forty-eight, or any subsequent Assizes or Presenting Term, to transmit to the Secretary of the Grand Jury of such County, County of a City, or County of a Town, a supplemental Certificate, containing the Residue of the Sum or Sums of Money to be presented, raised, and levied therein under the Provisions of the said recited Acts or either of them, or an original Certificate for the whole of such Monies, as the Case may be, but including therein Interest as aforesaid up to the Time when such Certificate respectively shall be given; and such Certificate or supplemental Certificate shall be laid before such Grand Jury at such Assizes or Presenting Term, who shall present for the Monies specified in the same in manner herein-before provided, and the several Provisions herein-before contained shall apply and be extended to such Certificate or supplemental Certificate, and to the Monies specified therein, in like Manner as in the Case of any other Certificate under the Provisions of this Act.

Acts to be construed together.

X. And be it enacted, That the said recited Acts and this Act shall be construed together as One Act.

Act may be amended, &c.

XI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. LXXXVIII.

An Act to defray until the First Day of *August* One thousand eight hundred and forty-eight the Charge of the Pay, Clothing, and contingent and other Expences of the Disembodied Militia in *Great Britain* and *Ireland;* to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers. [22d *July* 1847.]

[*This Act is the same, except as to Dates, as* 9 & 10 *Vict. c.* 55.]

CAP. LXXXIX.

An Act for consolidating in One Act certain Provisions usually contained in Acts for regulating the Police of Towns. [22d *July* 1847.]

'WHEREAS it is expedient to comprise in One Act sundry Provisions usually contained in Acts of 'Parliament for regulating the Police of Towns and populous Districts; and that as well for 'avoiding the Necessity of repeating such Provisions in each of the several Acts relating to such 'Towns or Districts, as for ensuring greater Uniformity in the Provisions themselves:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Extent of Act.

That this Act shall extend only to such Towns or Districts in *England* or *Ireland* as shall be comprised in any Act of Parliament hereafter to be passed which shall declare that this Act shall be incorporated therewith; and all the Clauses of this Act, save so far as they shall be expressly varied or excepted by any such Act, shall apply to the Town or District which shall be comprised in such Act, and to the Commissioners appointed for improving and regulating the same, so far as such Clauses shall be applicable thereto respectively, and shall, with the Clauses of every other Act which shall be incorporated therewith, form Part of such Act, and be construed therewith as forming One Act.

Interpretations in this Act:

And with respect to the Construction of this Act, whether incorporated in whole or in part with any other Act, and of any Act incorporated therewith, be it enacted as follows:

"the special Act:"

"prescribed:"

II. The Expression "the special Act" used in this Act shall be construed to mean any Act which shall be hereafter passed for the Improvement or Regulation of any Town or District defined or comprised therein and with which this Act shall be incorporated; and the Word "prescribed," used in this Act in reference to any Matter herein stated, shall be construed to refer to such Matter as the same shall be prescribed or provided for in the special Act, and the Sentence in which such Word shall occur shall be construed as if, instead of the Word "prescribed," the Expression "prescribed for that Purpose in the special Act" had been used; and the Expression "the Commissioners" shall mean the Commissioners,

"the Commissioners."

Trustees, or other Persons or Body Corporate intrusted by the special Act with Powers for executing the Purposes thereof.

III. The

III. The following Words and Expressions, in both this and the special Act, and any Act incorporated therewith, shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) — Interpretations in this and the special Act:

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number: — Number:

Words importing the Masculine Gender shall include Females: — Gender:

The Word "Person" shall include a Corporation, whether aggregate or sole: — "Person:"

The Word "Lands" shall include Messuages, Lands, Tenements, and Hereditaments of any Tenure: — "Lands:"

The Word "Street" shall extend to and include any Road, Square, Court, Alley, and Thoroughfare or public Passage within the Limits of the special Act: — "Street:"

The Word "Month" shall mean Calendar Month: — "Month:"

The Expression "Superior Courts" shall mean Her Majesty's Superior Courts of Record at *Westminster* or *Dublin*, as the Case may require, and shall include the Court of Common Pleas of the County Palatine of *Lancaster* and the Court of Common Pleas of the County of *Durham*: — "Superior Courts:"

The Word "Oath" shall include Affirmation in the Case of Quakers, and any Declaration lawfully substituted for an Oath in the Case of any other Persons allowed by Law to make a Declaration instead of taking an Oath: — "Oath:"

The Word "County" shall include Riding or other Division of a County having a separate Commission of the Peace, and shall also include County of a City or County of a Town: — "County:"

The Word "Justice" shall mean Justice of the Peace acting for the County, City, Borough, Liberty, Cinque Port, or other Place where the Matter requiring the Cognizance of any such Justice arises; and where any Matter shall be authorized or required to be done by Two Justices, the Expression "Two Justices" shall be understood to mean Two or more Justices met and acting together: — "Justice:" "Two Justices:"

The Expression "Quarter Sessions" shall mean Quarter Sessions as defined in the special Act, and if such Expression be not there defined, shall mean the General or Quarter Sessions of the Peace which shall be held in or at the Place nearest to the District comprised within the special Act for the County in which such District or some Part thereof is situated, or for some Division of such County having a separate Commission of the Peace: — "Quarter Sessions:"

The Word "Cattle" shall include Horses, Asses, Mules, Sheep, Goats, and Swine. — "Cattle."

And with respect to citing this Act, or any Part thereof, be it enacted as follows:

IV. In citing this Act in other Acts of Parliament, and in legal Instruments, it shall be enough to use the Expression "the Town Police Clauses Act, 1847." — Short Title of the Act.

V. For the Purpose of incorporating Part only of this Act with any Act hereafter to be passed it shall be enough to describe the Clauses of this Act with respect to any Matter in the Words introductory to the Enactment with respect to such Matter, and to enact that the Clauses so described, or that this Act, with the Exception of the Clauses so described, shall be incorporated with such Act; and thereupon all the Clauses of this Act so incorporated shall, save so far as they are expressly varied or excepted by such Act, form Part of such Act, and such Act shall be construed as if such Clauses were set forth therein with reference to the Matter to which such Act relates. — Form in which Portions of this Act may be incorporated with other Acts.

And with respect to the Appointment, and the Powers, Duties, and Privileges, of Constables, be it enacted as follows: — *Constables.*

VI. If any Constables shall have been appointed within the Limits of the special Act under the Provisions of an Act passed in the Third Year of the Reign of Her Majesty, intituled *An Act for the Establishment of County and District Constables by the Authority of the Justices of the Peace;* and of another Act passed in the Fourth Year of the Reign of Her Majesty, intituled *An Act to amend the Act for the Establishment of County and District Constables;* and if the Justices for the County in which such District is situated, in General or Quarter Session assembled, report to One of Her Majesty's Principal Secretaries of State that the Constables so appointed ought to be discontinued, and the said Constables be, in pursuance thereof or otherwise, discontinued, or where no Constables shall have been appointed under the Provisions of the last-mentioned Act, the Commissioners may from Time to Time appoint and employ a Superintendent Constable and also such Number of Constables as they judge necessary for the Protection of the Inhabitants and Property within the said Limits, and allow the Superintendent Constable and the other Constables such Salaries or Wages as they think proper; and it shall be lawful for the Commissioners from Time to Time to remove any such Superintendent Constable, Constables, and Officers as they think fit. — Appointment of Constables. 2 & 3 Vict. c. 93. 3 & 4 Vict. c. 88.

VII. Where Constables shall have been appointed under the last Two recited Acts, or either of them, the Commissioners, if they think it necessary so to do, may apply to the Chief Constable of the County in which the District within the said Limits is situated, under the Provisions of the last-recited Act, to appoint any additional Number of Constables within the said Limits, and they may pay the Charge of such Appointments out of the Rates to be levied under this and the special Act. — Power to apply for additional Constables in case of Need.

VIII. Any Justice may swear in any Person appointed and employed as a Constable under this and the special Act, and the Constables so sworn in shall have, within the Limits of the special Act, and in any Place not more than Five Miles beyond such Limits, the like Powers, Privileges, and Duties, and shall have the same Indemnities and Protection, and shall be subject to the like Penalties and Forfeitures, as any Constable duly appointed has or is subject to within his Constablewick by Law. — Constables to be sworn in.

IX. The Commissioners may defray the Expence of prosecuting any Felons or Offenders, and of defending any Constable in the Execution of his Duty, and may make such Allowances to any Constable disabled — Expences of Prosecutions, and Allowances to Constables.

Constables.

disabled in the Execution of his Duty, or worn out by Length of Service, as the Commissioners think reasonable.

Constables not to resign without Leave or Notice.

X. No Constable appointed under this or the special Act shall resign his Office, or withdraw himself from the Duties thereof, unless expressly allowed so to do in Writing by the Commissioners or by the Superintendent Constable, or until after he has given to such Superintendent Constable One Month's Notice; and every Constable who so resigns or withdraws himself without such Leave or Notice shall be liable to forfeit all Arrears of Pay then due to him, or to a Penalty of not more than Five Pounds, or, in the Discretion of the Justices before whom he shall be convicted, may be committed to Prison, there to remain for a Time not exceeding Fourteen Days.

Constables dismissed to deliver up Accoutrements.

XI. Every Constable appointed under this or the special Act who is dismissed from or ceases to hold and exercise his Office shall forthwith deliver over to the Superintendent Constable, or to such Person and at such Time and Place as the Commissioners direct, all the Clothing, Accoutrements, Appointments, and other Necessaries which have been supplied to him for the Execution of his Duty, under pain of Imprisonment, with or without hard Labour, for any Time not exceeding One Month; and any Justice of the Peace may issue his Warrant to search for and seize to the Use of the Commissioners all the Clothing, Accoutrements, Appointments, and other Necessaries not so delivered over, wherever the same are found.

Penalty for unlawful Possession of Accoutrements, or for assuming the Dress of Constables.

XII. Every Person who, not being at the Time a Constable appointed under this or the special Act, has in his Possession any Article being Part of the Clothing, Accoutrements, or Appointments supplied to any such Constable, and who is not able satisfactorily to account for his Possession thereof, or who puts on the Dress or takes the Name, Designation, or Character of any Person appointed as such Constable, for the Purpose of thereby obtaining Admission into any House or other Place, or of doing or procuring to be done any Act which such Person would not be entitled to do or procure to be done of his own Authority, or for any other unlawful Purpose, shall, in addition to any other Punishment to which he is liable for such Offence, be liable to a Penalty of not exceeding Ten Pounds.

Power to provide Offices, Watch-houses, &c.

XIII. The Commissioners may from Time to Time purchase or rent any Buildings or Land, and convert such Buildings into or build on such Land Offices, Watch-houses, Lock-up Houses, and other Places necessary for the Purposes of this and the special Act, with all proper Conveniences thereto, and may repair the same from Time to Time, and furnish and fit up the same, and employ proper Persons to take care thereof.

Duties of Constables.

XIV. The Constables appointed by virtue of this and the special Act shall keep Watch and Ward within the Limits of the special Act, and shall use their best Endeavours to prevent any Mischief by Fire, and all Felonies, Misdemeanors, and Breaches of the Peace.

Power to Police Constables and Persons aggrieved to apprehend certain Offenders.

XV. Any Person found committing any Offence punishable either upon Indictment or as a Misdemeanor upon summary Conviction by virtue of this or the special Act may be taken into Custody, without a Warrant, by any of the said Constables, or may be apprehended by the Owner of the Property on or with respect to which the Offence is committed, or by his Servant or any Person authorized by him, and may be detained until he can be delivered into the Custody of a Constable; and the Persons so arrested shall be taken, as soon as conveniently may be, before some Justice, to be examined and dealt with according to Law: Provided always, that no Person arrested under the Powers of this or the special Act shall be detained in Custody by any Constable or other Officer, without the Order of some Justice, longer than shall be necessary for bringing him before a Justice, or than Forty Hours at the utmost.

Penalty for Neglect of Duty.

XVI. Every Constable acting within the Limits of the special Act who is guilty of any Neglect or Violation of his Duty as a Constable, and convicted thereof before Two Justices, shall be liable to a Penalty not exceeding Ten Pounds, the Amount of which Penalty may be deducted from the Salary or Wages due to him or to become due to him, or, in the Discretion of the Justices before whom he is convicted, he may lawfully be imprisoned for any Time not exceeding One Month, with or without hard Labour.

Power to Constables to take Recognizances.

XVII. Whenever any Person charged with any Offence under this or the special Act, or any Act incorporated therewith, not amounting to Felony, and of which he is liable to be summarily convicted before a Justice, is in the Custody of any Constable acting as aforesaid, without the Warrant of a Justice, the Superintendent Constable of the District, or appointed under this Act, or other the superior Officer of Police acting within the said Limits, may, if he deem it prudent so to do, but in such Cases only in which the Offender cannot be conveniently taken before a Justice, take the Recognizance of such Person, with or without Sureties, conditioned as herein-after mentioned.

Form of Recognizances.

XVIII. Every Recognizance so taken shall be taken without Fee or Reward, and shall be conditioned for the Appearance of the Person thereby bound before a Justice, at a certain Day not later than Seven Days from the Date of such Recognizance, and the Time and Place of such Appearance shall be specified in the Recognizance.

Recognizances to be registered and returned to the Justice.

XIX. The Officer taking any such Recognizance shall enter in a Book to be kept for that Purpose the Name, Residence, and Occupation of the Party and his Sureties, if any, entering into such Recognizance, together with the Condition thereof, and the Sum thereby acknowledged, and shall return every such Recognizance to the Justice at the Time and Place when and where the Party is bound to appear, and every such Recognizance shall have the like Force and Effect as if the same had been taken before a Justice.

Penalties on Persons assaulting Constables.

XX. Every Person who assaults or resists, or who aids or incites any Person to assault or resist, any Constable in the Execution of his Duty under the Provisions of this or the special Act, shall for every such

such Offence be liable to a Penalty not exceeding Five Pounds, or, in the Discretion of the Justice before whom he is convicted, may be imprisoned for any Term not exceeding One Month, with or without hard Labour. *Constables.*

And with respect to Obstructions and Nuisances in the Streets, be it enacted as follows: *Obstructions and Nuisances.*

XXI. The Commissioners may from Time to Time make Orders for the Route to be observed by all Carts, Carriages, Horses, and Persons, and for preventing Obstruction of the Streets within the Limits of the special Act, in all Times of public Processions, Rejoicings, or Illuminations, and in any Case when the Streets are thronged or liable to be obstructed, and may also give Directions to the Constables for keeping Order and preventing any Obstruction of the Streets in the Neighbourhood of Theatres and other Places of public Resort, and every wilful Breach of any such Order shall be deemed a separate Offence against this Act, and every Person committing any such Offence shall be liable to a Penalty not exceeding Forty Shillings. Power to prevent Obstructions in the Streets during public Processions, &c.

XXII. On Application to the Commissioners by the Minister or Churchwardens or Chapelwardens of any Church, Chapel, or other Place of public Worship within the Limits of the special Act, the Commissioners may make Orders for regulating the Route by which Persons shall drive any Cart or Carriage, or Cattle, or the Manner in which they shall drive them, in the Neighbourhood of such Places of Worship, during the Hours of Divine Service on *Sunday, Christmas Day, Good Friday*, or any Day appointed for a public Fast or Thanksgiving, and any Orders so made shall be printed and put up on or near the Church, Chapel, or Place of public Worship to which the same refer, and in some conspicuous Places near and leading thereto, and elsewhere as the Commissioners direct, and every wilful Breach of any such Order shall be deemed a separate Offence against this Act, and every Person committing any such Offence shall be liable to a Penalty not exceeding Forty Shillings. Power to regulate the Route of Persons driving Stage Carriages, &c. during Divine Service.

XXIII. No Proprietor of any Stage Carriage duly licensed to carry Passengers for Hire shall be liable to any Penalty for any Deviation from the Route or Line of Route specified in his Licence which the Driver of such Stage Carriage makes in consequence of any Regulation or Direction made or given by the Commissioners. Proprietors of Stage Carriages deviating from Route by Order free from Penalty.

XXIV. If any Cattle be at any Time found at large in any Street within the Limits of the special Act, without any Person having the Charge thereof, any Constable or Officer of Police, or any Person residing within the Limits of the special Act, may seize and impound such Cattle in any common Pound within the said Limits, or in such other Place as the Commissioners appoint for that Purpose, and may detain the same therein until the Owner thereof pay to the Commissioners a Penalty not exceeding Forty Shillings, besides the reasonable Expences of impounding and keeping such Cattle. Power to impound stray Cattle.

XXV. If the said Penalty and Expences be not paid within Three Days after such impounding, the Pound-keeper, or other Person appointed by the Commissioners for that Purpose, may proceed to sell or cause to be sold any such Cattle; but previous to such Sale Seven Days Notice thereof shall be given to or left at the Dwelling House or Place of Abode of the Owner of such Cattle, if he be known, or if not, then Notice of such intended Sale shall be given by Advertisement, to be inserted Seven Days before such Sale in some Newspaper published or circulated within the Limits of the special Act; and the Money arising from such Sale, after deducting the said Sums, and the Expences aforesaid, and all other Expences attending the impounding, advertising, keeping, and Sale of any such Cattle so impounded, shall be paid to the Commissioners, and shall be by them paid, on Demand, to the Owner of the Cattle so sold. Power to sell stray Cattle for Penalty and Expences.

XXVI. Every Person who releases or attempts to release any Cattle from any Pound or Place where the same are impounded under the Authority of this or the special Act, or who pulls down, damages, or destroys the same Pound or Place, or any Part thereof, with Intent to procure the unlawful Release of such Cattle, shall, upon Conviction of such Offence before any Two Justices, be committed by them to some Common Gaol or House of Correction for any Time not exceeding Three Months. Persons guilty of Pound-breach to be committed for Three Months.

XXVII. The Commissioners may purchase a Piece of Land within the Limits of the special Act for the Purpose of a Pound for stray Animals, and may erect a Pound thereon, and such Pound when made shall be kept in repair by the Commissioners. Power to provide a Pound.

XXVIII. Every Person who in any Street, to the Obstruction, Annoyance, or Danger of the Residents or Passengers, commits any of the following Offences, shall be liable to a Penalty not exceeding Forty Shillings for each Offence, or, in the Discretion of the Justice before whom he is convicted, may be committed to Prison, there to remain for a Period not exceeding Fourteen Days, and any Constable or other Officer appointed by virtue of this or the special Act shall take into Custody, without Warrant, and forthwith convey before a Justice, any Person who within his View commits any such Offence; (that is to say,) Penalty on Persons committing any of the Offences herein named.

Every Person who exposes for Show, Hire, or Sale (except in a Market or Market Place or Fair lawfully appointed for that Purpose) any Horse or other Animal, or exhibits in a Caravan or otherwise any Show or public Entertainment, or shoes, bleeds, or farries any Horse or Animal (except in Cases of Accident), or cleans, dresses, exercises, trains or breaks, or turns loose any Horse or Animal, or makes or repairs any Part of any Cart or Carriage (except in Cases of Accident where Repair on the Spot is necessary):

Every Person who suffers to be at large any unmuzzled ferocious Dog, or sets on or urges any Dog or other Animal to attack, worry, or put in fear any Person or Animal:

Every

Obstructions and Nuisances.

Every Owner of any Dog who suffers such Dog to go at large, knowing or having reasonable Ground for believing it to be in a rabid State, or to have been bitten by any Dog or other Animal in a rabid State:

Every Person who, after public Notice given by any Justice directing Dogs to be confined on account of Suspicion of canine Madness, suffers any Dog to be at large during the Time specified in such Notice:

Every Person who slaughters or dresses any Cattle, or any Part thereof, except in the Case of any Cattle over-driven which may have met with any Accident, and which for the public Safety or other reasonable Cause ought to be killed on the Spot:

Every Person having the Care of any Waggon, Cart, or Carriage who rides on the Shafts thereof, or who without having Reins, and holding the same, rides upon such Waggon, Cart, or Carriage, or on any Animal drawing the same, or who is at such a Distance from such Waggon, Cart, or Carriage as not to have due Control over every Animal drawing the same, or who does not, in meeting any other Carriage, keep his Waggon, Cart, or Carriage to the left or near side, or who in passing any other Carriage does not keep his Waggon, Cart, or Carriage on the right or off Side of the Road (except in Cases of actual Necessity, or some sufficient Reason for Deviation), or who, by obstructing the Street, wilfully prevents any Person or Carriage from passing him, or any Waggon, Cart, or Carriage under his Care:

Every Person who at One Time drives more than Two Carts or Waggons, and every Person driving Two Carts or Waggons who has not the Halter of the Horse in the last Cart or Waggon securely fastened to the Back of the first Cart or Waggon, or has such Halter of a greater Length from such Fastening to the Horse's Head than Four Feet:

Every Person who rides or drives furiously any Horse or Carriage, or drives furiously any Cattle:

Every Person who causes any public Carriage, Sledge, Truck, or Barrow, with or without Horses, or any Beast of Burden, to stand longer than is necessary for loading or unloading Goods, or for taking up or setting down Passengers (except Hackney Carriages, and Horses and other Beasts of Draught or Burden, standing for Hire in any Place appointed for that Purpose by the Commissioners or other lawful Authority), and every Person who, by means of any Cart, Carriage, Sledge, Truck, or Barrow, or any Animal, or other Means, wilfully interrupts any public Crossing, or wilfully causes any Obstruction in any public Footpath or other public Thoroughfare:

Every Person who causes any Tree or Timber or Iron Beam to be drawn in or upon any Carriage, without having sufficient Means of safely guiding the same:

Every Person who leads or rides any Horse or other Animal, or draws or drives any Cart or Carriage, Sledge, Truck, or Barrow upon any Footway of any Street, or fastens any Horse or other Animal so that it stands across or upon any Footway:

Every Person who places or leaves any Furniture, Goods, Wares, or Merchandize, or any Cask, Tub, Basket, Pail, or Bucket, or places or uses any Standing-place, Stool, Bench, Stall, or Showboard on any Footway, or who places any Blind, Shade, Covering, Awning, or other Projection over or along any such Footway, unless such Blind, Shade, Covering, Awning, or other Projection is Eight Feet in Height at least in every Part thereof from the Ground:

Every Person who places, hangs up, or otherwise exposes to Sale any Goods, Wares, Merchandize, Matter, or Thing whatsoever, so that the same project into or over any Footway, or beyond the Line of any House, Shop, or Building at which the same are so exposed, so as to obstruct or incommode the Passage of any Person over or along such Footway:

Every Person who rolls or carries any Cask, Tub, Hoop, or Wheel, or any Ladder, Plank, Pole, Timber, or Log of Wood, upon any Footway, except for the Purpose of loading or unloading any Cart or Carriage, or of crossing the Footway:

Every Person who places any Line, Cord, or Pole across any Street, or hangs or places any Clothes thereon:

Every common Prostitute or Nightwalker loitering and importuning Passengers for the Purpose of Prostitution:

Every Person who wilfully and indecently exposes his Person:

Every Person who publicly offers for Sale or Distribution, or exhibits to public View, any profane, indecent, or obscene Book, Paper, Print, Drawing, Painting, or Representation, or sings any profane or obscene Song or Ballad, or uses any profane or obscene Language:

Every Person who wantonly discharges any Firearm, or throws or discharges any Stone or other Missile, or makes any Bonfire, or throws or sets fire to any Firework:

Every Person who wilfully and wantonly disturbs any Inhabitant, by pulling or ringing any Door Bell, or knocking at any Door, or who wilfully and unlawfully extinguishes the Light of any Lamp:

Every Person who flies any Kite, or who makes or uses any Slide upon Ice or Snow:

Every Person who cleanses, hoops, fires, washes, or scalds any Cask or Tub, or hews, saws, bores, or cuts any Timber or Stone, or slacks, sifts, or screens any Lime:

Every Person who throws or lays down any Stones, Coals, Slate, Shells, Lime, Bricks, Timber, Iron, or other Materials (except Building Materials so inclosed as to prevent Mischief to Passengers):

Every Person who beats or shakes any Carpet, Rug, or Mat (except Door Mats, beaten or shaken before the Hour of Eight in the Morning):

Every Person who fixes or places any Flower-pot or Box, or other heavy Article, in any upper Window, without sufficiently guarding the same against being blown down:

Every

Obstructions and Nuisances.

Every Person who throws from the Roof or any Part of any House or other Building any Slate, Brick, Wood, Rubbish, or other Thing, except Snow thrown so as not to fall on any Passenger:

Every Occupier of any House or other Building or other Person who orders or permits any Person in his Service to stand on the Sill of any Window, in order to clean, paint, or perform any other Operation upon the Outside of such Window, or upon any House or other Building within the said Limits, unless such Window be in the Sunk or Basement Story:

Every Person who leaves open any Vault or Cellar, or the Entrance from any Street to any Cellar or Room under Ground, without a sufficient Fence or Handrail, or leaves defective the Door, Window, or other Covering of any Vault or Cellar, or who does not sufficiently fence any Area, Pit, or Sewer left open, or who leaves such open Area, Pit, or Sewer without a sufficient Light after Sunset to warn and prevent Persons from falling thereinto:

Every Person who throws or lays any Dirt, Litter, or Ashes, or Nightsoil, or any Carrion, Fish, Offal, or Rubbish, on any Street, or causes any offensive Matter to run from any Manufactory, Brewery, Slaughter-house, Butcher's Shop, or Dunghill into any Street: Provided always, that it shall not be deemed an Offence to lay Sand or other Materials in any Street in Time of Frost, to prevent Accidents, or Litter or other suitable Materials to prevent the freezing of Water in Pipes, or in case of Sickness to prevent Noise, if the Party laying any such Things causes them to be removed as soon as the Occasion for them ceases:

Every Person who keeps any Pigstye to the Front of any Street, not being shut out from such Street by a sufficient Wall or Fence, or who keeps any Swine in or near any Street, so as to be a common Nuisance.

Penalty on drunken Persons, &c. guilty of riotous or indecent Behaviour.

XXIX. Every Person drunk in any Street, and guilty of any riotous or indecent Behaviour therein, and also every Person guilty of any violent or indecent Behaviour in any Police Office or any Police Station House within the Limits of the special Act, shall be liable to a Penalty not exceeding Forty Shillings for every such Offence, or, in the Discretion of the Justice before whom he is convicted, to Imprisonment for a Period not exceeding Seven Days.

Fires.

And with respect to Fires, be it enacted as follows:

Penalty for setting Chimneys wilfully on fire.

XXX. Every Person who wilfully sets or causes to be set on fire any Chimney within the Limits of the special Act shall be liable to a Penalty not exceeding Five Pounds: Provided always, that nothing herein contained shall exempt the Person so setting or causing to be set on fire any Chimney from Liability to be indicted for Felony.

Penalty for accidentally allowing Chimneys to catch fire.

XXXI. If any Chimney accidentally catch or be on fire within the said Limits the Person occupying or using the Premises in which such Chimney is situated shall be liable to a Penalty not exceeding Ten Shillings: Provided always, that such Forfeiture shall not be incurred if such Person prove to the Satisfaction of the Justice before whom the Case is heard that such Fire was in nowise owing to Omission, Neglect, or Carelessness of himself or Servant.

Fire Engines and Firemen may be provided by the Commissioners.

XXXII. The Commissioners may purchase or provide such Engines for extinguishing Fire, and such Water Buckets, Pipes, and other Appurtenances for such Engines, and such Fire Escapes and other Implements for Safety or Use in case of Fire, and may purchase, keep, or hire such Horses for drawing such Engines as they think fit, and may build, provide, or hire Places for keeping such Engines with their Appurtenances, and may employ a proper Number of Persons to act as Firemen, and may make such Rules for their Regulation as they think proper, and give such Firemen and other Persons such Salaries and such Rewards for their Exertions in Cases of Fire, as they think fit.

Fire Police permitted to go beyond the Limits of the Act in certain Cases.

XXXIII. The Commissioners may send such Engines, with their Appurtenances, and the said Firemen, beyond the Limits of the special Act, for extinguishing Fire in the Neighbourhood of the said Limits; and the Owner of the Lands or Buildings where such Fire shall have happened shall in such Case defray the actual Expence which may be thereby incurred, and shall also pay to the Commissioners a reasonable Charge for the Use of such Engines with their Appurtenances, and for the Attendance of such Firemen; and in case of any Difference between the Commissioners and the Owner of the said Lands or Buildings, the Amount of the said Expences and Charge, as well as the Propriety of sending the said Engines and Firemen as aforesaid for extinguishing such Fire, (if the Propriety thereof be disputed,) shall be determined by Two Justices, whose Decision shall be final; and the Amount of the said Expences and Charge shall be recovered by the Commissioners as Damages.

Places of public Resort.

And with respect to Places of public Resort, be it enacted as follows:

Penalty on Victuallers harbouring Constables while on Duty.

XXXIV. Every Victualler or Keeper of any Public House, or Person licensed to sell Wine, Spirits, Beer, Cider, or other fermented or distilled Liquors by retail, to be drunk or consumed on the Premises, within the Limits of the special Act, who knowingly harbours or entertains or suffers to remain in his Public House or Place wherein he carries on his Business any Constable during any Part of the Time appointed for his being on Duty, unless for the Purpose of quelling any Disturbance or restoring Order, shall, for every such Offence, be liable to a Penalty not exceeding Twenty Shillings.

Penalty on Coffee Shop Keepers harbouring disorderly Persons.

XXXV. Every Person keeping any House, Shop, Room, or other Place of public Resort within the Limits of the special Act for the Sale or Consumption of Refreshments of any Kind who knowingly suffers common Prostitutes or reputed Thieves to assemble at and continue in his Premises shall, for every such Offence, be liable to a Penalty not exceeding Five Pounds.

XXXVI. Every

Penalty on Persons keeping Places for Bear-baiting, Cock-fighting, &c.

XXXVI. Every Person who within the Limits of the special Act keeps or uses or acts in the Management of any House, Room, Pit, or other Place for the Purpose of fighting, baiting, or worrying any Animals shall be liable to a Penalty of not more than Five Pounds, or, in the Discretion of the Justices before whom he is convicted, to Imprisonment, with or without hard Labour, for a Time not exceeding One Month; and the Commissioners may, by Order in Writing, authorize the Superintendent Constable, with such Constables as he thinks necessary, to enter any Premises kept or used for any of the Purposes aforesaid, and take into Custody all Persons found therein without lawful Excuse, and every Person so found shall be liable to a Penalty not exceeding Five Shillings, and a Conviction for this Offence shall not exempt the Owner, Keeper, or Manager of any such House, Room, Pit, or Place from any penal Consequence to which he is liable for the Nuisance thereby occasioned.

Hackney Carriages.

And with respect to Hackney Carriages, be it enacted as follows:

Hackney Carriages to be licensed.

XXXVII. The Commissioners may from Time to Time license to ply for Hire within the prescribed Distance, or if no Distance is prescribed, within Five Miles from the General Post Office of the City, Town, or Place to which the special Act refers, (which in that Case shall be deemed the prescribed Distance,) such Number of Hackney Coaches or Carriages of any Kind or Description adapted to the Carriage of Persons as they think fit.

What to be Hackney Carriages.

XXXVIII. Every wheeled Carriage, whatever may be its Form or Construction, used in standing or plying for Hire in any Street within the prescribed Distance, and every Carriage standing upon any Street within the prescribed Distance, having thereon any numbered Plate required by this or the special Act to be fixed upon a Hackney Carriage, or having thereon any Plate resembling or intended to resemble any such Plate as aforesaid, shall be deemed to be a Hackney Carriage within the Meaning of this Act; and in all Proceedings at Law or otherwise the Term "Hackney Carriage" shall be sufficient to describe any such Carriage: Provided always, that no Stage Coach used for the Purpose of standing or plying for Passengers to be carried for Hire at separate Fares, and duly licensed for that Purpose, and having thereon the proper numbered Plates required by Law to be placed on such Stage Coaches, shall be deemed to be a Hackney Carriage within the Meaning of this Act.

Fee to be paid for Licence.

XXXIX. For every such Licence there shall be paid to the Clerk of the Commissioners, or other Person appointed by them to receive the same, such Sum as the Commissioners direct, not exceeding Five Shillings.

Persons applying for Licence to sign a Requisition for same.

XL. Before any such Licence is granted a Requisition for the same, in such Form as the Commissioners from Time to Time provide for that Purpose, shall be made and signed by the Proprietor or One of the Proprietors of the Hackney Carriage in respect of which such Licence is applied for, and in every such Requisition shall be truly stated the Name and Surname and Place of Abode of the Person applying for such Licence, and of every Proprietor or part Proprietor of such Carriage, or Person concerned, either solely or in Partnership with any other Person, in the keeping, employing, or letting to Hire of such Carriage; and any Person who, on applying for such Licence, states in such Requisition the Name of any Person who is not a Proprietor or part Proprietor of such Carriage, or who is not concerned as aforesaid in the keeping, employing, or letting to Hire of such Carriage, and also any Person who wilfully omits to specify truly in such Requisition as aforesaid the Name of any Person who is a Proprietor or part Proprietor of such Carriage, or who is concerned as aforesaid in the keeping, employing, or letting to Hire of such Carriage, shall be liable to a Penalty not exceeding Ten Pounds.

What shall be specified in the Licences.

XLI. In every such Licence shall be specified the Name and Surname and Place of Abode of every Person who is a Proprietor or part Proprietor of the Hackney Carriage in respect of which such Licence is granted, or who is concerned, either solely or in Partnership with any other Person, in the keeping, employing, or letting to Hire of any such Carriage, and also the Number of such Licence which shall correspond with the Number to be painted or marked on the Plates to be fixed on such Carriage, together with such other Particulars as the Commissioners think fit.

Licences to be registered.

XLII. Every Licence shall be made out by the Clerk of the Commissioners, and duly entered in a Book to be provided by him for that Purpose, and in such Book shall be contained Columns or Places for Entries to be made of every Offence committed by any Proprietor or Driver or Person attending such Carriage, and any Person may at any reasonable Time inspect such Book without Fee or Reward.

Licence to be in force for One Year only.

XLIII. Every Licence so to be granted shall be under the Common Seal of the Commissioners, if incorporated, or, if not incorporated, shall be signed by Two or more of the Commissioners, and shall not include more than One Carriage so licensed, and shall be in force for One Year only from the Day of the Date of such Licence, or until the next general licensing Meeting, in case any general licensing Day be appointed by the Commissioners.

Notice to be given by Proprietors of Hackney Carriages of any Change of Abode.

XLIV. So often as any Person named in any such Licence as the Proprietor or One of the Proprietors, or as being concerned either solely or in Partnership with any Person in the keeping, employing, or letting to Hire of any such Carriage, changes his Place of Abode, he shall, within Seven Days next after such Change, give Notice thereof in Writing, signed by him, to the Commissioners, specifying in such Notice his new Place of Abode; and he shall at the same Time produce such Licence at the Office of the Commissioners, who shall, by their Clerk, or some other Officer, endorse thereon and sign a Memorandum specifying the Particulars of such Change; and any Person named in any such Licence as aforesaid as the Proprietor, or One of the Proprietors, of any Hackney Carriage, or as being concerned as aforesaid, who changes his Place of Abode, and neglects or wilfully omits to give Notice of such Change, or to produce such Licence in order that such Memorandum as aforesaid may be endorsed thereon within the Time

Time and in the Manner limited and directed by this or the special Act, shall be liable to a Penalty not exceeding Forty Shillings.

Penalty for plying for Hire without a Licence.

XLV. If the Proprietor or part Proprietor of any Carriage, or any Person so concerned as aforesaid, permits the same to be used as a Hackney Carriage plying for Hire within the prescribed Distance without having obtained a Licence as aforesaid for such Carriage, or during the Time that such Licence is suspended as herein-after provided, or if any Person be found driving, standing, or plying for Hire with any Carriage within the prescribed Distance, for which such Licence as aforesaid has not been previously obtained, or without having the Number of such Carriage corresponding with the Number of the Licence openly displayed on such Carriage, every such Person so offending shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

Drivers not to act without first obtaining a Licence.

XLVI. No Person shall act as Driver of any Hackney Carriage licensed in pursuance of this or the special Act to ply for Hire within the prescribed Distance without first obtaining a Licence from the Commissioners, which Licence shall be registered by the Clerk to the Commissioners, and a Fee of One Shilling shall be paid for the same; and every such Licence shall be in force until the same is revoked, except during the Time that the same may be suspended as after mentioned.

Penalty on Drivers acting without Licence.

XLVII. If any Person acts as such Driver as aforesaid without having obtained such Licence or during the Time that his Licence is suspended, or if he lend or part with his Licence, except to the Proprietor of the Hackney Carriage, or if the Proprietor of any such Hackney Carriage employ any Person as the Driver thereof who has not obtained such Licence, or during the Time that his Licence is suspended, as herein-after provided, every such Driver and every such Proprietor shall, for every such Offence, respectively be liable to a Penalty not exceeding Twenty Shillings.

Proprietor to retain Licence of Drivers.

XLVIII. In every Case in which the Proprietor of any such Hackney Carriage permits or employs any licensed Person to act as the Driver thereof, such Proprietor shall cause to be delivered to him, and shall retain in his Possession, the Licence of such Driver while such Driver remains in his Employ; and in all Cases of Complaint, where the Proprietor of a Hackney Carriage is summoned to attend before a Justice, or to produce the Driver, the Proprietor so summoned shall also produce the Licence of such Driver, if he be then in his Employ; and if any Driver complained of be adjudged guilty of the Offence alleged against him, such Justice shall make an Endorsement upon the Licence of such Driver, stating the Nature of the Offence and the Amount of the Penalty inflicted; and if any such Proprietor neglect to have delivered to him and to retain in his Possession the Licence of any Driver while such Driver remains in his Employ, or if he refuse or neglect to produce such Licence as aforesaid, such Proprietor shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

Justices to endorse Convictions upon Licences.

Penalty on Proprietors for Neglect.

Proprietor to return Licence to Drivers when quitting his Service if they behave well, &c.

Compensation if Licence improperly withheld.

XLIX. When any Driver leaves the Service of the Proprietor by whom he is employed without having been guilty of any Misconduct, such Proprietor shall forthwith return to such Driver the Licence belonging to him; but if such Driver have been guilty of any Misconduct, the Proprietor shall not return his Licence, but shall give him Notice of the Complaint which he intends to prefer against him, and shall forthwith summon such Driver to appear before any Justice to answer the said Complaint; and such Justice, having the necessary Parties before him, shall inquire into and determine the Matter of Complaint, and if upon Inquiry it appear that the Licence of such Driver has been improperly withheld, such Justice shall direct the immediate Re-delivery of such Licence, and award such Sum of Money as he thinks proper to be paid by such Proprietor to such Driver by way of Compensation.

Licences to be suspended or revoked for Misconduct.

L. The Commissioners may, upon the Conviction for the Second Time of the Proprietor or Driver of any such Hackney Carriage for any Offence under the Provisions of this or the special Act with respect to Hackney Carriages, or any Bye Law made in pursuance thereof, suspend or revoke, as they deem right, the Licence of any such Proprietor or Driver.

Number of Persons to be carried in a Hackney Carriage to be painted thereon.

LI. No Hackney Carriage shall be used or employed or let to Hire, or shall stand or ply for Hire within the prescribed Distance, unless the Number of Persons to be carried by such Hackney Carriage, in Words at Length, and in Form following, (that is to say,) "To carry Persons," be painted on a Plate placed on some conspicuous Place on the Outside of such Carriage, and in legible Letters, so as to be clearly distinguishable from the Colour of the Ground whereon the same are painted, One Inch in Length, and of a proportionate Breadth; and the Driver of any such Hackney Carriage shall not be required to carry in or by such Hackney Carriage a greater Number of Persons than the Number painted thereon.

Penalty for Neglect or for Refusal to carry the prescribed Number.

LII. If the Proprietor of any Hackney Carriage permit the same to be used, employed, or let to Hire, or if any Person stand or ply for Hire with such Carriage, without having the Number of Persons to be carried thereby painted and exhibited in manner aforesaid, or if the Driver of any such Hackney Carriage refuse, when required by the Hirer thereof, to carry in or by such Hackney Carriage the Number of Persons painted thereon, or any less Number, every Proprietor or Driver so offending shall be liable to a Penalty not exceeding Forty Shillings.

Penalty on Driver for refusing to drive.

LIII. Any Driver of a Hackney Carriage standing at any of the Stands for Hackney Carriages appointed by the Commissioners, or in any Street, who refuses or neglects, without reasonable Excuse, to drive such Carriage to any Place within the prescribed Distance, or the Distance to be appointed by any Bye Law of the Commissioners, not exceeding the prescribed Distance, to which he is directed to drive by the Person hiring or wishing to hire such Carriage, shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

Penalty for demanding more than Sum agreed for, though less than legal Fare.

LIV. If the Proprietor or Driver of any such Hackney Carriage, or if any other Person on his Behalf, agree beforehand with any Person hiring such Hackney Carriage to take for any Job a Sum less than the Fare allowed by this or the special Act, or any Bye Law made thereunder, such Proprietor or Driver shall be

be liable to a Penalty not exceeding Forty Shillings if he exact or demand for such Job more than the Fare so agreed upon.

Agreement to pay more than the legal Fare not to be binding, and Sum paid beyond the proper Fare may be recovered back.

LV. No Agreement whatever made with the Driver, or with any Person having or pretending to have the Care of any such Hackney Carriage, for the Payment of more than the Fare allowed by any Bye Law made under this or the special Act, shall be binding on the Person making the same, and any such Person may, notwithstanding such Agreement, refuse, on discharging such Hackney Carriage, to pay any Sum beyond the Fare allowed as aforesaid, and if any Person actually pay to the Driver of any such Hackney Carriage, whether in pursuance of any such Agreement or otherwise, any Sum exceeding the Fare to which such Driver was entitled, the Person paying the same shall be entitled, on Complaint made against such Driver before any Justice of the Peace, to recover back the Sum paid beyond the proper Fare, and moreover such Driver shall be liable to a Penalty for such Exaction not exceeding the Sum of Forty Shillings, and in default of the Repayment by such Driver of such Excess of Fare, or of Payment of the said Penalty, such Justice shall forthwith commit such Driver to Prison, there to remain for any Time not exceeding One Month, unless the said Excess of Fare and the said Penalty be sooner paid.

Driver to carry, under an Agreement for a discretionary Distance, the Distance to which Hirer is entitled for the Fare.

LVI. If the Proprietor or Driver of any such Hackney Carriage, or if any other Person on his Behalf, agree with any Person to carry in or by such Hackney Carriage Persons not exceeding in Number the Number so painted on such Carriage as aforesaid, for a Distance to be in the Discretion of such Proprietor or Driver, and for a Sum agreed upon, such Proprietor or Driver shall be liable to a Penalty not exceeding Forty Shillings if the Distance which he carries such Persons be under that to which they were entitled to be carried for the Sum so agreed upon according to the Fare allowed by this or the special Act, or any Bye Law made in pursuance thereof.

Deposit to be made for Carriages waiting.

LVII. When any Hackney Carriage is hired and taken to any Place, and the Driver thereof is required by the Hirer there to wait with such Hackney Carriage, such Driver may demand and receive from such Hirer his Fare for driving to such Place, and also a Sum equal to the Fare of such Carriage for the Period, as a Deposit over and above such Fare, during which he is required to wait as aforesaid, or if no Fare for Time be fixed by the Bye Laws, then the Sum of One Shilling and Sixpence for every Half Hour during which he is so required to wait, which Deposit shall be accounted for by such Driver when such Hackney Carriage is finally discharged by such Hirer; and if any such Driver who has received any such Deposit as aforesaid refuses to wait as aforesaid, or goes away or permits such Hackney Carriage to be driven or taken away without the Consent of such Hirer, before the Expiration of the Time for which such Deposit was made; or if such Driver on the final Discharge of such Hackney Carriage refuse duly to account for such Deposit, every such Driver so offending shall be liable to a Penalty not exceeding Forty Shillings.

Penalty on the Driver refusing to wait, or to account for the Deposit.

Overcharge by Hackney Coachmen, &c. to be included in Conviction, and returned to aggrieved Party.

LVIII. Every Proprietor or Driver of any such Hackney Carriage who is convicted of taking as a Fare a greater Sum than is authorized by any Bye Law made under this or the special Act shall be liable to a Penalty not exceeding Forty Shillings, and such Penalty may be recovered before One Justice; and in the Conviction of such Proprietor or Driver an Order may be included for Payment of the Sum so overcharged, over and above the Penalty and Costs; and such Overcharge shall be returned to the Party aggrieved, whose Evidence shall be admissible in Proof of the said Offence.

Penalty for Persons riding without Consent of Hirer.

LIX. Any Proprietor or Driver of any such Hackney Carriage which is hired who permits or suffers any Person to be carried in or upon or about such Hackney Carriage during such Hire, without the express Consent of the Person hiring the same, shall be liable to a Penalty not exceeding Twenty Shillings.

No Person to act as Driver of any Carriage without the Consent of the Proprietor.

LX. No Person authorized by the Proprietor of any Hackney Carriage to act as Driver of such Carriage shall suffer any other Person to act as Driver of such Carriage without the Consent of the Proprietor thereof, and no Person, whether licensed or not, shall act as Driver of any such Carriage without the Consent of the Proprietor, and any Person so suffering another Person to act as Driver, and any Person so acting as Driver without such Consent as aforesaid, shall be liable to a Penalty not exceeding Forty Shillings for every such Offence.

Penalty on Drivers misbehaving.

LXI. If the Driver or any other Person having or pretending to have the Care of any such Hackney Carriage be intoxicated while driving, or if any such Driver or other Person by wanton and furious driving, or by any other wilful Misconduct, injure or endanger any Person in his Life, Limbs, or Property, he shall be liable to a Penalty not exceeding Five Pounds, and in default of Payment thereof the Justice before whom he is convicted of such Offence may commit him to Prison, there to remain for any Time not exceeding Two Months.

Penalty for leaving Carriages unattended at Places of public Resort.

LXII. If the Driver of any such Hackney Carriage leave it in any Street or at any Place of public Resort or Entertainment, whether it be hired or not, without some one proper to take care of it, any Constable may drive away such Hackney Carriage, and deposit it, and the Horse or Horses harnessed thereto, at some neighbouring Livery Stable or other Place of safe Custody; and such Driver shall be liable to a Penalty not exceeding Twenty Shillings for such Offence, and in default of Payment of the said Penalty upon Conviction, and of the Expences of taking and keeping the said Hackney Carriage and Horse or Horses, the same, together with the Harness belonging thereto, or any of them, shall be sold by Order of the Justice before whom such Conviction is made, and after deducting from the Produce of such Sale the Amount of the said Penalty, and of all Costs and Expences, as well of the Proceedings before such Justice as of the taking, keeping, and Sale of the said Hackney Carriage, and of the said Horse or Horses and Harness, the Surplus (if any) of the said Produce shall be paid to the Proprietor of such Hackney Carriage.

Damage done by Driver may

LXIII. In every Case in which any Hurt or Damage has been caused to any Person or Property as aforesaid by the Driver of any Carriage let to Hire, the Justice before whom such Driver has been convicted

convicted may direct that the Proprietor of such Carriage shall pay such a Sum not exceeding Five Pounds as appears to the Justice a reasonable Compensation for such Hurt or Damage; and every Proprietor who pays any such Compensation as aforesaid may recover the same from the Driver, and such Compensation shall be recoverable from such Proprietor, and by him from such Driver, as Damages. *be recovered from the Proprietor.*

LXIV. Any Driver of any Hackney Carriage who suffers the same to stand for Hire across any Street or alongside of any other Hackney Carriage, or who refuses to give way, if he conveniently can, to any other Carriage, or who obstructs or hinders the Driver of any other Carriage in taking up or setting down any Person into or from such other Carriage, or who wrongfully in a forcible Manner prevents or endeavours to prevent the Driver of any other Hackney Carriage from being hired, shall be liable to a Penalty not exceeding Twenty Shillings. *Improperly standing with Carriage; obstructing any other Driver; or depriving him of his Fare.*

LXV. If the Driver of any such Hackney Carriage be summoned or brought before any Justice to answer any Complaint or Information touching or concerning any Offence alleged to have been committed by such Driver against the Provisions of this or the special Act, or any Bye Law made thereunder, and such Complaint or Information be afterwards withdrawn or quashed or dismissed, or if such Driver be acquitted of the Offence charged against him, the said Justice, if he think fit, may order the Complainant or Informant to pay to the said Driver such Compensation for his Loss of Time in attending the said Justice touching or concerning such Complaint or Information as to the said Justice seems reasonable, and in default of Payment of such Compensation, the said Justice may commit such Complainant or Informant to Prison for any Time not exceeding One Month, unless the same shall be sooner paid. *Justices empowered to award Compensation to Drivers for Loss of Time in attending to answer Complaints not substantiated.*

LXVI. If any Person refuse to pay on Demand to any Proprietor or Driver of any Hackney Carriage the Fare allowed by this or the special Act, or any Bye Law made thereunder, such Fare may, together with Costs, be recovered before One Justice as a Penalty. *Penalty for refusing to pay the Fare.*

LXVII. Any Person using any Hackney Carriage plying under a Licence granted by virtue of this or the special Act, who wilfully injures the same, shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and shall also pay to the Proprietor of such Hackney Carriage reasonable Satisfaction for the Damage sustained by the same; and such Satisfaction shall be ascertained by the Justices before whom the Conviction takes place, and shall be recovered by the same Means as the Penalty. *Penalty for damaging Carriage.*

LXVIII. The Commissioners may from Time to Time (subject to the Restrictions of this and the special Act) make Bye Laws for all or any of the Purposes following; (that is to say,) *Commissioners may make Bye Laws for regulating Hackney Carriages.*

For regulating the Conduct of the Proprietors and Drivers of Hackney Carriages plying within the prescribed Distance in their several Employments, and determining whether such Drivers shall wear any and what Badges, and for regulating the Hours within which they may exercise their Calling:

For regulating the Manner in which the Number of each Carriage, corresponding with the Number of its Licence, shall be displayed:

For regulating the Number of Persons to be carried by such Hackney Carriages, and in what Manner such Number is to be shown on such Carriage, and what Number of Horses or other Animals is to draw the same, and the placing of Check Strings to the Carriages, and the holding of the same by the Driver, and how such Hackney Carriages are to be furnished or provided:

For fixing the Stands of such Hackney Carriages and the Distance to which they may be compelled to take Passengers, not exceeding the prescribed Distance:

For fixing the Rates or Fares, as well for Time as Distance, to be paid for such Hackney Carriages within the prescribed Distance, and for securing the due Publication of such Fares:

For securing the safe Custody and Re-delivery of any Property accidentally left in Hackney Carriages, and fixing the Charges to be made in respect thereof.

Bathing.

And with respect to public Bathing, be it enacted as follows:

LXIX. Where any Part of the Sea-shore or Strand of any River used as a public Bathing-place is within the Limits of the special Act the Commissioners may make Bye Laws for the following Purposes; (that is to say,) *Bathing Machines.*

For fixing the Stands of Bathing Machines on the Sea-shore or Strand, and the Limits within which Persons of each Sex shall be set down for bathing, and within which Persons shall bathe:

For preventing any indecent Exposure of the Persons of the Bathers:

For regulating the Manner in which the Bathing Machines shall be used, and the Charges to be made for the same:

For regulating the Distance at which Boats and Vessels let to hire for the Purpose of sailing or rowing for Pleasure shall be kept from Persons bathing within the prescribed Limits.

LXX. And with respect to the Rates to be made for carrying the Purposes of this and the special Act into execution, be it enacted, That all the Clauses of the Towns Improvement Clauses Act, 1847, with respect to the following Matters; (that is to say,) *Regulations as to Rates.*

With respect to the Manner of making Rates authorized by that or the special Act;

With respect to the Appeal to be made against any Rate; and

With respect to the Recovery of Rates;

shall be incorporated with this and the special Act.

LXXI. And with respect to Bye Laws, be it enacted, That all the Clauses of the Towns Improvement Clauses Act, 1847, with respect to the Bye Laws to be made by virtue of that or the special Act shall be incorporated with this and the special Act. *Bye Laws.*

Tender of Amends.

LXXII. And with respect to the Tender of Amends, be it enacted, That if any Party have committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this or the special Act, or any Act incorporated therewith, or by virtue of any Power or Authority thereby given, and if, before Action brought in respect thereof, such Party make Tender of sufficient Amends to the Party injured, such last-mentioned Party shall not recover in any such Action; and if no such Tender have been made, the Defendant, by Leave of the Court where such Action is pending, may at any Time before Issue joined pay into Court such Sum of Money as he thinks fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Recovery of Damages and Penalties.

And with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices, be it enacted as follows:

Recovery of Damages and Penalties.

LXXIII. The Clauses of the Railways Clauses Consolidation Act, 1845, with respect to the Recovery of Damages not specially provided for, and Penalties, and to the Determination of any other Matter referred to Justices, shall be incorporated with this and the special Act; and such Clauses shall apply to the Town or District within the Limits of the special Act, and to the Commissioners, and shall be construed as if the Word "Commissioners" had been inserted therein instead of the Word "Company."

In Ireland Part of Penalties to be paid to Guardians.

LXXIV. Provided always, That in *Ireland*, in the Case of any Penalty imposed by Justices where the Application is not otherwise provided for, such Justices may award not more than One Half of such Penalty to the Informer, and shall award the Remainder to the Guardians of the Poor of the Union within which the Offence was committed, to be applied in aid of the Poor Rates of such Union.

One Magistrate may act for Two Justices.

LXXV. All Things herein or in the special Act, or any Act incorporated herewith, authorized or required to be done by Two Justices, may and shall be done by any One Magistrate having by Law Authority to act alone for any Purpose with the Powers of Two or more Justices.

Persons giving false Evidence guilty of Perjury.

LXXVI. Every Person who, upon any Examination upon Oath, under the Provisions of this or the special Act, or any Act incorporated therewith, shall wilfully and corruptly give false Evidence, shall be liable to the Penalties of wilful and corrupt Perjury.

Access to special Act.

And with respect to affording Access to the special Act, be it enacted as follows:

Copies of special Act to be kept and deposited and allowed to be inspected.

LXXVII. The Commissioners shall at all Times after the Expiration of Six Months after the passing of the special Act keep in their principal Office of Business a Copy of the special Act printed by the Printers to Her Majesty, or some of them, and shall also within the Space of such Six Months deposit in the Office of the Clerk of the Peace of the County in which the Town or District within the Limits of the special Act is situated, a Copy of such special Act so printed as aforesaid; and the said Clerk of the Peace shall receive, and he and the Commissioners respectively shall retain, the said Copies of the special Act, and shall permit all Persons interested to inspect the same, and make Copies or Extracts therefrom, in the like Manner and upon the like Terms, and under the like Penalty for Default, as is provided in the Case of certain Plans and Sections by an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.*

7 W. 4. & 1 Vict. c. 83.

Penalty on failing to keep or deposit such Copies.

LXXVIII. If the Commissioners fail to keep or deposit, as herein-before mentioned, any of the said Copies of the special Act, they shall forfeit Twenty Pounds for every such Offence, and also Five Pounds for every Day afterwards during which such Copy is not so kept or deposited.

Act may be amended, &c.

LXXIX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament

CAP. XC.

An Act to provide for the Execution of the Laws for Relief of the Poor in *Ireland*.

[22d *July* 1847.]

4 & 5 W. 4. c. 76. 1 & 2 Vict. c. 56. 2 & 3 Vict. c. 1. 4 & 5 Vict. c. 41. 6 & 7 Vict. c. 92.

'WHEREAS an Act was passed in the Fifth Year of the Reign of His late Majesty, intituled *An Act for the Amendment and better Administration of the Laws relating to the Poor in* England *and* Wales: And whereas an Act was passed in the Second Year of the Reign of Her Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in* Ireland: And whereas an Act was passed in the Session of Parliament then next following, to amend the lastly-recited Act: And whereas an Act was passed in the Fourth Year of the Reign of Her Majesty, intituled *An Act to provide for the Payment of Debts, Charges, and Incumbrances affecting Houses of Industry and Workhouses, and of Advances made conformably with previous Usage for the lawful Purposes of such Houses of Industry and Workhouses in certain Cases in* Ireland: And whereas an Act was passed in the Seventh Year of the Reign of Her Majesty, intituled *An Act for the further Amendment of an Act for the more effectual Relief of the destitute Poor in* Ireland: And whereas under the Provisions of the said Acts the Administration of Relief to the Poor throughout *Ireland* is subject to the Direction and Control of the Poor Law Commissioners, whose Commission will expire at the End of the Session of Parliament next after the Thirty-first Day of *July* in this Year: And whereas it is expedient that the Control of the Administration of the Laws for the Relief of the Poor in *Ireland* should be wholly separated from the Control of the Administration of the Laws for the Relief of the Poor in *England*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal,

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for Her Majesty from Time to Time, by Warrant under the Royal Sign Manual, to appoint a fit Person, who, with the Chief Secretary to the Lord Lieutenant of *Ireland*, and the Under Secretary to the said Lord Lieutenant, shall have the Control of the Administration of the Laws for Relief of the Poor in *Ireland;* and the Person so appointed shall hold his Office during the Pleasure of Her Majesty; and the said Chief Secretary and Under Secretary, and the Person so appointed, shall be styled "Commissioners for administering the Laws for Relief of the Poor in *Ireland;*" and the Person so appointed by Her Majesty shall be styled the Chief Commissioner; and whenever the Expression "the Commissioners" shall be used in this Act, without Addition, it shall be taken to mean "the said Commissioners for administering the Laws for Relief of the Poor in *Ireland.*"

Appointment of Commissioners for the Administration of the Laws for Relief of the Poor in Ireland.

II. And be it enacted, That Notice of the Appointment of every Chief Commissioner shall be published in the *Dublin Gazette;* and the Commissioners first constituted under this Act shall enter on their Office, and all the Powers by this Act vested in them shall take effect on the Day after the first Publication of such Notice in the *Dublin Gazette.*

When Commissioners shall enter on their Office.

III. And be it enacted, That the Commissioners shall cause a Seal to be made for their Use, and such Seal shall have the same Force and Effect in *Ireland* as the Seal of the Poor Law Commissioners, and Documents sealed or stamped therewith shall be received in Evidence in like Manner as Documents sealed or stamped with the Seal of the Poor Law Commissioners are now received in Evidence.

Seal of the Commissioners.

IV. And be it enacted, That the Commissioners shall from Time to Time, subject to the Approval of the Lord Lieutenant, appoint a Secretary, and may, with the like Approval, remove any Secretary so appointed, and shall also from Time to Time appoint so many Clerks, Messengers, and Servants as shall be allowed by the Commissioners of Her Majesty's Treasury; and all the Persons so appointed, except the Secretary, shall hold their several Offices during the Pleasure of the Commissioners.

Appointment of Secretary, Clerks, &c.

V. And be it enacted, That the Commissioners shall from Time to Time, subject to the Approval of the Lord Lieutenant, appoint so many fit Persons as shall be allowed by the Commissioners of Her Majesty's Treasury to be Inspectors, to assist in the Execution of this Act and of the other Acts now in force, or which shall hereafter be in force, for the Relief of the Poor in *Ireland*, and may from Time to Time assign to the Inspectors so appointed, or any of them, such Duties and delegate to them such of the Powers of the Commissioners as they may think necessary, and, subject to the like Approval of the Lord Lieutenant, may remove all or any of the said Inspectors, and appoint others in their Stead.

Inspectors to be appointed.

VI. And be it enacted, That the Commissioners shall from Time to Time appoint One of the said Inspectors, by the Title of Assistant Commissioner, to assist in the Business of their Office and in the Execution of this Act in such Manner as they shall direct, and may delegate to such Assistant Commissioner all the Functions, Powers, and Duties of the Chief Commissioner, or such of them as they shall think fit, in the Absence of the Chief Commissioner from *Dublin*, or whenever it shall appear to them necessary that such Delegation of Authority should be made; and thereupon the said Assistant Commissioner shall have full Authority to act, within the Limits of the Powers so delegated to him, as if he were the Chief Commissioner.

One of the Inspectors to be appointed Assistant Commissioner.

VII. And be it enacted, That the said Inspectors and each of them shall be entitled to attend every Board of Guardians and every parochial and other local Meeting held for the Relief of the Poor, and to take part in the Proceedings, but not to vote at such Board or Meeting.

Inspectors may attend local Boards.

VIII. And be it enacted, That the Chief Commissioner and Secretary, Clerks, Messengers, and Servants, and the Assistant Commissioner and Inspectors, shall receive such Salaries as shall be from Time to Time appointed by the Commissioners of Her Majesty's Treasury.

Salaries.

IX. And be it enacted, That on the Day on which the Commissioners shall enter on their Office all the Powers and Duties of the Poor Law Commissioners, or any of them, with respect to the Direction or Control of the Administration of Relief to the Poor throughout *Ireland*, shall be transferred to and vested in the Commissioners, and shall be thenceforth exercised by them, or any Two of them, or except as is herein-after provided, by the Chief Commissioner alone, or in his Absence by the Assistant Commissioner, and all Provisions of the several Acts in any way relating to the Administration of Relief to the Poor in *Ireland* shall be construed as if therein the Commissioners had been named instead of the Poor Law Commissioners, subject nevertheless to any Amendments made by this Act; and during any Vacancy among the Commissioners the surviving or continuing Commissioners or Commissioner may continue to act with the same Powers and in the same Manner respectively as before such Vacancy: Provided always, that so much of the said Act of the Second Year of the Reign of Her Majesty as would enable the Commissioners to sit in *England* or *Wales* for exercising any Powers under any of the said Acts, or as would require them to assemble in *London* once at least in every Year, shall be repealed.

Transfer of Powers and Duties of the Poor Law Commissioners.

X. And be it enacted, That the Commissioners and their Successors shall be deemed a Body Corporate, and shall have perpetual Succession and a Common Seal, and for all Purposes connected with the Administration of the Laws for the Relief of the Poor throughout *Ireland* shall be deemed the Successors of the said Poor Law Commissioners, and all Lands, Tenements, and Hereditaments, and Real and Personal Property, vested in the said Poor Law Commissioners on the Day on which the Commissioners shall enter on their Office, shall vest in the Commissioners and their Successors without any Conveyance or Transfer thereof other than by the Operation of this Act.

Transfer of Property.

XI. And be it declared and enacted, That from and after the Day on which the Commissioners shall enter on their Office the Power vested in the Poor Law Commissioners to make Rules, Orders, and Regulations, and to vary or rescind the same, shall and may be exercised by the Commissioners, who shall

Power to make Rules.

shall make all such Rules, Orders, and Regulations under their Seal, except such as are intended only for their own Guidance and Procedure, or for the Guidance or Procedure of the said Inspectors, or any of them, and the Conduct of the Business in their Office.

General Rules to be approved by the Lord Lieutenant in Council.

XII. And be it enacted, That no general Rule made by the Commissioners relating to the Administration of the Laws for the Relief of the Poor in *Ireland* shall have any Force unless the same shall be made under the Seal of the Commissioners, nor unless the same, before the Issue thereof, shall be approved by the Lord Lieutenant; and no Rule to vary or rescind a general Rule shall be made by the Commissioners unless the same shall be made and approved in like Manner.

Part of 1 & 2 Vict. c. 56. repealed as to general Rules.

XIII. And be it enacted, That from and after the Day on which the Commissioners first appointed under this Act shall enter on their Office so much of the said Act of the Second Year of the Reign of Her Majesty as relates to the Time or Manner when or how any such general Rule shall operate or take effect, or to the Disallowance of any such general Rule or any Part thereof, shall be repealed.

Disallowance of general Rules by Lord Lieutenant.

XIV. And be it enacted, That if the Lord Lieutenant in Council shall at any Time disallow any such general Rule or any Part thereof, the same, so far as it shall have been so disallowed, shall cease to be of any Force or Validity, subject, however, and without Prejudice to all things lawfully done under the same before such Disallowance.

Rules affecting more than One Union deemed general Rules.

XV. And be it enacted, That every Rule, Order, or Regulation of the Commissioners which shall be at the Time of issuing the same directed to and affect more than One Union shall be deemed a general Rule; and every Rule, Order, and Regulation made to vary or rescind a general Rule, whether or not directed to or affecting more than One Union, shall also be deemed a general Rule.

Rules made before Appointment of Commissioners to continue.

XVI. Provided always, and be it declared and enacted, That all lawful Rules, Orders, and Regulations of the Poor Law Commissioners, made before the Day on which the Commissioners first appointed under this Act shall enter on their Office, shall continue in full Force and Effect until rescinded or varied under the Authority of this Act.

Sanction of Commissioners substituted for that of the Poor Law Commissioners in a prescribed Form.

XVII. And be it enacted, That in every Case when the Assent or Sanction of the Poor Law Commissioners, or any One or more of them, is now required for any Matter arising in *Ireland*, to be given under their Hands and Seals, or the Hand and Seal of any One or more of them, the Assent or Sanction of the Commissioners, from and after the Day on which they shall enter on their Office, shall be requisite instead thereof, and in every Case in which it shall be given shall be given under the Seal of the Commissioners, and shall have the like Force and Effect in *Ireland* as the Assent or Sanction of the Poor Law Commissioners before the passing of this Act.

Signature to Acts under Seal.

XVIII. And be it enacted, That no Act of the Commissioners which is required to be under their Seal shall be of any Validity unless it shall purport to be signed by at least Two of the Commissioners, or by the Chief Commissioner, or in his Absence by the Assistant Commissioner, and in either of the Two last Cases countersigned by the Secretary to the Commissioners.

Power to summon Witnesses.

XIX. And be it declared and enacted, That the Commissioners, or any One of them, and also any such Inspector, acting in execution of the Acts now or hereafter to be in force for the Relief of the Poor in *Ireland*, by Summons under the Seal of the Commissioners, or under the separate Hand and Seal of any Commissioner or Inspector respectively, as the Case may be, may require the Attendance of all such Persons as they or he shall think fit to call before them or any of them respectively, upon any Matter connected with the Execution of this Act, or the Administration of the Laws for the Relief of the Poor in *Ireland*, at such Time and Place as shall be set forth in the Summons, and may make Inquiry and require Returns, and may administer Oaths, and examine all such Persons upon Oath, and may require and enforce the Production upon Oath of Books, Contracts, Agreements, Accounts, Maps, Plans, Surveys, Valuations, and Writings, or Copies thereof respectively, in anywise relating to any such Matter, or, when the Commissioners, or any One of the Commissioners, or any Inspector, shall think fit, instead of requiring such Oath as aforesaid, may require any such Person to make and subscribe a Declaration of the Truth of the Matters respecting which he shall have been or shall be so examined: Provided always, that no Person shall be required, in obedience to any such Summons, to go more than Twenty Statute Miles from the Place of his Abode; provided also, that nothing herein contained shall empower the Commissioners, or any Commissioner or Inspector, to require the Production of the Title, or of any Papers or Deeds relating to the Title of any Lands, Tenements, or Hereditaments not being Property vested in the Commissioners by this Act.

Penalties for giving false Evidence, or refusing to give Evidence.

XX. And be it declared and enacted, That every Person who upon any Examination under the Authority of this Act shall wilfully give false Evidence, or wilfully make or subscribe a false Declaration, shall on being convicted thereof suffer the Pains and Penalties of Perjury; and every Person who shall refuse or wilfully neglect to attend in obedience to any Summons of the Commissioners, or of any One of the Commissioners or any Inspector, or to give Evidence, or who shall wilfully alter, suppress, conceal, destroy, or refuse to produce any Books, Contracts, Agreements, Accounts, Maps, Plans, Surveys, Valuations, or Writings, or Copies of the same, which may be required to be produced for the Purposes of this Act, to any Person authorized by this Act to require the Production thereof, shall be deemed guilty of a Misdemeanor.

Commissioners to report yearly to Lord Lieutenant, and Report to be laid before Parliament.

XXI. And be it enacted, That the Commissioners shall once in each Year submit to the Lord Lieutenant a general Report of their Proceedings; and every such general Report shall be laid before both Houses of Parliament within Six Weeks after the Date thereof if Parliament be then sitting, or if Parliament be not then sitting within Six Weeks after the next Meeting of Parliament; and that every such Report shall contain a distinct Statement of every Order and Direction issued by such Poor Law Commissioners in respect to Out-door Relief.

XXII. And

XXII. And be it enacted, That, save when varied or repealed by this Act, and subject to the Provisions herein contained, all the Powers and Provisions of the recited Acts, and of all other Acts relating to the Relief of the Poor in *Ireland*, and every of them, and every thing lawfully done under the same or in pursuance thereof, and all lawful Acts and Proceedings of the Poor Law Commissioners and their Assistant Commissioners, and any Officers acting under them, or in virtue of the said Acts or any of them, or under their Authority, or by any other Person acting in the Administration of the Laws for the Relief of the Poor in *Ireland*, on or before the Day when the Commissioners shall enter on their Office, shall be as valid as if this Act had not been passed; and every Suit or other Proceeding, civil or criminal, begun before the last-mentioned Day in the Name and under the Authority of the Poor Law Commissioners, shall have the same Force and Effect, if continued in their Names, under the Sanction of the Commissioners, as if the Poor Law Commissioners had continued to act in execution of the said Acts of Parliament; and nothing herein contained shall in any way take away or interfere with any Right of Action or of Defence to the same, or any Liability to be sued or prosecuted for any Penalty for or against any Person, under the said Acts or any of them, according to the respective Provisions thereof, which shall have accrued wholly or in part before the last-mentioned Day. Confirmation of Proceedings under recited Acts.

XXIII. Provided always, and be it enacted, That no Commissioner constituted under this Act, nor any Inspector, Secretary, or other Officer or Person to be appointed and employed by the Commissioners in the Business of their Office under this Act, shall continue to hold his respective Office under this Act, or exercise any of the Powers given by this Act, for a longer Period than Five Years next after the Day of the passing of this Act, and thenceforth until the End of the then next Session of Parliament; and from and after the Expiration of the said Period of Five Years and of the then next Session of Parliament so much of this Act as enables Her Majesty to appoint any Commissioners shall cease to operate or to have any Effect whatever. Appointment of Commissioners, &c. limited to Five Years, &c.

XXIV. And be it enacted, That this Act shall be construed in the same Manner as the said Acts of the Second Year and the Seventh Year of the Reign of Her Majesty, and as One Act with the same and with the Acts and Provisions thereby directed to be construed as One Act, unless where otherwise directed by this Act; and that the Words "Lord Lieutenant" shall be construed to include Lord Justices or other Chief Governor or Governors of *Ireland*. Interpretation of Act.

XXV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

CAP. XCI.

An Act to increase the Number of Trustees for the Herring Fishery, and to direct the Application of the Funds granted for the Promotion of Manufactures and Improvements, in *Scotland*. [22d *July* 1847.]

'WHEREAS an Act was passed in the Fifth Year of the Reign of Her Majesty Queen *Anne*, intituled '*An Act for the Union of the Two Kingdoms of* England *and* Scotland; and another Act was 5 Anne, c. 8.
'passed in the Fifth Year of the Reign of His Majesty King *George* the First, intituled *An Act for* 5 G. 1. c. 20.
'*settling certain yearly Funds payable out of the Revenue of* Scotland *to satisfy public Debts in* Scotland,
'*and other Uses mentioned in the Treaty of Union; and to discharge the Equivalents claimed on behalf*
'*of* Scotland *in Terms of the same Treaty; and for obviating all future Disputes, Charges, and*
'*Expences concerning those Equivalents;* and another Act was passed in the Twelfth Year of the Reign 12 G. 1. c. 4.
'of His said Majesty King *George* the First, for continuing, among other Purposes, the Duties upon Malt,
'Mum, Cider, and Perry in that Part of *Great Britain* called *Scotland*, and for granting certain Duties
'thereupon; and another Act was passed in the Thirteenth Year of the Reign of His Majesty King
'*George* the First, intituled *An Act for the better Regulation of the Linen and Hempen Manufactures* 13 G. 1. c. 26.
'*in that Part of* Great Britain *called* Scotland, whereby His Majesty was enabled to nominate any
'Number of Persons resident in *Scotland*, not exceeding the Number of Twenty-one, to be Trustees for
'overseeing, directing, and better improving the Linen and Hempen Manufactures in *Scotland;* and
'another Act was passed in the said Thirteenth Year of the Reign of His said Majesty King *George* the
'First, intituled *An Act for encouraging and promoting Fisheries and other Manufactures, and* 13 G. 1. c. 30.
'*Improvements in that Part of* Great Britain *called* Scotland; by which Acts, or one or other of them,
'certain Sums of Money were granted and appropriated to the encouraging and promoting the Fisheries
'and such other Manufactures and Improvements in *Scotland* as might most conduce to the general
'Good of the United Kingdom: And whereas by Letters Patent, dated the Eighteenth Day of *July* One
'thousand seven hundred and twenty-seven, under the Great Seal appointed by the Treaty of Union to be
'kept and used in *Scotland* instead of the Great Seal thereof, issued in pursuance of the Powers granted
'to that Effect by the said Two last-recited Acts, certain Persons were thereby appointed Commissioners
'and Trustees for managing the Fisheries and other Manufactures and Improvements in *Scotland*, with
'various Powers and Authorities; and various Rules and Regulations were thereby established for the
'Discharge of the Office of the said Commissioners and Trustees, and for the carrying into execution the
'Purposes of the said Acts: And whereas another Act was passed in the Forty-eighth Year of the Reign
'of His Majesty King *George* the Third, intituled *An Act for the further Encouragement and better* 48 G. 3. c. 110.
'*Regulation of the* British *White Herring Fishery*, whereby it was enacted, that it should be lawful to
'His Majesty and His Successors, by Letters Patent, to nominate and appoint any Number of such
'Trustees and Commissioners, not exceeding Seven, to be Commissioners specially for overseeing,
'directing, and better improving the White Herring Fishery, with Power to execute the Provisions of
'the

'the said Act under recital; in pursuance of which Act Letters Patent, of Date the Fifteenth Day of 'August One thousand eight hundred and eight, were issued accordingly: And whereas another Act was 55 G. 3. c. 94. 'passed in the Fifty-fifth Year of the Reign of His said Majesty King George the Third, intituled An 'Act to continue and amend several Acts relating to the British White Herring Fishery, whereby His 'Majesty was enabled to appoint the Lord Advocate and Solicitor General for Scotland, or either of 'them, for the Time being, to be Commissioners in addition to the Number authorized by the said last-'recited Act, for the Herring Fishery; and it is expedient that the Number of the Commissioners for 'the Herring Fishery should be farther increased: And whereas Letters Patent were thereafter issued 'by His Majesty King George the Fourth, of Date the Sixteenth Day of January One thousand eight 'hundred and twenty-eight, whereby the Application of the Monies granted by the said recited Acts 'was altered and extended: And whereas under and in virtue of the said Acts and the said Letters 'Patent the Sums and Funds applicable to Improvements in Manufacture have been applied towards 'that Purpose, and farther and as conducive to the general Good of the United Kingdom to the Purposes 'of Education in the Fine Arts, and in decorative and ornamental Art, and in Improvement of Taste and 'Design in Manufacture, and otherwise, as has been from Time to Time set forth in Reports made to 'the Sovereign; and it is expedient that the Authority to make such Application of such Sums and 'Funds should be recognized and extended, and that such Application, and also the Rules and Regulations 'therefor, and for the Conduct and good Government of the said Trustees, and their official Duties and 'Management, should be made by Orders of Her Majesty, with the Advice of Her Privy Council, instead 'of Letters Patent as heretofore;' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for Her Majesty and Her Heirs and Successors, by Letters Patent under the Seal appointed to be kept and used in Scotland instead of the Great Seal thereof, to nominate and appoint any Number of Persons, not exceeding Six, who may not be Commissioners and Trustees for Manufactures under the said recited Acts and Letters Patent, and of whom Four shall be resident in the City of Edinburgh or the Vicinity thereof, to be additional Commissioners for the Herring Fishery, along with the Commissioners presently acting under the said recited Acts of the Forty-eighth and Fifty-fifth Years of the Reign of His said Majesty King George the Third, and for all and sundry the Purposes of, and with all the Powers and Authorities granted by the said last-recited Act, as if such Commissioners to be named and appointed had been named and appointed under the Letters Patent issued in virtue of the said last-recited Act.

Her Majesty may appoint additional Commissioners for the Herring Fishery along with those acting under recited Acts of 48 and 55 G. 3.

II. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three of them, from Time to Time, by Orders under their Hands, to direct the Appropriation by the said Trustees for the Encouragement of Manufactures of such Portion of the said Sums and Funds applicable to Improvements in Manufactures, as the said Commissioners of Her Majesty's Treasury shall think fit, towards the Purpose of Education in the Fine Arts generally, and in decorative and ornamental Art, and in Taste and Design in Manufacture, as well as towards the other Purposes to which such Sums and Funds have been hitherto applied.

Power to Treasury to direct the Appropriation of the Funds by the Trustees.

III. And be it enacted, That it shall be lawful for Her Majesty, by and with the Advice of Her Privy Council, by any Order or Orders in Council to be issued from Time to Time, to establish Rules and Regulations for the Application by the said Trustees to the Purposes of Education aforesaid, of the Sums and Funds so to be appropriated by the said Commissioners of Her Majesty's Treasury, and also for the Conduct and good Government of the said Trustees, and the Regulation of their official Duties and Management in that Matter, and also from Time to Time to revoke, alter, and amend such Rules and Regulations; and all such Orders in Council shall, within Fourteen Days after the same shall be issued, be published in the Edinburgh Gazette; and all such Orders of the said Commissioners of Her Majesty's Treasury, and also all such Orders in Council, shall, within the like Period of Fourteen Days, be laid upon the Table of both Houses of Parliament, if Parliament be then sitting, or if otherwise, within Fourteen Days of the Meeting of the then next Session of Parliament.

Her Majesty may by Order in Council establish Rules, &c. for the Application by the Trustees of the Monies so to be appropriated by the Treasury, &c.

IV. And be it enacted, That the said recited Acts and the said Letters Patent shall remain in full Force and Effect, excepting in so far as altered or affected by this Act, and shall be operative and efficient for carrying all the Purposes of this Act into execution according to the true Intent and Meaning thereof.

Recited Acts and Letters Patent to remain in force.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Act may be amended, &c.

CAP. XCII.

An Act for the Protection of Mussel Fisheries in *Scotland*. [22d *July* 1847.]

'WHEREAS Mussel Fisheries in Scotland have been the Subject of Royal Grant and of private 'Right: And whereas it is expedient that certain of the Provisions of an Act passed in the Session 3 & 4 Vict. c. 74. 'of Parliament held in the Third and Fourth Years of the Reign of Her present Majesty, for the better 'Protection of Oyster Fisheries in Scotland, should be extended and apply to the Mussel Fisheries of 'Scotland:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person in that Part of the United Kingdom called Scotland shall wilfully, knowingly, and wrongfully take and carry away any Mussels or Mussel-Brood from any Mussel Bed, Scalp Laying, or Fishery, being the Property and in the lawful Occupation of any other Person or Persons

Persons unlawfully taking Mussels from

Persons or Body Corporate or Politic, and sufficiently marked out or known as such, every such Offender shall be deemed guilty of Theft, and being guilty thereof shall be liable to be sentenced to Imprisonment not exceeding the Term of One Year. Mussel Beds deemed guilty of Theft.

II. And be it enacted, That if any Person shall unlawfully use any Dredge, or any Net or Instrument or Engine whatsoever, or shall trespass within the Limits of any Mussel Bed, Scalp Laying, or Fishery in *Scotland*, being the Property and in the lawful Occupation of any other Person or Persons or Body Corporate or Politic, and sufficiently marked out or known as such, for the Purpose of taking Mussels or Mussel-Brood, though none shall be actually taken, or shall, with any Net, Instrument, or Engine, or with the Hand or otherwise, drag or fish upon the Ground or Soil of any such Mussel-Bed, Scalp Laying, or Fishery, every such Person shall be deemed guilty of an Attempt to commit Theft, and being convicted thereof before the Sheriff of the County shall be liable to be punished by Fine or Imprisonment, or both, as the Court shall award, such Fine not to exceed Ten Pounds, and such Imprisonment not to exceed Three Calendar Months. Persons unlawfully fishing or trespassing in any Mussel Fishery deemed guilty of an Attempt to commit Theft.

III. Provided always, and be it enacted, That nothing in this Act contained shall prevent any Person, lawfully entitled there to fish, from fishing for or catching any floating Fish within the Limits of any Mussel Fishery, with any Net, Instrument, or Engine adapted for taking floating Fish only. Persons, lawfully entitled may fish for floating Fish.

IV. Provided always, and be it enacted, That nothing in this Act contained shall prevent or be construed to prevent any Person from exercising any Right possessed by such Person of taking Bait, or any other Right which may now be lawfully exercised by such Person within the Limits of any such Fishery. Saving legal Rights.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed during this present Session of Parliament. Act may be amended, &c.

CAP. XCIII.

An Act to continue until the First Day of *October* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, an Act for authorizing the Application of Highway Rates to Turnpike Roads. [22d *July* 1847.]

[4 & 5 *Vict. c.* 59. *continued as in Title.*]

CAP. XCIV.

An Act to amend an Act to enable Canal Companies to become Carriers upon their Canals. [22d *July* 1847.]

'WHEREAS an Act was passed in the Ninth Year of the Reign of Her present Majesty, intituled *An Act to enable Canal Companies to become Carriers of Goods upon their Canals*, whereby, upon the Recital that by divers Acts of Parliament Railway Companies had been empowered to convey upon their Railways all such Goods, Wares, Merchandize, Articles, Matters, and Things as might be offered to them for that Purpose, and that greater Competition for the public Advantage would be obtained if similar Powers were granted to Canal and Navigation Companies, it was enacted, that it should be lawful to the Proprietors, Trustees, or Undertakers of any Canal, River, or Navigation, or their respective Committees, Directors, or Managers, or their Superintendents or other Agents, to carry as Common Carriers for their own Profit upon their respective Canals, Rivers, or Navigations, and upon any Railways or Tramways belonging thereto, and upon other Canals, Rivers, and Navigations communicating directly or indirectly therewith, all such Goods, Wares, Merchandize, Articles, Matters, and Things as might be intrusted to them for that Purpose, and to purchase, hire, and construct, and to use and employ, any Number of Boats, Barges, Vessels, Rafts, Carts, Waggons, Carriages, and other Conveniences, and to establish and furnish Haulage, Trackage, or other Means of drawing or propelling the same by Steam, Animal, or other Power, or for the Purpose of collecting, carrying, conveying, warehousing, and delivering such Goods, Wares, Merchandize, Articles, Matters, and Things: And whereas the Proprietors, Trustees, and Undertakers of many Canals, Rivers, and Navigations are unable to avail themselves of the Provisions of the said recited Act by reason of their having no statutory Power of raising Money to be applied to the Purposes of the same, and it is expedient that the said recited Act should in that respect be amended, and that Powers should be granted to such Proprietors, Trustees, and Undertakers to raise Money for the said Purposes, but that Object cannot be effected without the Aid of Parliament:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act shall be incorporated with this Act. 8 & 9 Vict. c. 42. Recited Act incorporated with this Act.

II. And be it enacted, That it shall be lawful to the Proprietors, Trustees, and Undertakers of any Canal, River, or Navigation who shall have in the Manner provided by the said recited Act adopted the Powers and Provisions of the same to borrow on Mortgage or Bond in the Manner or as nearly as may be in the Manner prescribed by the Companies Clauses Consolidation Act, 1845, or the Companies Clauses Consolidation (*Scotland*) Act, 1845, as the Case may be, any Sum or Sums of Money not exceeding in all at any One Time One Tenth Part of the paid-up Capital Stock of such Proprietors, Trustees, or Undertakers respectively, and to apply the Monies so raised to the Purposes of the said recited Act, or any of such Purposes: Provided always, that the Monies so borrowed shall not be applied to any other Purposes Canal Companies empowered to borrow Money as prescribed by 8 & 9 Vict. cc. 16. and 17., and apply the same to Purposes of recited Act.

Saving Rights of existing Creditors.

Purposes whatsoever: Provided also, that the Monies so to be borrowed, together with any Monies otherwise borrowed by any such Proprietors, Trustees, or Undertakers as aforesaid, shall not in all exceed One Third Part of the paid-up Capital of such Proprietors, Trustees, or Undertakers respectively; and that no Mortgage or Bond to be granted for any Monies borrowed in virtue of this Act shall prejudice or affect any Security previously granted for any Monies borrowed by virtue of any other Act or Acts of Parliament relating to any such Canal, River, or Navigation.

8 & 9 Vict. cc. 16. and 17. incorporated with this Act.

III. And for the Purposes of this Act, be it enacted, That such of the Clauses and Provisions of the Companies Clauses Consolidation Act, 1845, and of the Companies Clauses Consolidation (*Scotland*) Act, 1845, respectively, as the Case may be, as relate to the borrowing of Money by Companies on Mortgage or Bond, and to the Conversion of borrowed Money into Capital, shall be incorporated with this Act.

Companies not exempt from Provisions of any future general Act.

IV. And be it enacted, That nothing herein contained shall be construed to exempt any Canal or Navigation Company who have adopted or shall adopt the Powers of the said recited Act from the Operation of any general Act regulating the Manner of charging Tolls and other Charges upon Canals or Navigations in respect of Passengers, Goods, Animals, Articles, and Things of a like Description that may be passed in the course of this or any future Session of Parliament.

Act may be amended, &c.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. XCV.

An Act to amend the Law relating to the Protection in the Colonies of Works entitled to Copyright in the United Kingdom. [22d *July* 1847.]

5 & 6 Vict. c. 45.

'WHEREAS by an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of Her present Majesty, intituled *An Act to amend the Law of Copyright*, it is amongst other things enacted, that it shall not be lawful for any Person not being the Proprietor of the Copyright, or some Person authorized by him, to import into any Part of the United Kingdom, or into any other Part of the *British* Dominions, for Sale or Hire, any printed Book first composed or written or printed or published in any Part of the United Kingdom wherein there shall be Copyright, and reprinted in any Country or Place whatsoever out of the *British* Dominions: And whereas by an Act passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty,

8 & 9 Vict. c. 93.

intituled *An Act to regulate the Trade of the* British *Possessions abroad*, Books wherein the Copyright is subsisting, first composed or written or printed in the United Kingdom, and printed or reprinted in any other Country, are absolutely prohibited to be imported into the *British* Possessions abroad: And whereas by the said last-recited Act it is enacted, that all Laws, Bye Laws, Usages, or Customs in practice, or endeavoured or pretended to be in force or practice in any of the *British* Possessions in *America*, which are in anywise repugnant to the said Act or to any Act of Parliament made or to be made in the United Kingdom, so far as such Act shall relate to and mention the said Possessions, are and shall be null and void to all Intents and Purposes whatsoever:' Now be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in case the Legislature or proper legislative Authorities in any *British* Possession shall be disposed to make due Provision for securing or protecting the Rights of *British* Authors in such Possession, and shall pass an Act or make an Ordinance for that Purpose, and shall transmit the same in the proper Manner to the Secretary of State, in order that it may be submitted to Her Majesty, and in case Her Majesty shall be of opinion that such Act or Ordinance is sufficient for the Purpose of securing to *British* Authors reasonable Protection within such Possession, it shall be lawful for Her Majesty, if She think fit so to do, to express Her Royal Approval of such Act or Ordinance, and thereupon to issue an Order in Council declaring that so long as the Provisions of such Act or Ordinance continue in force within such Colony the Prohibitions contained in the aforesaid Acts, and herein-before recited, and any Prohibitions contained in the said Acts or in any other Acts against the importing, selling, letting out to hire, exposing for Sale or Hire, or possessing Foreign Reprints of Books first composed, written, printed, or published in the United Kingdom, and entitled to Copyright therein, shall be suspended so far as regards such Colony; and thereupon such Act or Ordinance shall come into operation, except so far as may be otherwise provided therein, or as may be otherwise directed by such Order in Council, any thing in the said last-recited Act or in any other Act to the contrary notwithstanding.

Her Majesty may suspend in certain Cases the Prohibitions against the Admission of pirated Books into the Colonies in certain Cases.

Orders in Council to be published in Gazette, and to be laid before Parliament.

II. And be it enacted, That every such Order in Council shall, within One Week after the issuing thereof, be published in the *London Gazette*, and that a Copy thereof, and of every such Colonial Act or Ordinance so approved as aforesaid by Her Majesty, shall be laid before both Houses of Parliament within Six Weeks after the issuing of such Order, if Parliament be then sitting, or if Parliament be not then sitting, then within Six Weeks after the opening of the next Session of Parliament.

Act may be amended, &c.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

C A P. XCVI.

An Act for better securing Trust Funds, and for the Relief of Trustees. [22d *July* 1847.]

'WHEREAS it is expedient to provide Means for better securing Trust Funds, and for relieving 'Trustees from the Responsibility of administering Trust Funds in Cases where they are desirous 'of being so relieved:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Trustees, Executors, Administrators, or other Persons, having in their Hands any Monies belonging to any Trust whatsoever, or the major Part of them, shall be at liberty, on filing an Affidavit shortly describing the Instrument creating the Trust, according to the best of their Knowledge and Belief, to pay the same, with the Privity of the Accountant General of the High Court of Chancery, into the Bank of *England*, to the Account of such Accountant General in the Matter of the particular Trust (describing the same by the Names of the Parties, as accurately as may be, for the Purpose of distinguishing it), in trust to attend the Orders of the said Court; and that all Trustees or other Persons having any Annuities or Stocks standing in their Name in the Books of the Governor and Company of the Bank of *England* or of the *East India* Company, or *South Sea* Company, or any Government or Parliamentary Securities standing in their Names, or in the Names of any deceased Persons of whom they shall be personal Representatives, upon any Trusts whatsoever, or the major Part of them, shall be at liberty to transfer or deposit such Stocks or Securities into or in the Name of the said Accountant General, with his Privity, in the Matter of the particular Trust (describing the same as aforesaid), in trust to attend the Orders of the said Court; and in every such Case the Receipt of One of the Cashiers of the said Bank for the Money so paid, or, in the Case of Stocks or Securities, the Certificate of the proper Officer, of the Transfer or Deposit of such Stocks or Securities, shall be a sufficient Discharge to such Trustees or other Persons for the Money so paid, or the Stocks or Securities so transferred or deposited.

Trustees may pay Trust Monies or transfer Stocks and Securities into the Court of Chancery.

Receipt of Bank Cashier, &c. to be sufficient Discharge.

II. And be it enacted, That such Orders as shall seem fit shall be from Time to Time made by the High Court of Chancery in respect of the Trust Monies, Stocks, or Securities so paid in, transferred, and deposited as aforesaid, and for the Investment and Payment of any such Monies, or of any Dividends or Interest on any such Stocks or Securities, and for the Transfer and Delivery out of any such Stocks and Securities, and for the Administration of any such Trusts generally, upon a Petition to be presented in a summary Way to the Lord Chancellor or the Master of the Rolls, without Bill, by such Party or Parties, as to the Court shall appear to be competent and necessary in that Behalf, and Service of such Petition shall be made upon such Person or Persons as the Court shall see fit and direct; and every Order made upon any such Petition shall have the same Authority and Effect, and shall be enforced and subject to Rehearing and Appeal, in the same Manner as if the same had been made in a Suit regularly instituted in the Court; and if it shall appear that any such Trust Funds cannot be safely distributed without the Institution of One or more Suit or Suits, the Lord Chancellor or Master of the Rolls may direct any such Suit or Suits to be instituted.

Court of Chancery to make Orders on Petition, without Bill, for Application of Trust Monies and Administration of Trust.

III. Provided always, and be it enacted, That the additional Remuneration which the said Accountant General may receive in consequence of the Operation of this Act shall not have the Effect of giving to him any Claim for a larger Income by way of Salary or otherwise, in the event of the said Office of Accountant General being hereafter regulated by competent Authority, than would have been assigned to him if this Act had not been passed.

Regulating Salary of Accountant General.

IV. And be it enacted, That the Lord Chancellor, with the Assistance of the Master of the Rolls or of One of the Vice Chancellors, shall have Power and is hereby authorized to make such Orders as from Time to Time shall seem necessary for better carrying the Provisions of this Act into effect.

General Orders.

V. And be it enacted, That in the Construction of this Act the Expression "the Lord Chancellor" shall mean and include the Lord Chancellor, Lord Keeper, and Lords Commissioners for the Custody of the Great Seal of *Great Britain* for the Time being.

Construction of Expression "Lord Chancellor."

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be amended, &c.

C A P. XCVII.

An Act for the Discontinuance of the Attendance of the Masters in Ordinary of the High Court of Chancery in the Public Office, and for transferring the Business of such Public Office to the Affidavit Office in Chancery. [22d *July* 1847.]

'WHEREAS by an Act passed in the Thirteenth Year of His late Majesty *Charles* the Second it 'was amongst other things enacted, that from and after the Three-and-twentieth Day of *October* 'in the Year One thousand six hundred and sixty-one there should be One Public Office kept as near the 'Rolls as conveniently might be, in which the Masters in Ordinary, or one of them, should constantly 'attend for the Administration of Oaths and other Purposes therein mentioned: And whereas it is 'expedient that the said Masters should no longer attend in Person at the said Public Office, and that the 'Duties required by the said recited Act should be otherwise provided for:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the

Attendance of Masters in

Ordinary discontinued.

the said Act shall be and the same is hereby repealed, and that the Attendance of the said Masters at the Public Office be discontinued from and after the Time at which this Act shall come into operation.

Lord Chancellor may appoint a Second Assistant Clerk of Affidavits.

II. And be it enacted, That it shall be lawful for the Lord Chancellor to appoint One fit and proper Person to assist in the Performance of the Duties of the Clerk of Affidavits and of the Assistant Clerk of Affidavits, and of the other Duties hereby transferred to them, to be called the Second Assistant Clerk of Affidavits, and that the Duties by the said recited Act directed to be done and performed by the Masters in Ordinary in the Public Office shall hereafter be done and performed by the said Clerk of Affidavits and the Assistant Clerks of Affidavits, in such Place and in such Manner and subject to such Regulations as the Lord Chancellor shall from Time to Time order and direct, and they and each of them are hereby authorized to do and perform the same.

Lord Chancellor may order Remuneration to be paid to the Clerk and Assistant of Affidavits.

III. And be it enacted, That there shall be paid to the said Clerk of Affidavits and the said Assistant Clerks of Affidavits such Remuneration, either in Salary and Fees, or partly by Salary and partly by Fees, as the Lord Chancellor shall think fit, not exceeding in the whole One thousand two hundred Pounds to the Clerk of Affidavits, Eight hundred Pounds to the First and Four hundred Pounds to the Second Assistant Clerk of Affidavits; and that it shall be lawful for the Lord Chancellor to make such Order and Orders as may be necessary for Payment of so much of such Remuneration as shall consist of Salary out of the Fund, intituled "The Suitors Fee Fund Account," and for the Payment of any Part of the Fees to be received to the Account of the said Fund.

Appointment of Second Assistant Clerk of Affidavits.

IV. And be it enacted, That *William Thodey Smith*, the present Clerk of the said Public Office, be and he is hereby appointed the Second Assistant Clerk of Affidavits under this Act, and that the Salary or Remuneration he shall receive under the Provisions of this Act shall be and the same is hereby declared to be in lieu of and as Compensation for the Loss sustained by him in respect of the Fees hitherto received by him as Clerk of the said Public Office: Provided always, and it is hereby declared, that this Act shall not take away, diminish, or in any way prejudice the Rights and Interests of *William Thodey Smith* to and in the Compensation granted, awarded, and ordered to be paid to him under and by virtue of the Three several Acts of Parliament herein-after mentioned; that is to say, an Act made and passed in the First and Second Years of His late Majesty King *William* the Fourth, intituled *An Act to establish a Court in Bankruptcy*, an Act made and passed in the Sixth Year of Her present Majesty, intituled *An Act for abolishing certain Offices of the High Court of Chancery in* England, and an Act made and passed in the Seventh Year of Her present Majesty, intituled *An Act for consolidating and amending several of the Laws relating to Attornies and Solicitors practising in* England *and* Wales; and that the Rights and Interests of the said *William Thodey Smith* under each of the said Acts respectively shall be and continue the same to all Intents and Purposes as if this Act had not been passed, and as if he had continued to hold his Office of Clerk of the Public Office, but nevertheless only for such Period as he shall hold the Office of Second Clerk of Affidavits under this Act.

Saving Rights of W. T. Smith.

1 & 2 W. 4. c. 56.

5 & 6 Vict. c. 103.

6 & 7 Vict. c. 73.

Lord Chancellor may also, with Consent of Treasury, order retiring Annuities to disabled Officers, not exceeding Two Thirds of their Salaries.

V. And be it enacted, That it shall be lawful for the Lord Chancellor, with the Consent of the Commissioners of Her Majesty's Treasury, by any Order made on a Petition presented to him for that Purpose after the Tenth Day of *August* next after the passing of this Act, to order (if he shall think fit) to be paid to any Person executing the Office of Clerk of Affidavits, Assistant Clerk of Affidavits, or Second Assistant Clerk of Affidavits, or of Chief Clerk or Junior or Copying Clerk to the Master in Ordinary of the Court of Chancery, who shall be afflicted with some permanent Infirmity disabling him from the due Execution of his Office, and shall be desirous of resigning the same, an Annuity not exceeding Two Third Parts of the yearly Salary which such Person shall be entitled to at the Time of presenting such Petition, to be paid out of the Interest and Dividends of the Government or Parliamentary Securities which may be at any Time standing in the Name of the Accountant General of the High Court of Chancery to an Account intituled "Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery," and an Account intituled "Account of Securities purchased with surplus Interest arising from Securities carried to an Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery," or either of them; and the Annuity mentioned in such Order shall be paid by the Governor and Company of the Bank of *England* out of the Interest and Dividends aforesaid (but subject and without Prejudice to the Payment of all Salaries and other Sums of Money by any Act of Parliament already directed or authorized to be paid thereout) by even and equal Payments on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in every Year during the Life of such Person; and the Executors and Administrators of such Person shall be entitled to receive and shall be paid such proportionate Part of the said Annuity as shall have accrued from the next preceding quarterly Day of Payment to the Day of his Death.

Commencement of Act.

VI. And be it enacted, That this Act shall commence and take effect from the Tenth Day of *August* next.

Out of what Fund Compensations awarded under Provisions of 10 & 11 Vict. c. 60. to be paid.

VII. 'And whereas by an Act passed in this Session of Parliament, intituled *An Act to abolish One* 'of the Offices of Master in Ordinary of the High Court of Chancery, it was enacted, that it should be 'lawful for the Lord Chancellor, with the Consent of the Commissioners of Her Majesty's Treasury, to 'award such Compensation (if any), and in such Manner and upon such Conditions as he might think fit, 'to *George Barrett* and *Edward Wright*, the late Chief and Second Clerks of *Andrew Henry Lynch*, 'or either of them, in consideration of the Loss they or he may have sustained by reason of the Abolition 'of the said Office by the said Act: And whereas no Provision was made in the said Act for the 'Payment of such Compensation:' Be it therefore enacted, That such Compensation shall be paid by the Accountant

Accountant General, by virtue of an Order for that Purpose to be made by the said Lord Chancellor, out of the Fund intituled "The Suitors Fee Fund Account."

VIII. And be it enacted, That in construing this Act all Things directed to be done by the Lord Chancellor shall and may be done by a Lord Keeper or the First Commissioner for the Custody of the Great Seal of the United Kingdom of *Great Britain* and *Ireland*. Lord Keeper may act for Ld. Chancellor.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament. Act may be amended, &c.

CAP. XCVIII.

An Act to amend the Law as to Ecclesiastical Jurisdiction in *England*. [22d *July* 1847.]

'WHEREAS much Inconvenience ensues from the continued Suspension of the Jurisdiction of the several Diocesan Courts in *England* within those Parts of the Dioceses which have been added thereunto under the Authority of an Act passed in the Seventh Year of the Reign of His late Majesty, intituled *An Act for carrying into effect the Reports of the Commissioners appointed to consider the State of the Established Church in* England *and* Wales *with reference to Ecclesiastical Duties and Revenues, so far as they relate to Episcopal Dioceses, Revenues, and Patronage*; and it is expedient that some Remedy be thereunto applied:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Bishop of every Diocese in *England* shall by himself or his Officers exercise throughout the whole of his Diocese as it now is or hereafter may be limited or constituted, save only in Causes and Matters testamentary or relating to the Administration of the personal Estate of Intestates, the same Jurisdiction and Authority which before the passing of this Act he or any Bishop lawfully could or might exercise by himself or his Officers within any Part of such Diocese. 6 & 7 W. 4. c. 77. Bishop to exercise Jurisdiction throughout his Diocese, save in Causes testamentary.

II. And be it enacted, That the Officers of the several Diocesan and other Courts shall keep an Account in Writing of the gross and net Amount of all Fees, Allowances, Gratuities, Perquisites, and Emoluments received by them respectively on account of their several Offices or Employments in respect of any Causes or Matters arising within the Diocese which during the Continuance of the temporary Provisions of the first-recited Act were not within the Jurisdiction of the Bishop of the Diocese or other Ecclesiastical Authority, and shall from Time to Time, once at least in every Quarter of a Year, and, on Demand, at any other Time, pay over the net Amount thereof to the Treasurer of the Governors of the Bounty of Queen *Anne*, to be by him carried to a separate Account, and retained until Parliament shall provide for the Appropriation thereof; and in case any Person required to pay over any Money under this Act shall die or resign or be dismissed from his Office while any such Money remains unpaid by him, the Executors or Administrators of the Person so dying, or the Person himself so resigning or dismissed, shall be required to pay the Balance of the Money so remaining due and unpaid. *Officers of Diocesan Courts to account for all Fees, &c. received by them.*

III. And be it enacted, That the Jurisdiction of every Ecclesiastical Court in *England* in Causes and Matters testamentary or relating to the Administration of the personal Estate of Intestates shall continue unaltered by any Change of Province, Diocese, Archdeaconry, or other Jurisdiction whatever within the same Limits and in like Manner as was by Law allowed before the passing of the herein-before recited Act. Jurisdiction in Causes testamentary to continue unaltered by Change of Province, &c.;

IV. And be it enacted, That the Law of *Bona notabilia* shall be continued unaltered by any Change of Province, Diocese, Archdeaconry, or other Jurisdiction whatsoever under the Authority of the first-recited Act as it was before the passing of the herein-before recited Act. and also the Law of Bona notabilia.

V. And be it enacted, That all Authorities, save and except the Authority of the Bishop of whose Diocese any Portion has been or may hereafter be taken away and added to another Diocese under the Provisions of the herein-before recited Act, shall continue to grant Marriage Licences in the same Manner and within the same District as they might have done before the passing of the said Act: Provided always, that nothing herein contained shall be construed to interfere with the Jurisdiction or concurrent Jurisdiction, as the Case may be, of the Bishops of the several Dioceses in *England* to grant Marriage Licences in and throughout the whole of their Dioceses, as such are now or hereafter may be limited or constituted. Certain Authorities may grant Marriage Licences as heretofore, but Jurisdiction of Bishops not to be interfered with.

VI. And be it enacted, That the temporary Provisions of the herein-before recited Act which by an Act passed in the Eighth Year of the Reign of Her Majesty, intituled *An Act to suspend, until the Thirty-first Day of* December *One thousand eight hundred and forty-seven, the Operation of the new Arrangement of Dioceses, so far as it affects the existing Ecclesiastical Jurisdictions, and for obtaining Returns from and the Inspection of the Registries of Jurisdictions*, now stand continued until the Thirty-first Day of *December* next, shall continue in force until the Second Day of *November* in this Year, and shall then cease to be in force. Temporary Provisions of 6 & 7 W. 4. c. 77. continued by 7 & 8 Vict. c. 68. to cease on 2d Nov. 1847.

VII. And be it enacted, That so much of this Act as is herein-before contained shall commence and come into force on the First Day of *November* in this Year One thousand eight hundred and forty-seven, and shall continue until the First Day of *August* in the Year One thousand eight hundred and forty-eight, and, if Parliament be then sitting, until the End of the then Session of Parliament. Commencement and Continuance of Act.

VIII. And be it enacted, That where under the Provisions of the first-recited Act any Parish or Place shall have been brought within any Diocese to which it did not belong before the passing of the first-recited Act, and any Act of Jurisdiction or Authority shall have been exercised as to such Parish or Place Confirming certain Acts of Jurisdiction.

Place since the passing of the first-recited Act, and before the First Day of *November* in this Year, by the Bishop or any Officer of the Bishop of the Diocese or any Archdeacon of the Diocese to which such Parish or Place belonged, either before or since the passing of the first-recited Act, which does not conflict with any similar Act of Jurisdiction or Authority previously and since the passing of the first-recited Act exercised as to such Parish or Place by any other Bishop or Officer of any other Bishop or Archdeacon having or claiming to have Jurisdiction as to such Parish or Place, the same shall be deemed as good and valid as if such Parish or Place had then been wholly and undoubtedly within the Diocese and Jurisdiction of the Bishop by whom, or by any Officer of whom, such Act of Jurisdiction or Authority shall have been exercised.

Officers appointed under this Act to be subject to Regulations hereafter made by Parliament.

IX. And be it enacted, That every Person who shall have been appointed after the passing of the first-recited Act, except as therein excepted, or who shall be appointed after the passing of this Act, to the Office of Judge, Registrar, or other Officer of any Ecclesiastical Court in *England*, shall hold the same subject to all Regulations and Alterations affecting the same which may hereafter be made by Authority of Parliament; nor shall any Person by his Appointment to any such Office acquire any Claim or Title to Compensation in case the same be hereafter altered or abolished by Act of Parliament.

Act may be amended, &c.

X. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. XCIX.

An Act to authorize a further Advance of Money for the Relief of destitute Persons in *Ireland*. [22d *July* 1847.]

10&11 Vict. c. 7.

'WHEREAS an Act was passed in the present Session of Parliament, intituled *An Act for the temporary Relief of destitute Persons in* Ireland, and it is necessary to authorize a further Advance of Money for the Relief of the destitute Poor in *Ireland*, in addition to the Sums advanced by virtue of the said Act, and of another Act to authorize a further Advance of Money, also passed in the present Session of Parliament:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, to cause to be issued, as a temporary Advance, from Time to Time, at any Time before the First Day of *October* in this Year, as they may find necessary, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not exceeding Three hundred thousand Pounds, by way of Imprest, to the Relief Commissioners acting in execution of the said recited Act, to be by them applied for the Purposes specified in the said Act, by way of Loan on the Security of the Rates made or to be made in pursuance thereof, or of an Act passed in the Second Year of the Reign of Her Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in* Ireland; and all such Sums of Money shall be repaid to the said Consolidated Fund by the said Relief Commissioners, in such Manner as the Commissioners of Her Majesty's Treasury may direct, from and out of the Rates to be levied in the Union on behalf of which such Loan shall have been made.

Treasury may cause a temporary Advance to be made to Relief Commissioners acting in execution of recited Act.

1 & 2 Vict. c. 56.

Provisions of first-recited Act extended to this Act.

II. And be it enacted, That all the Clauses, Provisions, Matters, and Things contained in the said first-recited Act shall be applied and extended to this Act, and to the Sum hereby authorized to be advanced, in such and the like Manner as if the said Clauses, Provisions, Matters, and Things had been repeated and re-enacted in this Act.

CAP. C.

An Act to regulate the Superannuation Allowances of the Constabulary Force in *Ireland* and the *Dublin* Metropolitan Police. [22d *July* 1847.]

6 & 7 W. 4. c. 13.

'WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate the Laws relating to the Constabulary Force in* Ireland, and it is expedient that certain of the Provisions of the same, as herein-after mentioned, should be repealed, and that other Provisions should be made relating thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said recited Act as provides for a Deduction to be made from the Pay and Salary of the several Persons appointed under the said Act, and for the Formation of the Police Superannuation Fund therein mentioned, or any Deficiency of the same, and so much of the said recited Act as empowers the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to superannuate any Magistrate, Superintendent, Inspector General, Deputy Inspector, County Inspector, Sub-Inspector, Chief or other Constable, or Sub-Constable, or as relates to any yearly Allowance, Remuneration, Superannuation, or Gratuity to be received by any Person so superannuated, and so much of the said recited Act as relates to the Conditions or Proportions of any such Allowance, Remuneration, or Superannuation, or any Allowance in case of Wounds, shall from and after the passing of this Act be and the same is hereby repealed, save and except as to the Mode of calculating Periods of Service, and save and except as to any Allowance, Remuneration, Superannuation, or Gratuity heretofore granted or ordered, or any Act, Matter, or Thing heretofore done, under any of the Provisions aforesaid; every which Act, Matter, or Thing shall be and remain valid and effectual to all Intents and Purposes as if this Act had not passed.

So much of recited Act as relates to Deductions from Pay, Formation of Superannuation Fund, and Conditions of Allowances, repealed, save as herein set forth.

II. And

Regulations for establishing a Constabulary Superannuation Fund.

II. And be it enacted, That from and after the passing of this Act there shall be deducted from the Pay and Salary of the several Magistrates heretofore appointed, and of the Inspector General, Deputy Inspector General, Assistant Inspector General, the several County Inspectors, Sub-Inspectors, Officers, Head Constables, Constables, or Sub-Constables, heretofore appointed or hereafter to be appointed under the recited Act or any Act amending the same, except the Receiver and Paymasters, the Sum of Two Pounds *per Centum per Annum*, and so rateably, from any Pay or Salary of whatever Amount; and the Sums so deducted shall be applied from Time to Time as Occasion may require for the Payment of such Superannuation or retiring Allowances or Gratuities as may be or may have been at any Time from the passing of the said first-recited Act ordered or appointed from Time to Time by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or by the Commissioners of Her Majesty's Treasury, under the Powers given to him or them respectively under the said first-recited Act, or any Act amending the same, or this Act; and in case the Sums so deducted shall amount to a larger Sum than may be required to pay the Amount at any Time due or payable on such Superannuations, Pensions, and Gratuities, the Excess shall be paid into the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, at such Time and in such Manner as the Commissioners of Her Majesty's Treasury may direct.

Lord Lieutenant empowered to superannuate Constables according to Scale of Superannuation herein mentioned.

III. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, in his or their Discretion, upon the Petition of any such Head or other Constable or Sub-Constable as aforesaid, to order and direct that any such Head or other Constable or Sub-Constable shall and may be superannuated, and shall and may receive such yearly Allowance, Superannuation, Pension, or Gratuity out of such Police Superannuation Fund, not exceeding the Proportion of their respective Pay or Salary stated in the Scale herein-after mentioned: Provided nevertheless, that in each such Case, unless the Age of the respective Party shall exceed Sixty Years, such Person or Persons as may be from Time to Time appointed by the said Lord Lieutenant or other Chief Governor or Governors for the Medical Inspection of the Persons belonging to the Constabulary Force shall certify that such Party is unable, from mental or bodily Infirmity, to perform his Duty, and provided that in each and every Case the Inspector of the County or other superior Officer shall also certify that such Party has served with Diligence and Fidelity; and which said Scale of yearly Allowance or Superannuation shall be as follows; (that is to say,) for any Head or other Constable or Sub-Constable heretofore appointed after Fifteen Years Service and under Twenty Years Service any yearly Sum not exceeding Two Thirds of the Salary of such Party, and after Twenty Years Service any yearly Sum not exceeding the whole of such Pay or Salary; and for any Head or other Constable or Sub-Constable hereafter to be appointed after Fifteen Years Service and under Twenty Years Service any Sum not exceeding One Half of the Salary of such Party, after Twenty Years Service and under Twenty-five Years Service any Sum not exceeding Two Thirds of the Salary of such Party, after Twenty-five Years Service and under Thirty Years Service any Sum not exceeding Three Fourths of the Salary of such Party, and after Thirty Years Service any Sum not exceeding the whole Salary of such Party.

Power to Treasury, upon the Recommendation of Lord Lieutenant, &c., to grant Superannuation Allowances to Officers.

IV. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, upon the Recommendation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, supported by a Certificate from the Inspector General, or in the Case of the Inspector General's Superannuation then on the Certificate of the Chief Secretary of the Lord Lieutenant, that the respective Party, as herein-after mentioned, had served with Diligence and Fidelity, to order and direct that any Magistrate heretofore appointed, or any Inspector General, Deputy Inspector General, Assistant Inspector General, County Inspector or Sub-Inspector of the Constabulary Force, heretofore appointed or hereafter to be appointed, shall and may be superannuated, and shall and may receive such yearly Allowance, Superannuation, Pension, or Gratuity as on Consideration of all the Circumstances of each Case they shall think just and fitting, not exceeding in the Case of any such Magistrate, Inspector General, Deputy Inspector General, Assistant Inspector General, County Inspector, or Sub-Inspector respectively heretofore appointed to such Offices or any other Offices in the Constabulary Force, such Proportion of their respective Pay or Salary as herein-after mentioned; (that is to say,) for above Fifteen Years Service and less than Twenty Years Service an annual Sum not exceeding Two Thirds of the Salary of such Party; for above Twenty Years Service an annual Sum not exceeding the whole of the Salary of such Party; but in the Case of any such Inspector General, Deputy Inspector General, Assistant Inspector General, County Inspector, or Sub-Inspector hereafter to be appointed, such yearly Allowance, Superannuation, Pension, or Gratuity shall not exceed such Proportion of their respective Pay or Salary as herein-after mentioned; (that is to say,) for above Fifteen Years Service and under Twenty Years Service an annual Sum not exceeding One Half of the Salary of such Party, for above Twenty Years Service and under Thirty Years Service an annual Sum not exceeding Two Thirds of such Salary, for above Thirty Years Service and under Forty Years Service an annual Sum not exceeding Three Fourths of such Salary, and for above Forty Years Service an annual Sum not exceeding the whole of such Salary: Provided also, that in every such Case, unless the Age of such Party shall exceed Sixty Years, a Certificate shall be given by such Person or Persons as shall be from Time to Time appointed by the said Lord Lieutenant or other Chief Governor or Governors for the Medical Inspection of Persons belonging to the said Constabulary Force, that such Party so to be superannuated is unable, from mental or bodily Infirmity, to perform his Duty.

Allowances or Pensions may be granted in case of being

V. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, on the Recommendation of the said Lord Lieutenant or other Chief Governor or Governors, to order that a yearly Allowance or Pension, not exceeding the whole of the Salary of the Party,

disabled in the Service.

Party, shall be paid to any Officer, or Head or other Constable, or Sub-Constable, who shall have been disabled from further Service by Wounds or Injuries received in the Execution of his Duty.

Allowances may be granted in certain other Cases.

VI. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to order that a Gratuity, not exceeding One Month's Pay for each Year's Service, shall be paid to any Officer, Head or other Constable, or Sub-Constable, who shall be duly certified to be unfit for Service, and to have served with Diligence and Fidelity for any Number of Years not exceeding Ten Years, and a further Gratuity of Two Months Pay for each Year he shall have served exceeding Ten Years and not exceeding Fifteen Years.

Surplus of Reward Fund to be applied for Payment of Pensions.

Deficiency of Funds for such Pensions to be charged on Consolidated Fund.

VII. And be it enacted, That it shall and may be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, to direct the Application of any Surplus which may now remain of the Police Reward Fund of the Constabulary Force, and any Surplus that may hereafter accrue of the said Reward Fund, to the Payment of the Pensions, Superannuations, or Allowances which have been or may hereafter be granted to any Officers, or Head or other Constables, or Sub-Constables of the said Constabulary Force, and to charge on the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* any Sum of Money which, after applying such Surplus as aforesaid, and the Sums arising from the Deduction to be made as aforesaid from the Pay of the Constabulary Force, shall still be required for the Payment of the Pensions or Superannuations which may at any Time be due and payable as aforesaid.

The Number and Salaries of the Clerks in the Inspector General's Office to be fixed by the Treasury.

2&3 Vict. c.75.

VIII. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to direct that such Number of Clerks shall be employed in the Establishment of the Office of the Inspector General of the said Constabulary Force, and at such Amount of Salary respectively, as shall from Time to Time be determined by the Commissioners of Her Majesty's Treasury or any Three or more of them, any thing in an Act passed in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act for the better Regulation of the Constabulary Force in* Ireland, to the contrary notwithstanding.

6&7 W.4. c.29.

1&2 Vict. c.63.

IX. 'And whereas by an Act of the Sixth and Seventh Years of the Reign of His late Majesty King 'William the Fourth, intituled *An Act for improving the Police in the District of* Dublin *Metropolis*, 'Provision is made for the granting of Pensions as therein mentioned to Justices, Receivers, Constables, 'or other Persons holding any Office under the said Act, who shall by Age, Sickness, or Accident 'become unable to perform the Duties of such Office, and shall therefore resign or be removed from the 'same: And whereas by an Act of the First and Second Years of the Reign of Her present Majesty, 'intituled *An Act to amend the Acts relating to the Police of the District of the* Dublin *Metropolis*, 'it is enacted that it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors 'of *Ireland* to grant to any Divisional or other Justices, Receiver, Clerks, Constables, or other Persons 'appointed or to be appointed under an Act of the Forty-eighth Year of the Reign of King *George* 'the Third therein mentioned, or any Act for the Amendment thereof, or under the said Act of the 'Sixth and Seventh Years of the Reign of King *William* the Fourth, or any Act for the Amendment 'thereof, upon his Retirement or Superannuation from such Office, such yearly Allowance, Remuneration, 'Superannuation, or Gratuity, and upon such Conditions, and not exceeding such Proportions as to Age, 'Length of Service, and other Circumstances, as are mentioned and provided for in the herein-before 'mentioned Act of the Sixth and Seventh Years of the Reign of His late Majesty King *William* the 'Fourth, intituled *An Act to consolidate the Laws relating to the Constabulary Force in* Ireland, in 'respect of Persons appointed under that Act: And whereas it is expedient that the said last-mentioned 'Enactments should be repealed, and other Provisions substituted in lieu thereof;' be it therefore enacted,

Repeal of recited Provisions as to Pensions, &c. of Dublin Metropolitan Police.

That from and after the passing of this Act the said last-mentioned Enactments shall be and the same are hereby repealed, save and except as to any Pension, yearly Allowance, Remuneration, Superannuation, or Gratuity heretofore granted, or as to any Act, Matter, or Thing heretofore done under the said Enactments, and save and except as to the Mode of calculating Periods of Service.

Treasury may grant Superannuation Allowances to Justices and Officers of Dublin Police (other than Constables) heretofore appointed.

X. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, upon the Recommendation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, supported by a Certificate from the Chief Secretary of the Lord Lieutenant that the respective Party as herein-after mentioned had served with Diligence and Fidelity, to order and direct that any Divisional or other Justice, Receiver, Clerk, or other Person (not being a Constable or Sub-Constable) heretofore appointed under the said herein-before mentioned Act of the Forty-eighth Year of the Reign of King *George* the Third, or any Act for the Amendment thereof, or under the said recited Act passed in the Sixth and Seventh Years of the Reign of King *William* the Fourth, for improving the Police in the District of *Dublin* Metropolis, or any Act for the Amendment thereof, shall and may be superannuated, and shall and may receive such Pension or Superannuation, yearly Allowance, or Gratuity, charged upon the Funds applicable to the Support of the said Metropolitan Police Establishment, clear of all Taxes and Deductions, as on Consideration of all the Circumstances of each Case they shall think just, not exceeding such Proportion of their respective Pay or Salary as herein-after mentioned; (that is to say,) for above Fifteen Years Service and less than Twenty Years Service an annual Sum not exceeding Two Thirds of the Pay or Salary of such Party, and for above Twenty Years Service an annual Sum not exceeding the whole of the Pay or Salary of such Party; provided that such Party shall contribute a Sum equal to Two Pounds *per Centum per Annum* on his Salary, from and after the passing of this Act to the Time of his Superannuation, such Contribution to be paid over to the Funds applicable to the Support of the said *Dublin* Metropolitan Police Establishment;

ment; and it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, upon a like Certificate as aforesaid, to order and direct that any Constable, heretofore appointed or hereafter to be appointed, under the said last-mentioned Act of the Sixth and Seventh Years of the Reign of King *William* the Fourth, or any Act amending the same, shall and may be superannuated, and shall and may receive such Pension or Superannuation, yearly Allowance or Gratuity, charged upon the said Funds applicable to the Support of the said Metropolitan Police Establishment, clear of all Taxes and Deductions, as on Consideration of all the Circumstances of each Case he or they shall think just, not exceeding the like respective Proportions of the Pay or Salary of the Party for the respective Periods of Service by this Act prescribed for the respective Constables of the Constabulary Force heretofore appointed or hereafter to be appointed, as the Case may be: Provided always, that any such Constable hereafter to be appointed shall contribute towards the Payment of the Pensions, Superannuations, or Allowances authorized to be granted under this Act as aforesaid a Sum equal to Two Pounds *per Centum per Annum* on his Salary, and so rateably for any lesser Amount, from the Time of his Appointment to the Time of his Superannuation; provided also, that in all such Cases as aforesaid, unless the Age of the respective Party shall exceed Sixty Years, such Person or Persons as may be from Time to Time appointed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Medical Inspection of the *Dublin* Metropolitan Police shall certify that such Party is unable from mental or bodily Infirmity to perform his Duty.

Lord Lieutenant may grant Superannuation Allowances to Constables of Dublin Police heretofore appointed or hereafter to be appointed.

XI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

CAP. CI.

An Act to continue the Copyhold Commission until the First Day of *October* One thousand eight hundred and fifty, and to the End of the then next Session of Parliament. [22d *July* 1847.]

[4 & 5 *Vict. c.* 35. *continued as in Title.*]

CAP. CII.

An Act to abolish the Court of Review in Bankruptcy, and to make Alterations in the Jurisdiction of the Courts of Bankruptcy and Court for Relief of Insolvent Debtors.

[22d *July* 1847.]

'WHEREAS it is expedient to abolish the Court of Review in Bankruptcy, and to make Alterations in the Jurisdiction of the Courts of Bankruptcy and Court for Relief of Insolvent Debtors;' be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Court of Review in Bankruptcy and the Offices of the Chief Judge and other Judges of the Court of Bankruptcy be hereby abolished.

Court of Review abolished.

II. And be it enacted, That all the Jurisdiction, Powers, Authorities, and Privileges of the said Court of Review in Bankruptcy hereby abolished shall be transferred to and vested in and shall hereafter be exercised and enjoyed by such One of the Vice Chancellors of the High Court of Chancery as the Lord Chancellor shall from Time to Time be pleased to appoint, and that all Persons now holding Office or acting in the said Court of Review shall continue to hold the same, and to perform the Duties thereof under the Jurisdiction hereby created, in the same Manner and under the same Tenure and subject to the same Regulations as they now hold the same and act therein: Provided always, that notwithstanding the passing of this Act the present Judges of the Court of Review shall be entitled to the same Rank and Precedence to which they are now entitled.

Jurisdiction of Court of Review transferred to One of the Vice Chancellors.

III. And be it enacted, That all Laws, Orders, and Authorities touching the Practice and Manner of Proceeding in the said Court of Review, and appealing to and from the said Court, shall continue in force, and be applicable to the Jurisdiction of the said Vice Chancellor so appointed; and that all Sums and Fees shall continue to be payable and receivable by the like Persons, and shall continue to be paid and applied to the like Purposes, as the same have heretofore been paid and received in respect of any Matter in the said Court of Review.

Laws and Orders to apply to Vice Chancellor so sitting.

IV. And be it enacted, That from the Time this Act shall commence and take effect all Power, Jurisdiction, and Authority given to Her Majesty's Court of Bankruptcy and District Courts of Bankruptcy, and to the Commissioners thereof, in Matters of Insolvency, by an Act passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act for the Relief of Insolvent Debtors*, and by an Act passed in the Eighth Year of the Reign of Her Majesty, intituled *An Act to amend the Law of Insolvency, Bankruptcy, and Execution*, and by an Act passed in the Ninth Year of the Reign of Her Majesty, intituled *An Act for better securing the Payment of Small Debts*, or by the Rules and Orders made in pursuance of any of the said Acts, shall be transferred to and vested in the Court for the Relief of Insolvent Debtors in *England*, and to and in the Commissioners thereof for the Time being, and to and in the County Courts constituted or to be constituted under an Act passed in the Tenth Year of the Reign of Her Majesty, intituled *An Act for the more easy Recovery of Small Debts and Demands in* England, in manner herein-after mentioned.

Jurisdiction of Courts of Bankruptcy under 5 & 6 Vict. c. 116., 7 & 8 Vict. c. 96., and 8 & 9 Vict. c. 127. transferred to Court for Relief of Insolvent Debtors and to County Courts. 9 & 10 Vict. c. 95.

In Insolvent Debtors Court the Provisional Assignee, and in County Courts the Clerk, to act as Official Assignee; Clerks of County Courts to act as Registrars, and Bailiffs of County Courts to act as Messengers.

V. And be it enacted, That in the Court for the Relief of Insolvent Debtors the Provisional Assignee, and in the said County Courts the Clerk of the Court, shall in every Case of Insolvency under such Two first-mentioned Acts be and act as the Official Assignee of the Estate and Effects of the Insolvent; and that in each of the said County Courts the Clerk of such Court shall act as the Registrars of the Court of Bankruptcy have heretofore been accustomed to act under any of the said Acts; and every such Clerk shall do and perform all Acts heretofore done and performed by such Registrars or by the Clerk of the Insolvent Debtor's Court under any of the said Acts; and every such Clerk shall do and perform all such Acts and Duties necessary for carrying this Act into effect as shall be ordered by any such County Court, or by any Commissioner of the said Court for the Relief of Insolvent Debtors; and that the High Bailiff of every such County Court and his Assistants shall be and act as a Messenger of the Court of Bankruptcy and his Assistants have hitherto been accustomed to act under the said Acts; and such High Bailiff and his Assistants shall do all Acts heretofore done under the said Acts, and shall possess and enjoy all the Powers, Authorities, and Privileges when acting under the said Acts as have been heretofore done, possessed, or enjoyed by any Messenger of the Court of Bankruptcy or his Assistants when acting under any of the said Acts, and shall do and perform all such Acts as shall be ordered by any such County Court for the Purpose of carrying this Act into effect.

Jurisdiction of Insolvent Debtors Court and County Courts.

VI. And be it enacted, That from the Time this Act shall commence and take effect the Court for the Relief of Insolvent Debtors in *England*, and the Commissioners thereof and the Judges of the County Courts aforesaid, shall have Jurisdiction in all Matters of Insolvency and Debt under the aforesaid Acts in manner following; that is to say, the said Court for the Relief of Insolvent Debtors, and the Commissioners thereof, in all Cases in which the Insolvent in Cases of Insolvency, or the Defendant in the Case of any Summons issued under the aforesaid Act for the better securing the Payment of Small Debts, shall have resided for Six Calendar Months next immediately preceding the Time of filing his Petition, or of the suing out of any such Summons aforesaid within any Parish the Distance whereof, as measured by the nearest Highway from the General Post Office in *London* to the Parish Church of such Parish, shall not exceed the Distance of Twenty Miles, to which District the Jurisdiction of the said Court and the Commissioners thereof under the aforesaid Acts is hereby restricted; and the said County Courts aforesaid, in all Cases wherein the Insolvent or Defendant shall have resided elsewhere, and shall have resided for Six Calendar Months next immediately preceding the Time of filing his Petition, or the suing out of any Summons within the District of such County Court to which such Insolvent shall prefer his Petition, or to which any Plaintiff may apply for any Summons as aforesaid; and that every Commissioner of the Court for the Relief of Insolvent Debtors, and every such County Court aforesaid, shall from and after the Time this Act shall commence and take effect, have and exercise, in the Prosecution of such Petitions and Summonses filed and issued in such Courts respectively, the like Power and Authority in all respects under the aforesaid Acts as the Commissioners of Her Majesty's Court of Bankruptcy and District Courts of Bankruptcy have heretofore had and exercised on the Presentation of Petitions of Insolvent Debtors, and on such Summonses as aforesaid, under such Acts, except as herein-after otherwise provided, and shall each, singly, be and form a Court for every Purpose under this or the aforesaid Acts; and that every Commissioner of the said Court for the Relief of Insolvent Debtors shall henceforth, singly, be and form a Court for every Purpose under all Acts now in force or which may hereafter be in force relating to Insolvent Debtors.

As to Petitioners who have been in Prison.

VII. And be it declared and enacted, That the said Two first-mentioned Acts shall apply to the Cases of Persons petitioning under the said Acts, although they may have been already in Prison under Judgment or otherwise for Debt.

When Jurisdiction vested in Insolvent Court or County Court.

VIII. Provided always, and be it enacted, That if any such Insolvent shall not have so resided for Six Months in any One Place as aforesaid, then he shall file his Petition in the said Insolvent Debtors Court, and the Jurisdiction aforesaid in the Matter of such Insolvency shall be vested either in the Court for Relief of Insolvent Debtors in *London*, or in such One of the said County Courts as the said Court for the Relief of Insolvent Debtors shall direct.

Petitions now pending under recited Acts, &c. to be disposed of notwithstanding the passing of this Act.

IX. And be it enacted, That with respect to Petitions under the aforesaid Acts or either of them which are now in dependence, or which shall have been presented to the Court of Bankruptcy or any District Court of Bankruptcy before the Time at which this Act shall commence and take effect, the Provisions of such Acts, and the Jurisdiction of such Courts and the Commissioners thereof under such Acts, or under the Rules and Orders made in pursuance thereof, shall remain in full Force and Effect notwithstanding the passing of this Act.

Jurisdiction of the Court for Relief of Insolvent Debtors on Circuit transferred to County Courts.

X. And be it enacted, That from and after the Fifteenth Day of *September* next the Circuits of the Commissioners of the said Court for the Relief of Insolvent Debtors shall be abolished; and that if thereafter any Insolvent Debtor in Custody in any of Her Majesty's Gaols situated elsewhere than within the District to which the Jurisdiction of such Court is restricted as herein-before mentioned shall petition such Court under any Act or Acts relating to Insolvent Debtors, other than the Two first-mentioned Acts or this Act, or if any such Prisoner shall have so petitioned prior to the passing of this Act, and his Petition shall not have been heard, or if the same shall have been heard and the Consideration thereof shall have been adjourned, such Court or some Commissioner thereof shall forthwith, after the Schedule of such Prisoner shall have been duly filed in the Case of any new Petition, and at any Time which to such Court or Commissioner shall seem fit in the Case of any Petition which shall not have come on for hearing, or the Hearing of which shall have been adjourned as aforesaid, make an Order referring such Petition for hearing to the County Court within the District of which such Insolvent Debtor is in Custody, and shall transmit

transmit such Petition and Schedule to such Court for hearing accordingly; and that the Judge of such Court shall appoint a Time and Place for such Prisoner to be brought up before such Court, and cause the usual Notices to be given; and that any Court to which any such Petition shall be so referred and transmitted shall have and possess the same Power and Authority with respect to every such Petition, and shall make all such Orders, give all such Directions, and do all such Matters and Things requisite for the discharging or remanding of such Prisoner, and otherwise respecting such Prisoner, his Schedule, Creditors, and Assignees, as the said Court for the Relief of Insolvent Debtors or any Commissioner thereof might make, give, or do in the Matters of Petitions heard before such Court or Commissioner under such Acts; and that every such Petition and Schedule, and all Judgments, Rules, Orders, Directions, and Proceedings pronounced, made, and done thereon in all and every the Matters aforesaid by such County Court, shall be returned to the said Court for the Relief of Insolvent Debtors, signed by the Judge of such County Court, to be a Record of the said Court for the Relief of Insolvent Debtors, and to be kept as such among the Records thereof; and the said Court for the Relief of Insolvent Debtors, and every Commissioner thereof, in every Case in which any Insolvent Debtor petitioning the Court for the Relief of Insolvent Debtors under such Acts shall be in Custody in any of Her Majesty's Gaols within the District to which the Jurisdiction of such Court is limited aforesaid, and the County Courts in the Matter of every such Petition so referred and transmitted for hearing as aforesaid, shall have Power to issue a Warrant or Order, directed to the Governor, Keeper, or Gaoler of any Gaol, directing him to bring the Insolvent before the County Court on the Day appointed for the Hearing of his Petition, or at any adjourned Sitting held in the Matter of this Petition, and every such Governor, Keeper, or Gaoler shall obey such Warrant; and every such Court may order the Expence attending the bringing up of every such Insolvent to be paid by the Provisional Assignee out of the Estate and Effects of such Insolvent, or if there be no Estate, or the same be insufficient for such Purpose, out of the Interest and Profit arising from any Government Securities upon which any unclaimed Money produced by the Estates and Effects of Insolvent Debtors may be invested.

Recognizances of Sureties entered into under 1 & 2 Vict. c. 110. for enforcing Attendance of Insolvents to bind Persons to appear before County Courts.

XI. 'And whereas in pursuance of an Act passed in the Second Year of the Reign of Her Majesty, 'intituled *An Act for abolishing Arrest on Mesne Process in Civil Actions except in certain Cases, for 'extending the Remedies of Creditors against the Property of Debtors, and for amending the Laws for 'the Relief of Insolvent Debtors in* England, divers Persons as Sureties have entered into Recognizances 'to the Provisional Assignee of the Insolvent Debtors Court, with Conditions that the Insolvents therein 'mentioned should duly appear at the Times and Places therein mentioned, and it is necessary that some 'of such Insolvents should appear before the County Courts under this Act;' be it therefore enacted, That every such Recognizance shall extend to bind the Persons who may have entered into the same, in case the Insolvent Debtor therein mentioned shall not at the Time appointed in such Recognizance duly appear before the County Court to which the Matter of such Insolvent is transferred by this Act, and on every adjourned Hearing, or shall not abide by the final Judgment of such Court.

Fees in Insolvent Debtors Court to go in reduction of certain Compensations to its Officers.

XII. 'And whereas in consequence of late Alterations in the Laws of Imprisonment for Debt certain 'Compensations have become payable and are paid by the Commissioners of Her Majesty's Treasury to 'the Officers of the Court for the Relief of Insolvent Debtors in respect of the Diminution of Fees 'received therein: And whereas by the additional Business given to the said Court by this Act the Fees 'payable therein will again be increased, whereby a less Sum will be required for the said Compen-'sations;' be it enacted, That the Fees to be received in the said Court in Matters where Jurisdiction is given by this Act shall be received by the same Persons, to be by them applied in the same Manner as the Fees received in Matters heretofore under the Jurisdiction of the said Court are now applied, any thing herein to the contrary notwithstanding: Provided always, that it shall be lawful for the Commissioners of Her Majesty's Treasury for the Time being, or any Three of them, and they are hereby empowered, to give such Directions as they shall think proper in regard to the Compensation Allowances now payable to the Officers and Clerks of the Court for the Relief of Insolvent Debtors in *England*, under the Provisions of the said recited Act passed in the Eighth Year of the Reign of Her Majesty, in consequence of the Fees to be received by them being again increased by the Operation of this Act.

Secretary of State to order what Fees are to be paid to Officers under 9 & 10 Vict. c. 95., and this Act; and until such Order made Fees to be received as heretofore.

XIII. And be it enacted, That it shall be lawful for One of Her Majesty's Principal Secretaries of State, with the Consent of the Commissioners of Her Majesty's Treasury, from Time to Time to order what Fees shall be paid and received by the several Officers or otherwise under and by virtue of the said recited Act passed in the Tenth Year of the Reign of Her Majesty and of this Act, and the Amount of such Fees respectively; and that until such Order shall be made the Clerks of the several County Courts shall have and receive for their own Use all Fees which have heretofore been taken under any of the aforesaid Acts by any Officer of the Court of Bankruptcy, or by any Officer or other Person of or connected with the Court for the Relief of Insolvent Debtors, except as herein-after mentioned, for Business which is by this Act transferred to the County Courts; and that the several High Bailiffs acting as Messengers under this Act as aforesaid shall have and receive for their own Use all Fees which have heretofore been paid to the Messengers of the Court of Bankruptcy when doing the Business by this Act directed to be done by such Bailiffs.

Sittings of Court of Bankruptcy may be held elsewhere than in London.

XIV. 'And whereas it may be expedient that the Court of Bankruptcy in *London* should hold Sittings 'in Matters of Bankruptcy at some Place or Places within the District over which the Jurisdiction of such 'Court extends, at which such Court hath not hitherto been used to sit;' be it declared and enacted, That it shall be lawful for the Lord Chancellor, at any Time or Times whenever it shall appear to him to be expedient, by any Order or Orders to give the necessary Directions in that Behalf, ordering any Commissioner,

missioner, Registrar, Official Assignee, Messenger or Usher of the Court of Bankruptcy in *London* to sit and attend and act in the Prosecution of any Fiat in Bankruptcy at any Place elsewhere within such District than in the City of *London*; and every Commissioner, Registrar, Official Assignee, Messenger, and Usher so sitting, attending, and acting shall have the like Power, Jurisdiction, and Authority as if sitting, attending, and acting in the Prosecution of such Fiat in *London*.

Lord Chancellor may order Payment of travelling and other Expences.

XV. And be it enacted, That any Commissioner or Registrar so sitting and acting shall have paid to him, in addition to his Salary, by the Governor and Company of the Bank of *England*, by virtue of any Order or Orders of the Lord Chancellor to be made from Time to Time for that Purpose, out of the Interest and Dividends that have arisen or may arise from the Securities now or hereafter to be placed in the Bank of *England* to an Account there, entitled "The Bankruptcy Fund Account," (but subject and without Prejudice to any prior Charges on the same,) such Sum of Money for travelling and other Expences as the Lord Chancellor shall deem fit.

Forms may be altered.

XVI. And be it enacted, That the Forms given in the Schedules to any of the said Acts, or any Forms heretofore used under the said Acts, may be altered so far as to adapt them to the Change of Jurisdiction by this Act directed.

Vacancies not to be filled up till after the Termination of the next Session.

XVII. And be it enacted, That the Office of the first One of the Commissioners of the Court for the Relief of Insolvent Debtors, and of the first Two of the Commissioners of the Court of Bankruptcy in *London*, which shall become vacant after the passing of this Act, shall not be filled up until after the Termination of the Session of Parliament next after such Vacancies shall have occurred.

Judges of County Courts incapable of being Members of Parliament.

XVIII. And be it enacted, That no Judge of any County Court who has been appointed or who shall hereafter be appointed to that Office under or by virtue of the herein-before recited Act passed in the Tenth Year of the Reign of Her Majesty, intituled *An Act for the more easy Recovery of Small Debts and Demands in* England, shall, during his Continuance in such Office, be capable of being elected or of sitting as a Member of the House of Commons.

Interpretation of "Lord Chancellor."

XIX. And be it enacted, That the Words "Lord Chancellor" shall in the Construction of this Act be interpreted to mean also and include the Lord Keeper and Lords Commissioners for the Custody of the Great Seal of the United Kingdom for the Time being.

Commencement of this Act.

XX. And be it enacted, That this Act shall commence and take effect from the Fifteenth Day of *September* One thousand eight hundred and forty-seven.

Act may be amended, &c.

XXI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. CIII.

An Act to amend the Passengers Act, and to make further Provision for the Carriage of Passengers by Sea. [22d *July* 1847.]

5 & 6 Vict. c. 107.

'WHEREAS by an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for regulating the Carriage of Passengers in Merchant Vessels*, it is amongst other things provided, that the said Act shall not extend to any Ship carrying less than Thirty Passengers, and it is expedient that the said Act should be amended in that respect:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act shall hereafter extend and the same is hereby extended to the Case of every Ship carrying any Passenger on any such Voyage as in the said recited Act is mentioned: Provided that when the Number of Passengers carried in any such Ship shall not bear to the registered Tonnage thereof a greater Proportion than that of One Passenger to every Twenty-five Tons, so much and such Parts only as are next herein-after specified of the said recited Act shall extend and are hereby extended to the Case of any such Ship; that is to say, such Parts thereof as relate to the Recovery of Money in certain Cases by way of Return of Passage Money; or as relate to Subsistence Money; or as relate to Compensation to be made for the Loss of Passage; or as relate to the giving Receipts for Money received for or in respect of any Passage to *North America*; or as relate to the Receipt of Money for or in respect of any such Passage by any Person as Agent, not having a written Authority from his Principal to act in that Capacity; or as relate to the inducing of any Person by any Fraud or false Pretence to engage any such Passage; or as relate to any Prosecution or other Proceeding at Law for the Recovery of such Passage or Subsistence Money, or of such Compensation as aforesaid, or for the Infliction of any Fines or Penalties in respect of any of the Matters or Things aforesaid: Provided also, that if in any Suit, Action, Prosecution, or other legal Proceeding under the said recited Act any Question shall arise whether any Ship proceeding on any Voyage did or did not carry a greater Number of Passengers than aforesaid in proportion to the Tonnage thereof, the Burden of proving that the Number of Passengers so carried in proportion to the Tonnage of the Ship was not greater than that of One Person to every Twenty-five Tons shall lie upon the Person against whom any such Suit, Action, or other legal Proceeding may be brought, and failing such Proof it shall for any such Purpose as aforesaid be taken and adjudged that the Number of Passengers so carried did exceed that Proportion.

Extent to which the Passengers Act (5 & 6 Vict. c. 107.) shall apply.

Colonial Land and Emigration Commissioners may in certain Cases substitute

II. 'And whereas it may from Time to Time be necessary that for the Articles of Food mentioned in the said recited Act, or for some of them, other equivalent Articles should be substituted:' be it enacted, That it shall be lawful for Her Majesty's Colonial Land and Emigration Commissioners for the Time being, acting under the Authority of One of Her Majesty's Principal Secretaries of State, from Time to Time,

Time, by any Notice or Notices for that Purpose, issued under the Hands of any Two of such Commissioners, and published in the "*London Gazette*," to substitute for any of the Articles of Food mentioned in the said recited Act any other Article or Articles of Food, as to the said Commissioners shall seem meet, and any such Notice or Notices from Time to Time to alter, amend, or revoke as Occasion may require: Provided always, that all the Clauses and Provisions in the said recited Act contained respecting the Articles of Food therein mentioned shall extend and are hereby extended to the Case of such substituted Articles.

other Articles of Food for that mentioned in recited Act.

III. And be it enacted, That all Articles of Food required by the said recited Act, or by any such Notice or Notices as aforesaid, to be laden on board any Ship carrying Passengers, shall before such Ship shall be cleared out be furnished and laden on board by and at the Expence of the Owner or Charterer of such Ship, for the Purposes in the said recited Act provided, and shall be of a Quality to be approved of by the Emigration Officer at the Port of Clearance, or his Assistant, or, where there is no such Officer, or in his Absence, by the Officer of Customs from whom a Clearance shall be demanded; and that in case of any Default herein the Owner, Charterer, or Master of such Ship shall be liable to the Payment of a Penalty not exceeding Fifty Pounds.

All Articles of Food required by recited Act to be furnished at the Expence of the Owners or Charterers, and to be of good Quality.

IV. And be it enacted, That in any Ship carrying on any such Voyage as in the said recited Act is mentioned a greater Number of Passengers than in the Proportion of One Passenger to every Twenty-five Tons of the registered Tonnage of such Ship, it shall not be lawful to put on board or carry as Cargo any Gunpowder, Vitriol, or Green Hides, and that no such Ship having on board as Cargo any such Articles as aforesaid shall be allowed to clear out or proceed on her Voyage.

Regulation with respect to the Carriage of Gunpowder, &c.

V. And be it enacted, That for the Purpose of ensuring a proper Supply of Light and Air in every Ship carrying on any such Voyage as in the said recited Act mentioned a greater Number of Passengers than in the Proportion of One Passenger to every Twenty-five Tons of the registered Tonnage of such Ship, the Passengers shall, at all Times during the Voyage (Weather permitting), have free Access to and from the between Decks by each Hatchway situate over the Space appropriated to the Use of such Passengers: Provided always, that if the Main Hatchway be not one of the Hatchways appropriated to the Use of the Passengers, or if the natural Supply of Light and Air through the same be in any Manner unduly impeded, it shall be lawful for the Emigration Officer at the Port of Clearance, or his Assistant, or, where there is no such Officer, or in his Absence, to the Chief Officer of Customs at the Port from which a Clearance shall be demanded, to direct such other Provision to be made for affording Light and Air to the between Decks as the Circumstances of the Case may, in the Judgment of such Officer, appear to require, which Directions shall be duly carried out to his Satisfaction; and in case of any Default herein the Master of the said Ship shall be liable to the Payment of a Penalty not exceeding Fifty Pounds Sterling.

Regulations for ensuring proper Light and Ventilation.

VI. And be it enacted, That the Emigration Officer at the Port of Clearance, or his Assistant, or, where there is no such Officer, or in his Absence, the Officer of Customs from whom a Clearance shall be demanded, shall in all Cases require any Ship fitted or about to carry Passengers on any such Voyage as in the said recited Act is mentioned to be surveyed, at the Expence of the Owner or Charterer thereof, by Two or more competent Surveyors, to be duly authorized and approved of, either by the Commissioners of Colonial Lands and Emigration or by the Commissioners of Customs, as the Case may be; and if it shall be reported by such Surveyors that they have surveyed such Ship, and that such Ship is not in their Opinion seaworthy, so as to be fit in all respects for her intended Voyage, such Ship shall not be cleared out until the same or Two other Surveyors appointed as aforesaid shall report that such Ship has been rendered seaworthy, and in all respects fit for her intended Voyage: Provided always, that the Precautions for ascertaining the Seaworthiness of Ships, and their State of Repair and Efficiency for their intended Voyages respectively, shall in all respects, and without Distinction, be the same for Foreign as for *British* Ships.

Officer from whom a Clearance is demanded to require Ship to be surveyed at the Expence of the Owner.

If Ship reported not seaworthy, the same not to be cleared until rendered so.

VII. And be it enacted, That unless it shall be proved to the Satisfaction of the Emigration Officer at the Port of Clearance, or his Assistant, or, where there is no such Officer, or in his Absence, the Officer of Customs from whom a Clearance shall be demanded, that such Ship as aforesaid is manned with a full Complement of Men, such Ship shall not be cleared out.

Ship not to be cleared out until properly manned.

VIII. And be it enacted, That no Ship carrying on any such Voyage as in the said recited Act is mentioned a greater Number of Passengers than in the Proportion of One Passenger to every Twenty-five Tons of the registered Tonnage of such Ship shall be allowed to clear out or proceed on her Voyage until the Master thereof shall have obtained from the Emigration Officer at the Port of Clearance, or his Assistant, or, where there is no such Officer, or in his Absence, from the Officer of Customs from whom a Clearance shall be demanded, a Certificate under his Hand that all the Requirements, as well of this Act as of the said recited Act, so far as the same can be complied with before the Departure of such Ship, have been duly complied with.

No Ship to be cleared until a Certificate is obtained, that all the Requirements of the Law have been complied with.

IX. And be it enacted, That if any Ship carrying on any such Voyage as in the said recited Act is mentioned a greater Number of Passengers than in the Proportion of One Passenger to every Twenty-five Tons of the registered Tonnage of such Ship shall put to Sea, and shall afterwards put into or touch at any Port or Place in the United Kingdom, it shall not be lawful for such Ship to leave such Port or Place until there shall have been laden on board, as herein-before is mentioned, such further Supply of pure Water, wholesome Provisions of the requisite Kinds and Qualities, and Medical Stores, as may be necessary to make up the full Quantities of those Articles required by the herein-before recited Act or this Act for the Use of the Passengers during the whole of the intended Voyage, nor until the Master of

Ships putting into any Port in the United Kingdom after sailing to replenish Provisions, &c.

of the said Ship shall have obtained from the Emigration Officer, or his Assistant, or, where there is no such Officer, or in his Absence, from the Officer of Customs, as the Case may be, at such Port or Place, a Certificate to the same Effect as the Certificate herein-before required to enable the Ship to be cleared out; and in case of any Default herein, the Master of the said Ship shall be liable to the Payment of a Penalty not exceeding One hundred Pounds Sterling.

In case Ship is wrecked, &c., or prevented from landing her Passengers in a reasonable Time, they shall be provided with a Passage by some other Vessel; and in default, Passengers, &c. may recover Expences by summary Process.

X. And be it enacted, That in case any Ship carrying Passengers on any such Voyage as in the said recited Act is mentioned shall be wrecked or otherwise destroyed, and shall thereby or by any other Cause whatsoever be prevented from landing her Passengers at the Place they may have respectively contracted to land, or in case such Ship shall put into any Port or Place in a damaged State, and shall not within a reasonable Time be ready to proceed with her Passengers on her intended Voyage, after having been first efficiently repaired, and in all respects put into a sound and seaworthy Condition, then and in any of such Cases such Passengers respectively shall be provided with a Passage by some other equally eligible Vessel to the Port or Place at which they respectively may have originally contracted to land; and in default thereof within a reasonable Time, such Passengers respectively, or any Emigration Officer on their Behalf, shall be entitled to recover, by summary Process before any Two or more Justices of the Peace, in like Manner as in the said recited Act is provided in the Cases of Monies thereby made recoverable, all Monies which shall have been paid by or on account of such Passengers, or any of them, for such Passage, from the Party to whom the same may have been paid, or from the Owner, Charterer, or Master of such Ship, and also such further Sum, not exceeding Five Pounds in respect of each such Passage, as shall in the Opinion of the Justices who shall adjudicate on the Complaint be a reasonable Compensation for any Loss or Inconvenience occasioned to any such Passenger, or his or her Family, by reason of the Loss of such Passage.

How Children to be computed in reckoning Proportion of Passengers to Tonnage. Penalty for Excess of Numbers in proportion to Tonnage.

XI. And in order to remove Doubts which have arisen in the Construction of the said recited Act, be it enacted, That, for the Purpose of determining the Number of Persons which according to the said Act can be carried in any Ship in proportion to the registered Tonnage thereof, Two Children under the Age of Fourteen Years shall be computed as One Person, and that Children under the Age of One Year shall not be included in such Computation: Provided always, that if any Ship shall carry upon any such Voyage as in the said recited Act is mentioned a greater Number of Persons, computed as aforesaid, in proportion to the registered Tonnage thereof, than in the Proportion in the said recited Act mentioned, the Master of such Ship shall, for and in respect of every Person constituting such Excess, be liable to the Payment of a Penalty not exceeding Five Pounds Sterling.

Recovery of Penalties.

XII. And be it enacted, That all Penalties imposed by this Act shall be sued for and recovered by such Persons only and in such and the same Manner as in the said recited Act is provided in the Case of the Penalties thereby imposed.

Penalty on Persons inducing another to part with Acknowledgment for Passage Money.

XIII. 'And whereas in many Cases Persons having received under the Requirements of the said 'recited Act Contract Tickets or written Acknowledgments for Money in respect of Passengers to *North* 'America have afterwards been induced to part with the same, whereby they have been deprived of the 'Means of enforcing their Rights under such Contract Tickets;' be it enacted, That any Owner, Charterer, or Master of a Ship, or any Passage Broker or other Person, who shall induce any Person to part with, render useless, or destroy any such Contract Ticket or Acknowledgment for Passage Money as aforesaid during the Continuance of the Contract which it is intended to be Evidence, shall be liable in each Case to a Penalty not exceeding Five Pounds.

Government Emigration Agents to be styled "Emigration Officers."

XIV. And be it enacted, That the Officers known as Government Emigration Agents may henceforward be styled "Emigration Officers;" and that all Powers, Functions, and Privileges vested in such Government Emigration Agents by the said recited Act or by any other Act shall vest in and be exercised by the "Emigration Officers" for the Time being, in like Manner as if they bore the Designation of Government Emigration Agent.

Definition of Terms used in this Act.

XV. And be it enacted, That whenever the Term "Passenger" or "Passage" is used in this Act it shall be held not to include or extend to the Class of Passengers or Passages commonly known and understood by the Name of "Cabin Passengers" and "Cabin Passages;" and that the Term "Ship" shall include and mean every Description of Vessel, whether *British* or Foreign, carrying Passengers upon any Voyage to which the Provisions of the said herein-before recited Passengers Act or this Act shall for the Time being extend.

Act may be amended, &c.

XVI. And be it enacted, That this Act may be amended or repealed during the present Session of Parliament.

CAP. CIV.

An Act to explain the Acts for the Commutation of Tithes in *England* and *Wales*, and to continue the Officers appointed under the said Acts until the First Day of *October* One thousand eight hundred and fifty, and to the End of the then next Session of Parliament. [22d *July* 1847.]

6&7 W. 4. c. 71. 5 Vict. c. 7. 5&6 Vict. c. 54.

'WHEREAS by an Act passed in the Seventh Year of the Reign of His late Majesty, intituled *An Act for the Commutation of Tithes in* England *and* Wales, Tithe Commissioners for *England* 'and *Wales* were appointed, and by the said Act, and by sundry Acts since passed for the Amendment 'thereof, and for Continuance of the said Commission, the Powers of the said Commissioners now stand 'limited, and will expire at the End of the Session of Parliament next after the Thirty-first Day of *July* 'in this Year One thousand eight hundred and forty-seven; and it is expedient that the same be further 'continued:'

'continued:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of any of the recited Acts as limits the Time during which any Tithe Commissioner, Assistant Commissioner, Secretary, or Assistant Secretary, or other Officer or Person appointed or to be appointed under the first-recited Act, shall hold his Office to the said Thirty-first Day of *July*, shall be repealed; and that the Commissioners and Assistant Commissioners, Secretary, Assistant Secretary, and other Officers and Persons appointed or to be appointed under the first-recited Act, may continue to hold their several Offices, if not sooner removed by lawful Authority, until the First Day of *October* in the Year One thousand eight hundred and fifty, and until the End of the then next Session of Parliament; and that all the Powers of the said Commissioners, and their Assistant Commissioners, Secretary, Assistant Secretary, Officers, and Servants for the Time being, shall continue in force, according to the Provisions of the said several Acts as amended by this Act, until the said First Day of *October* and the End of the then next Session of Parliament, unless Her Majesty shall be pleased sooner to determine the said Commission.

So much of recited Acts as limits the Duration of Tithe Commission repealed.

Powers of Commissioners, &c. in force till Oct. 1, 1850, unless sooner determined.

II. 'And whereas by the first-recited Act it was enacted, for the quieting of Titles, that no confirmed 'Agreement, Award, or Apportionment shall be impeached after the Confirmation thereof by reason of 'any Mistake or Informality therein, or in any Proceeding relating thereunto, and Doubts have been 'entertained as to the full Meaning and Extent of such Enactment;' be it declared and enacted, That, notwithstanding any Exception in the said Act contained, every Instrument purporting to be an Instrument of Apportionment, confirmed under the Hands and Seal of the said Tithe Commissioners, shall be hereby absolutely confirmed and made valid, both at Law and in Equity, in all respects, subject nevertheless to the Powers given to the Tithe Commissioners in the first-recited Act, or in any Act passed for the Amendment thereof, for Alteration of any Instrument of Apportionment.

Confirmed Apportionments to stand good.

III. Provided always, and be it enacted, That if it shall be shown to the Satisfaction of the said Tithe Commissioners that any Lands have been improperly included or improperly charged with Rent-charge in any confirmed Instrument of Apportionment, it shall be lawful for the said Tithe Commissioners to correct such Apportionment, and the deposited Copies thereof, either by excluding such Lands so improperly charged from the Apportionment, and re-distributing any Rent-charge imposed upon such Lands on Lands legally liable to the Payment thereof, or by sanctioning the Redemption of the Rent-charge so improperly charged by the Persons capable of redeeming the same under the Provisions of an Act of the last Session of Parliament, intituled *An Act further to amend the Acts for the Commutation of Tithes in* England *and* Wales; and all Costs and Expences attendant upon the Correction of any confirmed Instrument of Apportionment shall be borne and paid by such Persons and in such Proportions as the said Tithe Commissioners shall direct, and shall be recoverable from the Person or Persons declared liable by the said Tithe Commissioners to the Payment of the same in such Manner as Expences attendant upon original Instruments of Apportionment are recoverable.

Instruments of Apportionment may be corrected if Lands improperly included or charged with Rent-charge.

9 & 10 Vict. c. 73.

IV. And be it enacted, That for the Purposes of such Correction or of recording any such Redemption the Person or Persons having the Custody of any Copy of any Instrument of Apportionment shall be bound, upon the Application of the Tithe Commissioners, to deliver to the said Tithe Commissioners any Copy of a confirmed Instrument of Apportionment which shall have been deposited with them respectively.

Instruments to be delivered up for Purpose of such Correction.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

CAP. CV.

An Act to continue until the First Day of *October* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, certain Turnpike Acts. [22d *July* 1847.]

[*Acts relating to Turnpike Roads in Great Britain which will expire on or before the End of the next Session, except* 6 *G.* 4. *c.* clx., *continued as in Title.*]

CAP. CVI.

An Act to provide additional Funds for Loans for Drainage and other Works of public Utility in *Ireland*, and to repeal an Act of the last Session, for authorizing a further Issue of Money in aid of Public Works of acknowledged Utility. [22d *July* 1847.]

'WHEREAS an Act was passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act to authorize the Application of Money for the Purposes of Loans for carrying on Public Works in* Ireland: And whereas another Act was passed in the same Session of Parliament, intituled *An Act to provide additional Funds for Loans and Grants for Public Works in* Ireland: And whereas sundry Advances or Loans have been made by the Commissioners of Public Works in *Ireland* under the said recited Acts, and the Monies now at the Disposal of the said Commissioners to be advanced by way of Loan are insufficient for the Purpose of making the Advances which it may be advisable that the said Commissioners in the present distressed State of *Ireland* should make under the Provisions of the several Acts now in force authorizing Loans for the Promotion of Drainage and other Works of public Utility in *Ireland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons,

9 & 10 Vict. c. 85.

9 & 10 Vict. c. 108.

The Treasury may direct the Commissioners for executing the Acts 5 & 6 Vict. c. 9. and 9 & 10 Vict. c. 80. to transfer 120,000*l.* to the Commissioners of Public Works in Ireland.

Commons, in this present Parliament assembled, and by the Authority of the same, That out of the Sum, not exceeding Three hundred and sixty thousand Pounds *per Annum*, which by an Act passed in the Fifth Year of the Reign of Her present Majesty, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund to a limited Amount for carrying on Public Works and Fisheries, and Employment of the Poor, and to amend the Acts authorizing the Issue of Exchequer Bills for the like Purposes*, the Commissioners of Her Majesty's Treasury were authorized to charge on the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and which they were authorized to direct to be paid to the Account of the Commissioners for the Reduction of the National Debt, during the Term of Five Years next ensuing the Fifth Day of *April* One thousand eight hundred and forty-two, and which by another Act passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund for carrying on Public Works and Fisheries, and Employment of the Poor*, the said Commissioners of Her Majesty's Treasury are authorized to charge on the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and which they are authorized to direct to be paid to the Account of the Commissioners for the Reduction of the National Debt, during the Term of Five Years next ensuing the Fourth Day of *April* One thousand eight hundred and forty-seven, it shall be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* to direct the Commissioners for carrying into execution the said Two last-recited Acts to transfer out of the Sums paid to their Account, before the Fourth Day of *April* next ensuing, from their Account with the Commissioners for the Reduction of the National Debt to the Account kept by the last-mentioned Commissioners with the Commissioners of Public Works in *Ireland*, a Sum not exceeding One hundred and twenty thousand Pounds, to be placed at the Disposal of the said Commissioners of Public Works in *Ireland* for the Purposes of the Loans which the said last-mentioned Commissioners may be called upon to make under the Provisions of the Acts now in force authorizing Loans to be made for the Extension and Promotion of Drainage and other Works of public Utility in *Ireland*.

Treasury may cause to be issued a further Sum of Money to Commissioners of Public Works, Ireland.

II. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury to cause to be issued from Time to Time, as they may find necessary, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any further Sum or Sums of Money, not exceeding Two hundred and fifty thousand Pounds, to be placed at the Disposal of the Commissioners of Public Works in *Ireland*, for the Purposes of the Loans which the said Commissioners of Public Works in *Ireland* may be called upon to make under the Provisions of the Acts now in force authorizing Loans to be made for the Extension and Promotion of Drainage and other Works of public Utility in *Ireland*.

Powers, &c. of first-recited Act, &c. extended to this Act.

III. And be it enacted, That all the Powers, Authorities, Provisions, Matters, and Things, of what Nature or Kind soever, contained in or referred to by the first herein recited Act and in any Act authorizing Loans to be made for the Extension and Promotion of Drainage and other Works of public Utility in *Ireland*, shall extend to this Act, and to the Loans hereby authorized to be made.

9 & 10 Vict. c. 109. repealed.

IV. 'And whereas an Act was passed in the Tenth Year of the Reign of Her present Majesty, intituled 'An Act to authorize a further Issue of Money in aid of Public Works of acknowledged Utility in poor 'Districts in Ireland: And whereas other Provisions have been made by Parliament in relation to the 'Sum of Fifty thousand Pounds authorized to be issued by the said Act, and it is therefore expedient to 'repeal the same;' be it therefore enacted, That the said Act shall be repealed.

Act may be amended, &c.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

CAP. CVII.

An Act to apply a Sum out of the Consolidated Fund and certain other Sums, to the Service of the Year One thousand eight hundred and forty-seven; and to appropriate the Supplies granted in this Session of Parliament. [23d *July* 1847.]

§ I. There shall be applied, for the Service of the Year 1847, £15,342,090 18*s.* 8*d.* out of the Consolidated Fund.

II. The Treasury may cause £15,342,090 18*s.* 8*d.* of Exchequer Bills to be made out in manner prescribed by 48 *G.* 3. *c.* 1., 4 & 5 *W.* 4. c. 15., and 5 & 6 *Vict. c.* 66.

III. The Clauses, &c. in recited Acts extended to this Act.

IV. Interest on Exchequer Bills.

V. Bank of England may advance £15,342,090 18*s.* 8*d.* on the Credit of this Act, notwithstanding 5 & 6 *W.* & *M. c.* 20.

VI. Bills prepared by virtue of this Act to be delivered to the Bank as Security for such Advances.

VII. Monies raised by Exchequer Bills to be applied to Services voted by the Commons.

VIII. Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

IX. The Treasury to issue £80,618 8*s.* 1*d.*, Surplus of Ways and Means, and £500,000 now in the Exchequer, to complete the Aids granted for 1845 and 1846.

X. Monies coming into the Exchequer by 10 & 11 *Vict. c.* 8., and 10 & 11 *Vict. c.* 9.—£18,310,700 by Exchequer Bills, 10 & 11 *Vict. c.* 19.—and £15,342,090 18*s.* 8*d.*, £80,618 8*s.* 1*d.*, and £500,000 by this Act, applied as hereafter expressed.

§ XI. There shall be issued,

	£185,280	6	9	For Excess of Naval Expenditure over Grants of 1845.
XII.	7,561,876	0	0	For Naval Services, to 31st *March* 1848, *viz.*
	1,325,820	0	0	For Wages to 41,500 Seamen and Marines, &c.
	635,452	0	0	For Victuals, &c. in the Navy.
	137,054	0	0	For Salaries, &c. of the Admiralty Office.
	9,229	0	0	For Registry Office of Seamen, &c.
	44,277	0	0	For the Navy Scientific Departments.
	137,223	0	0	For Naval Establishments at home.
	25,557	0	0	For Naval Establishments abroad.
	811,304	0	0	For Wages of Artificers, &c. at home.
	42,270	0	0	For Wages of Artificers, &c. abroad.
	1,556,498	0	0	For Naval Stores, &c.
	559,600	0	0	For new Works in Naval Establishments.
	22,839	0	0	For Medicines, &c.
	59,847	0	0	For Naval Miscellaneous Services.
	725,788	0	0	For Naval Half Pay.
	486,447	0	0	For Military Pensions.
	153,458	0	0	For Civil Pensions.
	243,202	0	0	To defray the Charge of Transports, &c.
	21,674	0	0	To defray the Charge of Convicts, Home Department.
	564,337	0	0	For Mail Packet Service.
XIII.	6,913,816	0	0	For Army Services from 1st *April* 1847 to 31st *March* 1848, *viz.*
	3,728,737	0	0	For Forces in United Kingdom and Stations abroad (except *East Indies*).
	177,778	0	0	For General Staff Officers, &c.
	96,532	0	0	For Allowances to Officers, &c. of Public Military Departments.
	17,633	0	0	For Royal Military Asylum, &c.
	86,304	0	0	For Volunteer Corps.
	15,740	0	0	For Rewards for distinguished Military Services.
	82,000	0	0	For certain General Officers.
	59,000	0	0	For Full Pay for Retired Officers.
	420,000	0	0	For Half Pay for Retired Officers.
	49,136	0	0	For Half Pay, &c. to Officers of disbanded Foreign Corps, &c.
	131,859	0	0	For Pensions to Widows.
	98,000	0	0	For Compassionate List, &c.
	36,623	0	0	For *Chelsea* and *Kilmainham* Hospitals.
	1,236,732	0	0	For Out-Pensioners of *Chelsea* Hospital, &c.
	39,000	0	0	For Superannuations in Military Public Departments.
	453,786	0	0	For Commissariat Department.
	40,646	0	0	For Half Pay of Commissariat Department.
	144,310	0	0	For Disembodied Militia.
XIV.	2,679,124	0	0	For Ordnance Services to 31st *March* 1848, *viz.*
	617,239	0	0	For Ordnance Military Corps.
	370,464	0	0	For Commissariat and Barrack Supplies, &c.
	96,444	0	0	For Ordnance Offices at the *Tower* and *Pall Mall.*
	228,130	0	0	For Ordnance and Barrack Establishments.
	137,852	0	0	For Wages of Artificers, &c. in the Ordnance Department.
	368,712	0	0	For Ordnance Stores for Land and Sea Service.
	632,765	0	0	For Ordnance and Barrack Works.
	58,986	0	0	For Scientific Branch of Ordnance Department.
	168,532	0	0	For Non-effective Ordnance Services.
XV.	18,310,700	0	0	To pay off Exchequer Bills of 1847.
	500,000	0	0	To discharge Supplies granted for 1846, &c.
XVI.	500,000	0	0	For Relief of Distress, *Ireland*, to 31st March 1847.
	600,000	0	0	For ditto - - - - - }
	600,000	0	0	For ditto - - - - - }
XVII.	100,000	0	0	For Civil Contingencies - - - - } To
	150,000	0	0	For New Houses of Parliament - - - } 31st *March* 1848.
	117,989	0	0	For Repairs of Public Buildings, Furniture of Public Offices, &c. - - - - - }
	50,000	0	0	For enlarging *Buckingham Palace* in 1847.
	5,500	0	0	For a Palm House in the Royal Botanic Gardens at *Kew* - - - - - }
	17,709	0	0	For temporary Accommodation for Houses of Parliament, &c. - - - - - } To 31st *March* 1848.
	11,435	0	0	For rebuilding the Home Office, &c. - - - }
	4,429	0	0	For *Holyhead* Harbour, &c. - - - }

	£ 140,000	0	0	For Harbours of Refuge in 1847.	
	50,000	0	0	For *Caledonian* Canal in 1847.	
	20,476	0	0	For Public Buildings, &c. *Ireland*	To 31st *March* 1848.
	8,200	0	0	For *Kingstown* Harbour	
	3,515	0	0	For temporary Accommodation for Houses of Parliament in 1847.	
	10,000	0	0	For *Port Patrick* Harbour in 1847.	
§ XVIII.	25,000	0	0	For Salaries, &c. for both Houses of Parliament	To 31st *March* 1848.
	56,900	0	0	For the Treasury	
	16,400	0	0	For the Home Department	
	71,000	0	0	For the Foreign Department, &c.	
	18,000	0	0	For the Colonial Department	
	37,700	0	0	For the Privy Council and Board of Trade	
	2,000	0	0	For Lord Privy Seal	
	26,722	0	0	For Office of Paymaster General	
	15,823	0	0	For Comptroller General of Exchequer, &c.	
	2,650	0	0	For State Paper Office	
	3,440	0	0	For Ecclesiastical Commissioners for *England*	
	77,806	0	0	For the Mint	
	17,000	0	0	For Commissioners of Railways	
	12,812	0	0	For Public Records, &c.	
	13,034	0	0	For Salaries, &c. of Inspectors of Factories, &c.	
	1,755	0	0	Salaries of Officers, *Scotland*, &c.	
	6,464	0	0	Household of Lord Lieutenant of *Ireland*	
	22,788	0	0	For Offices of Chief Secretary, &c., *Ireland*	
	5,135	0	0	For Paymaster of Civil Services, *Ireland*	
	27,028	0	0	For Board of Public Works, *Ireland*	
	39,000	0	0	For Foreign and Secret Services	
	295,513	0	0	For Stationery, &c. for Government Departments	
	182,200	0	0	For the Poor Law Commissioners	
XIX.	9,600	0	0	For Prosecutions under Laws relating to Coin	
	16,100	0	0	For Expences of Sheriffs, Salaries of Officers of the Exchequer, &c.	
	13,368	0	0	For Insolvent Debtors Court	
	61,060	0	0	For Law Expences, *Scotland*	
	71,259	0	0	For Law Expences, *Ireland*	
	388,000	0	0	For Charges formerly paid out of County Rates, in 1847.	
	14,349	0	0	For *Parkhurst* Prison	To 31st *March* 1848.
	18,307	0	0	For *Pentonville* Prison	
	33,985	0	0	For *Milbank* Prison	
	8,812	0	0	For *Perth* Prison	
	3,223	0	0	For Convict Depôts in *Dublin*, &c.	
	10,000	0	0	For a General Prison for Convicts, *Ireland*, in 1847.	
	4,202	0	0	For Criminal Lunatics	To 31st *March* 1848.
	6,293	0	0	For a Prison for Criminal Lunatics, *Dublin*	
	11,100	0	0	Inspectors of Prisons, &c.	
	35,900	0	0	For the Police of *Dublin*	
	118,780	0	0	For Convicts at home, &c.	
	200,000	0	0	For Convicts at *New South Wales*, &c.	
	12,000	0	0	For Maintenance of Convicts, *Ireland*	
XX.	48,518	0	0	For *British Museum*, to the 25th *March* 1848.	
	100,000	0	0	For Public Education in 1847.	
	100,000	0	0	For Education, *Ireland*	To 31st *March* 1848.
	6,500	0	0	School of Design, &c.	
	2,006	0	0	For certain Professors at the Universities of *Oxford* and *Cambridge*	
	4,536	0	0	For *London* University	
	7,480	0	0	For Grants to *Scottish* Universities	
	300	0	0	For Royal *Irish* Academy	
	300	0	0	For Royal *Hibernian* Academy	
	6,000	0	0	For Royal *Dublin* Society	
	3,900	0	0	*Belfast* Academical Institution	
	47,959	0	0	For Buildings at *British Museum*	
	3,152	0	0	For Antiquities for ditto.	
	5,537	0	0	For National Gallery in 1847.	
	8,961	0	0	For Geological Survey, &c.	To 31st *March* 1848.
	4,094	0	0	For Observatories at *Toronto*, &c.	
	2,000	0	0	For completing Monument to Lord *Nelson* in 1847–48.	

§ XXI.	£ 8,410	0	0	For Civil Establishment of the *Bahama Islands* -	To 31st *March* 1848.
	4,049	0	0	For ditto of the *Bermudas* - - -	
	3,070	0	0	For ditto of *Prince Edward's Island* - -	
	400	0	0	For *Sable Island*, &c. - - - -	
	13,680	0	0	For Civil Establishments on the Western Coast of *Africa* - - - - - -	
	11,500	0	0	For *St. Helena* - - - -	
	7,219	0	0	For *Western Australia* - - -	
	1,240	0	0	For *Port Essington* - - - -	
	5,500	0	0	For the *Falkland Islands* - - -	
	36,000	0	0	For *New Zealand* - - - -	
	1,023	0	0	For *Heligoland* - - - -	
	18,394	0	0	For *West India* Colonies - - -	
	11,578	0	0	For Ecclesiastical Establishment of *British North American* Provinces - - -	
	15,000	0	0	For *Indian* Department in *Canada* - -	
	23,815	0	0	For Colonial Land and Emigration Board, &c. -	
	41,600	0	0	For Justices in *West Indies*, &c. - - -	
	10,000	0	0	For Support of captured Negroes, &c. - -	
	23,000	0	0	For Commissions for suppressing the Slave Trade -	
	118,970	0	0	For Consular Establishment - - -	
	50,000	0	0	For *British* Settlement at *Hong Kong*, &c. -	
	20,000	0	0	For Missions abroad - - -	
XXII.	87,200	0	0	For Retired Allowances to Public Officers -	
	5,000	0	0	For *Toulonese* and *Corsican* Emigrants, &c. -	
	2,295	0	0	For National Vaccine Institution for 1847.	
	3,000	0	0	For Refuge for Destitute for 1847.	
	11,000	0	0	For *Polish* Refugees, &c. - - -	To 31st *March* 1848.
	6,772	0	0	To pay Allowances formerly paid from Civil List, &c. - - - - -	
	4,286	0	0	For Foundling Hospital, *Dublin* - - -	
	14,026	0	0	For House of Industry, *Dublin* - - -	
	1,000	0	0	For Female Orphan House, *Dublin* - -	
	2,500	0	0	For *Westmoreland* Lock Hospital - -	
	1,000	0	0	For Lying-in Hospital, *Dublin* - - -	
	1,500	0	0	For Dr. *Stevens'* Hospital - - - -	
	3,800	0	0	For Fever Hospital, &c., *Dublin* - -	
	500	0	0	For Hospital for Incurables - - -	
	36,214	0	0	For Protestant Dissenting Ministers, *Ireland* -	
	7,256	0	0	For Charitable Allowances, *Ireland* - -	
XXIII.	3,400	0	0	For Criminal Law Commission.	
	1,500	0	0	For Criminal Laws in the Channel Islands Commission.	
	33,000	0	0	For certain Navigation Works, *Ireland*, in 1847.	
	1,662	0	0	For *British* Ambassador's House at *Paris*, in 1847–48.	
	50,000	0	0	For Steam to *India* to 31st *March* 1848.	
	16,000	0	0	For Militia, *Canada*, in 1847–48.	
	4,000	0	0	For Lighthouses at *Newfoundland*, &c., in 1847.	
	7,750	0	0	For Services in the Suppression of the Slave Trade.	
	5,500	0	0	For further Navigation Works, *Ireland*, in 1847.	

XXIV. Supplies to be applied only for the Purposes aforesaid.

XXV. Expenditure for Navy, Army, and Ordnance Services respectively to be confined to the separate Services for which granted. Treasury may, on Application, alter the proportionate Amounts for such separate Services, provided the total Grant to each Department be not exceeded.

XXVI. Rules to be observed in the Application of the Sum appropriated to Half Pay. Not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, &c. Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since *July* 1828. An Account of the Number of Officers so receiving Half Pay to be laid before Parliament.

XXVII. Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.

XXVIII. Persons concerned in issuing, paying, and receiving Money for the Payment of Half Pay, without the Oaths having been taken as required, indemnified. 9 & 10 Vict. c. 116.

XXIX. Half Pay allowed to the Officers of the *Manx* Fencibles.

XXX. Half Pay Allowances to Chaplains of Regiments not being in possession of Ecclesiastical Benefices derived from the Crown.

§ XXXI. By 9 & 10 Vict. c. 116, a Sum was appropriated to be paid to Half Pay Officers, the Surplus of which is hereby authorized to be disposed of as Her Majesty shall direct.

XXXII. Widows and Persons claiming Pensions shall make the required Declaration.

XXXIII. Declarations to be made as specified in 5 & 6 W. 4. c. 62.

CAP. CVIII.

An Act for establishing the Bishoprick of *Manchester*, and amending certain Acts relating to the Ecclesiastical Commissioners for *England*. [23d *July* 1847.]

6 & 7 W. 4. c. 77. 3 & 4 Vict. c. 113. 4 & 5 Vict. c. 39. 6 & 7 Vict. c. 77.

'WHEREAS an Act was passed in the Seventh Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for carrying into effect the Reports of the Commissioners appointed to consider the State of the Established Church in* England *and* Wales, *with reference to Ecclesiastical Duties and Revenues, so far as they relate to Episcopal Dioceses, Revenues, and Patronage;* and another Act was passed in the Fourth Year of the Reign of Her Majesty, intituled *An Act to carry into effect, with certain Modifications, the Fourth Report of the Commissioners of Ecclesiastical Duties and Revenues;* and another Act was passed in the Fifth Year of the Reign of Her Majesty, intituled *An Act to explain and amend Two several Acts relating to the Ecclesiastical Commissioners for* England; and another Act was passed in the Seventh Year of the Reign of Her Majesty, intituled *An Act for regulating the Cathedral Churches of* Wales: And whereas Her Majesty was pleased, on the Tenth Day of *February* in this Year One thousand eight hundred and forty-seven, to issue a Commission to certain Persons therein named, directing them to consider the State of the several Bishopricks in *England* and *Wales* with special reference to the Intention, therein graciously declared by Her Majesty, that a Measure should be submitted to Parliament for continuing the Bishopricks of *Saint Asaph* and *Bangor* as separate Bishopricks, and for establishing forthwith a Bishoprick of *Manchester;* and the said Commissioners have made their First Report to Her Majesty, bearing Date the Twentieth Day of *April* in this present Year, and have in their said Report recommended,

Their First Report.

Recommendations.

- That the Diocese of *Saint Asaph* consist of the whole Counties of *Flint* and *Denbigh*, and such Parts of the Counties of *Salop* and *Montgomery* as are now in that Diocese, except the Deanry of *Ceifeiliog* in the last-mentioned County; and
- That the Diocese of *Bangor* consist of the whole Counties of *Anglesea*, *Carnarvon*, and *Merioneth*, and the Deanries of *Ceifeiliog* and *Arwstley* in the County of *Montgomery;* and
- That the Diocese of *Chester* consist of the County of *Chester* and the Deanry of *Warrington* in the County of *Lancaster*, except the Parish of *Leigh;* and
- That the new Bishoprick of *Manchester* be forthwith founded and endowed out of the Revenues at the Disposal of the Ecclesiastical Commissioners for *England* applicable to Episcopal Purposes; and
- That the Diocese of *Manchester* consist of such Parts of the Deanries of *Kendal* and *Kirkby Lonsdale* as are in the County of *Lancaster*, and of the Deanries of *Amounderness*, *Blackburn*, *Manchester*, and *Leyland*, and the Parish of *Leigh* in the Deanry of *Warrington*, all in the same County; and
- That an Archdeaconry of *Liverpool* be founded in the Diocese of *Chester;* and that such Archdeaconry comprise the Deanry of *Worrall* in the County of *Chester* and the Deanry of *Warrington* (except the Parish of *Leigh*) in the County of *Lancaster:*

'And whereas it is expedient that the said Recommendations should be carried into effect, with such Modifications as may be found necessary, and that certain of the Provisions of the said recited Acts should be altered and amended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much and such Parts of the said recited Acts as provide for or apply to the Union of the Bishopricks, Sees, or Dioceses of *Saint Asaph* and *Bangor*, and also any Orders of Her Majesty in Council relating to the said Union, or to the new See or Diocese of *Manchester*, shall be repealed, and that all the Powers and Authorities vested in Her Majesty in Council, and in the Ecclesiastical Commissioners for *England*, by the said first and secondly recited Acts, with reference to the Matters therein respectively contained, and all other the Provisions of the same Acts relating to Schemes and Orders prepared, made, and issued for the Purposes thereof, and to Modifications and Variations therein, shall be continued and extended and shall apply to Her Majesty in Council, and to the said Commissioners, and to all Schemes and Orders to be prepared, made, and issued by them respectively, for the Purpose of carrying into effect the foregoing Recommendations, as fully and effectually as if the said Powers, Authorities, and other Provisions were repeated herein.

Repeal of repugnant Enactments; and Powers of former Acts extended to this Act.

Number of Lords Spiritual not to be increased.

II. And be it enacted, That the Number of Lords Spiritual now sitting and voting as Lords of Parliament shall not be increased by the Creation of the Bishoprick of *Manchester;* and whenever there shall be a Vacancy among the Lords Spiritual by the Avoidance of any one of the Sees of *Canterbury*, *York*, *London*, *Durham*, or *Winchester*, or of any other See which shall be filled by the Translation thereto from any other See of a Bishop at that Time actually sitting as a Lord of Parliament, such Vacancy shall be supplied by the Issue of a Writ of Summons to the Bishop who shall be elected to the same See; but if such Vacancy be caused by Avoidance of any other See in *England* or *Wales*, such Vacancy shall be supplied by the Issue of a Writ of Summons to that Bishop of a See in *England* or *Wales* who shall

shall not have previously become entitled to such Writ; and no Bishop who shall be hereafter elected to any See in *England* or *Wales*, not being one of the Five Sees above named, shall be entitled to have a Writ of Summons, unless in the Order and according to the Conditions above prescribed.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

CAP. CIX.

An Act for the Administration of the Laws for Relief of the Poor in *England*. [23d *July* 1847.]

'WHEREAS an Act was passed in the Fifth Year of the Reign of His late Majesty, intituled *An Act for the Amendment and better Administration of the Laws relating to the Poor in* England *and* Wales; and divers Acts have since been passed for the Amendment of the said Act, or otherwise relating to the Laws for the Relief of the Poor in *England*: And whereas the Administration of the Laws for the Relief of the Poor in *England* is subject to the Direction and Control of the Poor Law Commissioners, whose Commission will expire at the End of the Session of Parliament next after the Thirty-first Day of *July* in this Year, and it is expedient to make further Provision for the Administration of the said Laws:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for Her Majesty, by any Letters Patent, or by any Commission or Commissions to be issued under the Great Seal of *Great Britain*, from Time to Time to nominate, constitute, and appoint during Pleasure such Person or Persons as Her Majesty shall think fit to be and who shall accordingly be and be styled "Commissioners for administering the Laws for Relief of the Poor in *England*;" and whenever in this Act the Word Commissioners shall be used without Addition it shall be taken to mean the said Commissioners for administering the Laws for Relief of the Poor in *England*. 4&5 W.4. c.76. Appointment of Commissioners.

II. And be it enacted, That the Lord President of the Council, the Lord Privy Seal, Her Majesty's Principal Secretary of State for the Home Department, and the Chancellor of the Exchequer for the Time being shall be, by virtue of their respective Offices, Commissioners for administering the Laws for Relief of the Poor in *England*, with the Person or Persons nominated in any such Letters Patent or Commission as aforesaid, and shall have the same Powers as if they were expressly nominated in such Commission. Commissioners ex officio.

III. And be it enacted, That Notice of the Issue of every such Commission shall be published in the *London Gazette*; and the Commissioners first appointed under this Act shall enter on their Office, and all the Powers by this Act vested in them shall take effect, on the Day after the first Publication of such Notice in the *London Gazette*. When Commissioners shall enter on their Office.

IV. And be it enacted, That the Commissioner first named in any such Letters Patent or Commission for the Time being shall be and be styled the "President;" and whenever in the Absence of the President Two or more of the Commissioners shall meet for the Execution of any Powers vested in them by this Act, the Commissioner next in order of Nomination in the said Commission or this Act, of those who shall be present, shall for that Turn preside; and if the Commissioners present at any Meeting shall be equally divided in Opinion upon any Question before them, the President, or in his Absence the Commissioner presiding at that Meeting, shall have a Second or casting Vote. Who shall preside at Meetings of the Commissioners.

V. And be it enacted, That the Commissioners shall cause a Seal to be made for their Use, and such Seal shall have the same Force and Effect as the Seal of the Poor Law Commissioners now has in *England*, and Documents purporting to be sealed or stamped therewith shall be received in Evidence in like Manner and with the like Effect as Documents sealed or stamped with the Seal of the Poor Law Commissioners are now received in Evidence. Seal of the Commissioners.

VI. And be it enacted, That the Commissioners shall from Time to Time, by Order under their Seal, appoint Two Secretaries, and may, by a like Order under their Seal, remove any Secretary so appointed, and shall also from Time to Time appoint so many Clerks, Messengers, and Servants as shall be allowed by the Lord High Treasurer or the Commissioners of Her Majesty's Treasury; and all the Persons so appointed shall hold their Offices during the Pleasure of the Commissioners. Appointment of Secretaries, Clerks, &c.

VII. And be it enacted, That any Two of the said Commissioners, or the said President alone, except as herein-after provided, shall be competent to act in the Execution of any Powers vested in the Commissioners by this Act; provided that no Act of the Commissioners which is required to be under their Seal, or which, if done by the Poor Law Commissioners, must have been done under their Hands and Seal, shall be of any Validity unless it shall purport to be signed by at least Two of the Commissioners, or by the President, and if signed by the President alone, countersigned by one of the Secretaries to the Commissioners; and during any Vacancy among the Commissioners, the surviving or continuing Commissioners or Commissioner may continue to act with the same Powers and in the same Manner respectively as before such Vacancy. Who are competent to act in execution of Act.

VIII. And be it enacted, That there shall be paid to the President and to the said Secretaries, Clerks, Messengers, and Servants, such Salaries as shall be from Time to Time regulated by the Lord High Treasurer or the Commissioners of Her Majesty's Treasury, but no Commissioner, other than the said President, shall be entitled to have any Salary or Remuneration for acting in the Execution of this Act. Salaries.

IX. And be it enacted, That the Office of President shall not be deemed such an Office as shall render the Person holding such Office incapable of being elected, or of sitting or voting as a Member of the Commons President and One Secretary may sit in the

House of Commons.

Commons House of Parliament, or as shall avoid his Election if returned, or render him liable to any Penalty for sitting or voting in Parliament; and that One only of the said Secretaries shall at the same Time be capable of sitting and voting in the Commons House of Parliament.

Transfer of Powers and Duties of the Poor Law Commissioners.

X. And be it enacted, That on the Day on which the Commissioners first appointed under this Act shall enter on their Office, all the Powers and Duties of the Poor Law Commissioners with respect to the Administration or Control of the Administration of Relief to the Poor throughout *England*, and all other Powers and Duties now vested in them, shall be transferred to and vested in the Commissioners, and shall be thenceforth exercised by them, and by the Commissioners appointed from Time to Time in and by any new Commission or Letters Patent under the Provisions of this Act, and all Provisions in any Act relating to the Administration of Relief to the Poor in *England*, or to the Powers or Duties of the Poor Law Commissioners, shall be construed as if in the said several Acts the Commissioners had been named instead of the Poor Law Commissioners, subject nevertheless to any Amendments made by this Act, either as to the Substance or Manner of exercising any of the Powers of the said Poor Law Commissioners; and at the same Time all Powers and Authorities vested by any Act in the Poor Law Commissioners appointed under the first-recited Act, or any Act passed for the Amendment thereof, shall cease, and all Secretaries, Assistant Secretaries, Clerks, Messengers, and Officers appointed and employed by the said Poor Law Commissioners in the Business of their Office shall cease to hold their several Offices and Employments.

Power to summon Witnesses.

XI. And be it enacted, That the Commissioners, by Summons under their Seal, may require the Attendance of all Persons upon any Matter connected with the Execution of any of the Powers by Law vested in them at such Time and Place as shall be set forth in the Summons, and may make Inquiry and require Returns, and require and enforce the Production upon Oath of Books, Contracts, Agreements, Accounts, Maps, Plans, Surveys, Valuations, and Writings, or Copies thereof respectively, in anywise relating to any such Matter, and the Commissioners or any One of them may upon such Matters administer Oaths, and examine upon Oath all Persons so brought before them or him, and, when they or he shall think fit, instead of requiring such Oath as aforesaid, may require any such Person to make and subscribe a Declaration of the Truth of the Matters respecting which he shall have been or shall be so examined: Provided always, that no Person shall be required, in obedience to any such Order, to go more than Ten Miles from the Place of his Abode: Provided also, that nothing herein contained shall empower the Commissioners to require the Production of the Title, or of any Paper or Deed relating to the Title, of any Lands, Tenements, or Hereditaments, not being the Property of any Parish or Union.

Repeal of certain Enactments as to the Records of the Commissioners. 5 & 6 Vict. c. 57.

XII. And be it enacted, That so much of the said Act of the Fifth Year of the Reign of His late Majesty, or of an Act passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act to continue until the Thirty-first Day of* July *One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament, the Poor Law Commission, and for the further Amendment of the Laws relating to the Poor in* England, or of any other Act as would require any Minute of the Opinion of each of the Commissioners to be made in the Record of their Proceedings in Cases of final Difference of Opinion upon any Order or Proceeding, or as would require any Record or general Report of the Proceedings of the Commissioners to be submitted to One of Her Majesty's Principal Secretaries of State, shall be repealed.

Annual Report to Her Majesty to be laid before Parliament.

XIII. And be it enacted, That the Commissioners shall once in every Year submit to Her Majesty a general Report of their Proceedings, and every such general Report shall be laid before both Houses of Parliament within Six Weeks after the Date thereof if Parliament be then sitting, or if Parliament be not then sitting, within Six Weeks after the next Meeting of Parliament.

How Rules are to be made.

XIV. And be it enacted, That from and after the Day on which the Commissioners first appointed under this Act shall enter on their Office the Power vested in the Poor Law Commissioners to make Rules, Orders, and Regulations, and from Time to Time to vary or rescind the same, shall be vested in the Commissioners constituted under this Act, to be exercised by them in the Manner herein-after specified, and the Commissioners shall make all such Rules, Orders, and Regulations under their Seal, except such as are intended only for their own Guidance or Procedure, or for the Guidance or Procedure of any Persons appointed or employed by them for the Business of their Office, and shall make all General Rules under their Seal, and under the Hands of Three or more of the Commissioners, of whom the President shall be One.

Definition of General Rules.

XV. And be it enacted, That every Rule, Order, or Regulation of the Commissioners which at the Time of issuing the same shall be directed to and affect more than One Union, shall be deemed a General Rule, and every Rule, Order, and Regulation made to vary or rescind a General Rule, whether it be directed to or affect One or more than One Union, shall also be deemed a General Rule.

Repeal of Part of 4 & 5 W. 4. c. 76. as to making General Rules.

XVI. And be it enacted, That from and after the Day on which the Commissioners first appointed under this Act shall enter on their Office so much of the said Act of the Fifth Year of the Reign of His late Majesty as relates to the making of General Rules by the Poor Law Commissioners, or to the Time or Manner when or how any such General Rule shall operate or take effect, or to the Disallowance of any such General Rule, or any Part thereof, shall be repealed.

Disallowance of General Rules by the Queen in Council.

XVII. And be it enacted, That if Her Majesty shall be pleased at any Time, by the Advice of Her Privy Council, to disallow any such General Rule, or any Part thereof, the same, so far as it shall have been so disallowed, shall cease to be of any Force or Validity, except as to all Things lawfully done under the same before such Disallowance, which shall be and continue to be valid.

XVIII. Pro-

XVIII. Provided always, and be it declared and enacted, That all lawful Rules, Orders, and Regulations of the Poor Law Commissioners made before the Day on which the Commissioners first appointed under this Act shall enter on their Office shall continue in full Force and Effect until rescinded or varied under the Authority of this Act. Confirmation of existing Rules.

XIX. And be it enacted, That the Commissioners shall from Time to Time, by Order under their Seal, appoint so many fit Persons as shall be allowed by the Lord High Treasurer or Commissioners of Her Majesty's Treasury, to be Inspectors, to assist in the Execution of this Act and of other Acts now or which shall be hereafter in force for the Relief of the Poor in *England*, and may from Time to Time assign to the Inspectors so appointed, or any of them, such Duties in the Execution of this Act as they think fit; and the Commissioners, by Order under their Seal, may remove all or any of the said Inspectors, and appoint others in their Stead; and there shall be paid to every such Inspector such Salary as shall be from Time to Time regulated by the Lord High Treasurer or the Commissioners of Her Majesty's Treasury. Appointment of Inspectors.

XX. And be it enacted, That the said Inspectors, and each of them, shall be entitled to visit and inspect every Workhouse or Place wherein any poor Person in receipt of Relief shall be lodged, and to attend every Board of Guardians and every parochial and other local Meeting held for the Relief of the Poor, and to take Part in the Proceedings, but not to vote at such Board or Meeting. Duties of Inspectors.

XXI. And be it enacted, That the said Inspectors may summon before them such Persons as they may think necessary for the Purpose of being examined before them upon any Matter concerning the Administration of the Laws relating to the Relief of the Poor, or any other Matter placed by Law under the Control or Regulation of the Commissioners, or for the Purpose of producing and verifying upon Oath any Books, Contracts, Agreements, Accounts, Writings, or Copies of the same, in anywise relating to such Matter, and not relating to or involving any Question of Title to any Lands, Tenements, or Hereditaments not being the Property of any Parish or Union, and may examine any Person whom they shall so summon, or who shall voluntarily come before them to be examined upon any such Matter upon Oath, which each of the said Inspectors shall be empowered to administer, or instead of administering an Oath, the Inspector may require the Party examined to make and subscribe a Declaration of the Truth of the Matter respecting which he shall have been or shall be so examined; and all Summonses made by any such Inspector for any such Purpose as aforesaid shall be obeyed by all Persons as if such Summons had been the Summons and Order of the Commissioners, and the Nonobservance thereof shall be punishable in like Manner; and that the Costs and Expences of such Person so summoned shall be paid in such Cases and in such Manner as the Costs and Expences of Persons summoned under the Authority of the first-recited Act are now payable: Provided always, that no Person shall be required in obedience to any such Summons to go or travel more than Ten Miles from his Place of Abode. Inspectors may summon Witnesses.

XXII. And be it enacted, That so much of the said Act of the Sixth Year of the Reign of Her Majesty as relates to the Appointment of any Assistant Commissioner or of any Person for the Purpose of conducting any special Inquiry as an Assistant Commissioner shall be repealed; and that, whenever it may seem fitting to the Commissioners, they, with the Consent of the Lord High Treasurer or the Commissioners of Her Majesty's Treasury for the Time being, may appoint some fit Person to act as an Inspector for the Purpose of conducting any special Inquiry for a Period not exceeding Thirty Days, and the said Commissioners may delegate to every Person so appointed for the Purpose of conducting such Inquiry all such of the Powers of the said Commissioners as they may deem necessary or expedient for summoning Witnesses and conducting such Inquiry. Special Inquiries.

XXIII. Provided always, and be it enacted, That when any Two Persons, being Husband and Wife, both of whom shall be above the Age of Sixty Years, shall be received into any Workhouse, in pursuance of the Provisions of the said recited Act or of this Act, or of any Rule, Order, or Regulation of the Commissioners appointed by Authority of this Act, such Two Persons shall not be compelled to live separate and apart from each other in such Workhouse. Persons, being married, above 60 Years of Age, not compelled to live apart in Workhouses.

XXIV. And be it enacted, That in all Cases where Boards of Guardians neglect to appoint a Visiting Committee for the Purpose of visiting the Workhouse of the Union, or when Three Months shall have elapsed during which such Committee shall have neglected to visit such Workhouse, the Poor Law Commissioners shall be required to appoint a Visitor, not being one of the Guardians, at a Salary to be fixed by them, to be paid out of the general Fund of the Union: Provided always, that the Appointment of any such paid Visitor shall cease at the Expiration of Three Calendar Months next after the Appointment of any Visiting Committee by the Guardians, subject nevertheless to his Re-appointment in case of any Repetition of such Neglect of the Guardians or Visiting Committee as aforesaid. For ensuring the due Visitation of Workhouses.

XXV. And be it enacted, That in any civil or criminal Proceeding it shall not be necessary to prove the sending of the original Order of the Poor Law Commissioners, or of the Commissioners constituting any Board of Guardians, in any Case in which any Persons professing to form a Board in obedience to such Order shall have taken upon themselves to act, and shall have continued for Three Years to act, in the Execution of the Laws for the Relief of the Poor; and in no Proceeding shall it be lawful to question the Qualification or Validity of the Election of any Person as a Guardian after the End of Twelve Months next following the Election, or the Time when the alleged Disqualification or Want of Qualification of the Person against whom such Proceeding shall be directed shall have arisen. For Confirmation of the Proceedings of Boards of Guardians.

XXVI. And be it declared and enacted, That every Person who upon any Examination under the Authority of this Act shall wilfully give false Evidence, or wilfully make or subscribe a false Declaration, shall, on being convicted thereof, suffer the Pains and Penalties of Perjury; and every Person who shall refuse Penalties for giving false Evidence, or refusing to give Evidence.

refuse or wilfully neglect to attend in obedience to any Summons of the Commissioners, or any Inspector, or to give Evidence, or who shall wilfully alter, suppress, conceal, destroy, or refuse to produce any Books, Contracts, Agreements, Accounts, Maps, Plans, Surveys, Valuations, or Writings, or Copies of the same, which may be required to be produced for the Purposes of this Act, to any Person authorized by this Act to require the Production thereof, shall be deemed guilty of a Misdemeanor.

Confirmation of Proceedings under recited Acts.

XXVII. And be it enacted, That, save when varied or repealed by this Act, and subject to the Provisions herein contained, all the Powers and Provisions of the recited Acts and of all other Acts relating to the Relief of the Poor in *England*, and every Thing lawfully done under the same, or in pursuance thereof, and all lawful Acts and Proceedings of the Poor Law Commissioners, and their Assistant Commissioners, and any Officers acting under them, or in virtue of the said Acts, or any of them, or under their Authority, or by any other Person acting in the Administration of the Laws for the Relief of the Poor in *England*, on or before the Day when the Commissioners first appointed under this Act shall enter on their Office, shall be as valid as if this Act had not been passed; and every Suit or other Proceeding civil or criminal, begun before the last-mentioned Day, in the Name and under the Authority of the Poor Law Commissioners, shall have the same Force and Effect, if continued in their Names under the Sanction of the Commissioners, as if the Poor Law Commissioners had continued to act in execution of the said Acts of Parliament; and nothing herein contained shall in any way take away or interfere with any Right of Action or of Defence to the same, or any Liability to be sued or prosecuted for any Penalty, for or against any Person under the said Acts, or any of them, according to the respective Provisions thereof, which shall have accrued wholly or in part before the last-mentioned Day.

Commission to continue for Five Years.

XXVIII. Provided always, and be it enacted, That no Commissioner constituted under this Act, nor any Inspector, Secretary, or other Officer or Person to be appointed and employed by the Commissioners in the Business of their Office under this Act, shall continue to hold his respective Office under this Act, or exercise any of the Powers given by this Act, for a longer Period than Five Years next after the Day of the passing of this Act, and thenceforth until the End of the then next Session of Parliament; and from and after the Expiration of the said Period of Five Years, and of the then next Session of Parliament, so much of this Act as enables Her Majesty to appoint any Commissioner shall cease to operate or to have any Effect whatever.

Interpretation of Act.

XXIX. And be it enacted, That this Act shall be construed in the same Manner as the said Act of the Fifth Year of the Reign of His late Majesty and the said Act of the Sixth Year of the Reign of Her Majesty, and the several Acts passed for the Amendment of the said Acts or either of them, and as One Act with the same, and with the Acts and Provisions thereby directed to be construed as One Act, unless where otherwise directed by this Act.

Act may be amended, &c.

XXX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. CX.

An Act to amend the Laws relating to the Removal of the Poor, until the First Day of *October* One thousand eight hundred and forty-eight. [23d *July* 1847.]

9 & 10 Vict. c. 66.

'WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act to amend the Laws relating to the Removal of the Poor*, it was, amongst other things, enacted as follows, "that from and after the passing of this Act no Person shall be removed, nor shall any Warrant be granted for the Removal of any Person, from any Parish in which such Person shall have resided for Five Years next before the Application for the Warrant; provided always, that the Time during which such Person shall be a Prisoner in a Prison, or shall be serving Her Majesty as a Soldier, Marine, or Sailor, or reside as an In-Pensioner in *Greenwich* or *Chelsea* Hospitals, or shall be confined in a Lunatic Asylum or House duly licensed or Hospital registered for the Reception of Lunatics, or as a Patient in a Hospital, or during which any such Person shall receive Relief from any Parish, or shall be wholly or in part maintained by any Rate or Subscription raised in a Parish in which such Person does not reside, not being a *bonâ fide* charitable Gift, shall for all Purposes be excluded in the Computation of Time herein-before mentioned, and that the Removal of a Pauper Lunatic to a Lunatic Asylum under the Provisions of any Act relating to the Maintenance and Care of Pauper Lunatics shall not be deemed a Removal within the Meaning of this Act; provided always, that whenever any Person shall have a Wife or Children having no other Settlement than his or her own, such Wife and Children shall be removable when he or she is removable, and shall not be removable when he or she is not removable:" And whereas the Effect of the above-recited Enactment has been to increase unduly the Amount of Expenditure for the Relief of the Poor in particular Parishes:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Expenditure which shall be incurred by any Parish, Township, or Place forming Part of a Union for the Maintenance, Relief, or Burial of any Person or Persons who shall have been at any Time within One Year before the passing of the above-recited Enactment in the Receipt of Relief from some other Parish, Township, or Place, by Right of Settlement or reputed Settlement therein, and who by the above-recited Enactment are or may be exempted from the Liability to be removed from the Parish, Township, or Place in which such Person or Persons shall be residing, shall from and after the passing of this Act, so long as such Person or Persons shall continue to be so exempted, be charged to the common or general Fund

Expenditure incurred by any Parish, &c. for Maintenance, &c. of Persons who are or may be by the above recited Enactment exempted from Liability, to be charged to the Union.

Fund of such Union in the same Manner as the Cost of building or providing Workhouses in Unions and other Union Expences are directed to be charged by an Act passed in the Fifth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Amendment and better Administration of the Laws relating to the Poor in* England *and* Wales. 4 & 5 W. 4. c. 76.

II. And be it enacted, That this Act shall continue in force until the First Day of *October* in the Year One thousand eight hundred and forty-eight. Continuance of Act.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

CAP. CXI.

An Act to extend the Provisions of the Act for the Inclosure and Improvement of Commons.

[23d *July* 1847.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Eighth and Ninth Years of Her present Majesty, intituled *An Act to facilitate the Inclosure and Improvement of Commons and Lands held in common, the Exchange of Lands, and the Division of intermixed Lands; to provide Remedies for defective or incomplete Executions, and for the Non-execution of the Powers of general and local Inclosure Acts; and to provide for the Revival of such Powers in certain Cases:* And whereas it is expedient further to facilitate Proceedings under the said recited Act in the Cases herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That where an Action, Suit, or Difference shall be pending concerning the Title to any Manor, Land, or Right, or to an Estate or Interest therein, of which the actual Owner would, under the Definitions of the said Act, be (in respect of such Manor, Land, or Right,) the Person interested in Land concerning which any Application or Proceeding may be made or be pending under the said Act, the Consent of both the Persons between whom such Action, Suit, or Difference may be pending, to any Application, Inclosure, or other Proceeding under the said Act, shall be as effectual as the Consent of the actual Owner of the Manor, Land, or Right, or of such Estate or Interest therein, would have been in case no Action, Suit, or Difference had been pending, 8 & 9 Vict. c. 118. Where the Title to a Manor, &c. is litigated, the Consent of both Claimants to be equivalent to Consent of an actual Owner.

II. Provided always, and be it enacted, That where, according to the Claim of a Party to such Action, Suit, or Difference, more than One Person would be or become interested as aforesaid in respect of such Manor, Land, or Right, such Consent of such Number or Portion, or (as the Case may require) such Non-signification of Dissent by such Number or Portion of the Persons who would so become interested, to the Application, Inclosure, or other Proceeding as would have been sufficient in case such Claim had been established shall be equivalent to the Consent of the Party so claiming under the Provisions of this Act. Provision for the Case of more than One Person claiming to be interested.

III. And be it enacted and declared, That where any Lands shall have been inclosed, by way of Encroachment or otherwise, from any Land subject to be inclosed under the said recited Act, for more than Twenty Years next preceding the Day of the First Meeting for the Examination of Claims in the Matter of an Inclosure under the Provisions of the said Act, and shall not, with such Consent as in the said Act provided, be directed by the Valuer to be considered as allottable, and Parcel of the Land to be inclosed, neither the Award, in the Inclosure under the Provisions of the said Act, nor any Consents or Orders previous thereto, shall be taken to divest, defeat, or prejudice any Property, Estate, Right, or Title of Her Majesty or of any other Person in or to the Lands so inclosed for Twenty Years or upwards as aforesaid, or the Minerals or Substrata under the same, or in or to any Rent or Payment payable in respect thereof (except only any Rights of Common intended to be extinguished by the Inclosure under the Provisions of the said Act). Saving Rights of the Crown and others to the Soil of Encroachments.

IV. And be it enacted, That where an Exchange shall be made under the said Act of Lands not subject to be inclosed under such Act, or of Lands subject to be so inclosed as to which no Proceedings for an Inclosure shall be pending, it shall and may be lawful for the Commissioners, in conformity with the Terms of the Application for such Exchange, to except or reserve out of such Exchange the Property or Right of or to all or any of the Mines or Minerals under all or any Part of the Land given by both or either of the Parties, together with Rights and Easements for or auxiliary to the Exercise or Enjoyment of the Right or Property of such excepted or reserved Mines and Minerals and (whether such Mines and Minerals shall or shall not be reserved) such Rights of Way and other Easements as the Parties to such Application may have agreed on. Exchanges may be made of Land, excepting or reserving Minerals and Easements.

V. 'And whereas by the said recited Act of the Eighth and Ninth Years of Her present Majesty it is provided, that the Commissioners shall not in any Case proceed to amend any Award under any Local Act of Inclosure, or under the Act of the Seventh Year of the Reign of King *William* the Fourth for facilitating the Inclosure of Open and Arable Fields in *England* and *Wales*, or to authorize the Execution of any Power or Authority under any such Local Act which shall have been lost or have become incapable of being executed, as therein mentioned, or to authorize any Person to be by them appointed as therein mentioned to execute the Powers or Authorities of any Local Act, in the Place of the Commissioner or Commissioners appointed under such Local Act, until Notice of the Application shall have been given by Advertisement as therein mentioned; and that in case, within Two Calendar Months from the Publication of the last of the Advertisements, One Fourth Part in Number or Value of the Persons interested, according to the Definitions therein-before contained, in the Land to which Recital of Provision as to Commissioners not proceeding to amend any Award under any Local Act, &c. until Notice of Application shall have been given by Advertisement, &c.

'the Award so proposed to be amended, or the Part thereof proposed to be amended, should relate, 'or in the Land to be affected by the Exercise of such Powers or Authorities, should give Notice in 'Writing to the Commissioners of their Dissent from such Application, the Commissioners shall not 'proceed further on such Application;' be it enacted, That the said recited Provision be repealed; and that in case the Commissioners shall think fit to proceed on any such Application as aforesaid the Commissioners shall refer such Application to an Assistant Commissioner, and such Assistant Commissioner shall hold such Meeting or Meetings to hear any Objections which may be made to such Application, and any Information or Evidence which may be offered in relation thereto, or to the Matter thereof, and shall report his Opinion as to the Expediency or Inexpediency of proceeding upon such Application, having regard to all Rights which may be disturbed or affected thereby, in such and the same Manner, and subject to such and the same Provisions concerning Notices of such Meetings, as are in the said Act of the Eighth and Ninth Years of Her present Majesty contained concerning Inquiries as to the Expediency or Inexpediency of a proposed Inclosure; and upon the Report of such Assistant Commissioner it shall be lawful for the Commissioners to proceed or to abstain from proceeding further on such Application, as they may think fit; and it shall be lawful for the Commissioners (where they shall so think fit) to cause such further Meetings to be held, and Inquiries made in relation to such Application, or to the Report thereupon, as might have been held or made in the Matter of a proposed Inclosure, and to give such Directions in relation to the Matter of such Application, or to the Execution of the Powers or Authorities thereby proposed to be revived or executed, as the Circumstances of each Case shall appear to them to require.

Recited Provision repealed, and if Commissioners think fit to proceed on any Application, they may refer the same to an Assistant Commissioner, &c.

VI. 'And whereas it is provided by the said Act that any Land taken in exchange or on partition 'or allotted in respect of Copyhold or Customary Land shall be deemed Copyhold or Customary Land, 'and shall be held of the Lord of the same Manor under the same Rent and by the same Customs and 'Services as the Copyhold or Customary Land in respect of which it may have been taken in exchange 'or on partition or allotted was or ought to have been held, and shall pass in like Manner as the 'Copyhold or Customary Land in respect whereof such Exchanges, Partitions, or Allotments shall be 'made: And whereas it is expedient to enable the Parties so taking such Lands in exchange or on 'partition or as Allotments to hold the same of Freehold Tenure;' be it enacted, That, by and with the Consent of the Lord of the Manor, and of the Parties so taking such Lands in exchange or on partition or as Allotments, it shall and may be lawful for the said Commissioners to declare that the same shall be held as of Freehold Tenure, on such Terms and Conditions as may be agreed upon between the Parties, and as may be deemed just by the said Commissioners, and the same Land shall be held as Freehold accordingly.

Lands taken in exchange, &c. in respect of Copyhold or Customary Lands shall be held to be Copyhold, and shall be held of the same Lord, &c.

VII. And be it enacted, That where Notice shall have been given of any Meeting, whether original or by Adjournment, to be held by the Commissioners or by an Assistant Commissioner, or otherwise, it shall be lawful for the Commissioners or an Assistant Commissioner by Notice to adjourn such Meeting, without any Commissioner or Assistant Commissioner giving Attendance for the Purpose of making such Adjournment; and where Notice shall have been given of a Meeting by a Valuer, it shall be lawful for him by Notice to adjourn such Meeting, without giving Attendance for the Purpose of making such Adjournment.

Meetings may be adjourned without the Attendance of Commissioner or Assistant Commissioner.

VIII. And be it enacted, That all Notices by the said Act of the Eighth and Ninth Years of the Reign of Her present Majesty, or by any Act amending the same or referring thereto, or by this Act, directed or authorized to be given by the Commissioners and Assistant Commissioners respectively, may be given by the Secretary of the Commissioners, or by any Person whom the Commissioners or any Assistant Commissioner in conformity with the Power delegated to him by the Commissioners may appoint or authorize for that Purpose.

Notices may be given by the Secretary of the Commissioners, or other Person appointed for that Purpose.

IX. And be it enacted, That this Act shall be taken to be a Part of the said recited Act of the Eighth and Ninth Years of the Reign of Her present Majesty, and be construed therewith, and with any Act amending the same or referring thereto.

Recited Act deemed Part of this Act.

X. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session.

Act may be amended, &c.

CAP. CXII.

An Act to promote Colonization in *New Zealand*, and to authorize a Loan to the *New Zealand* Company. [23d *July* 1847.]

'WHEREAS Her Majesty by Her Royal Letters Patent, bearing Date the Twelfth Day of *February* 'in the Fourth Year of Her Reign, did grant and ordain that certain Persons therein named and 'described should be and constitute a Body Corporate, with perpetual Succession and a Common Seal, 'by the Name of "The *New Zealand* Company," for the Purpose of purchasing and acquiring, settling, 'improving, cultivating, letting, selling, granting, alienating, mortgaging, charging, or otherwise dealing 'with and making a Profit of Lands, Tenements, and Hereditaments within Her Majesty's Colony of '*New Zealand* and its Dependencies, and of laying out Settlements and Towns, and of working there 'all Mines, Pits, and Quarries, and all Minerals and Metals, and for the Conveyance of Emigrants to 'the said Colony and its Dependencies, and of furnishing to Emigrants all Things requisite for their 'immediate Settlement in the said Colony, and for the other Purposes therein set forth: And whereas 'by certain other Royal Letters Patent, bearing Date the Fourth Day of *August* in the Seventh Year

'of

'of the Reign of Her Majesty, and by a certain Act of Parliament passed in the last Session of Parliament, intituled *An Act to grant certain Powers to the* New Zealand *Company*, further Powers have been granted to and are now vested in the said Company: And whereas the said Company have acquired or become entitled to large Tracts of Land in the said Colony, and many of Her Majesty's Subjects have already emigrated to *New Zealand* at the Instance of the said Company, and have expended much of their own Capital in forming Settlements on Lands belonging to the said Company, and by them sold or contracted to be sold for the Purposes of such Settlements, in full Reliance on the Continuance of the said Company's Operations: And whereas under and by virtue of another Act passed in the last Session of Parliament, intituled *An Act to make further Provision for the Government of the* New Zealand *Islands*, and of certain Royal Letters Patent, bearing Date the Twenty-third Day of *December* in the Tenth Year of the Reign of Her Majesty, and certain Instructions under Her Majesty's Sign Manual and Signet accompanying the same, (which Letters Patent and Royal Instructions purport to have been issued by virtue of the Provisions of the last-recited Act,) certain Orders and Regulations have been issued and promulgated in reference (amongst other things) to the Dealings with and Appropriations of the Demesne Lands of the Crown in the said Colony: And whereas it may tend to restore the Prosperity of the existing Settlements, and promote the Establishment of new Settlements in the said Colony, if the said Instructions, and the Orders and Regulations founded thereon, be for a Time suspended within the Province of *New Munster* in the said Colony, and if further Powers be granted and further Aid afforded to the said Company for enabling them to promote the Colonization of *New Zealand* upon the Principles on which the said Company was established, under such Regulations as are for that Purpose herein-after contained:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several Provisions relating to the Settlement of the Waste Lands of the Crown contained in the Thirteenth Chapter of the said Instructions under Her Majesty's Sign Manual and Signet, except such as relate to the Registration of Titles to Land, the Means of ascertaining the Demesne Lands of the Crown, the Claims of the aboriginal Inhabitants to Land, and the Restrictions on the Conveyance of Lands belonging to any of the aboriginal Natives, unless to Her Majesty, Her Heirs and Successors, shall be suspended and of no Force and Effect within the Province of *New Munster* in the said Colony of *New Zealand* until the Fifth Day of *July* in the Year One thousand eight hundred and fifty, and during such further Time as shall be directed by Parliament.

9 & 10 Vict. c. cccIxxxii.

9 & 10 Vict. c. 103.

Suspension of certain of the Royal Instructions as to the Settlement of Waste Lands in New Munster.

II. And be it enacted, That all the Demesne Lands of the Crown in the Province of *New Munster* in *New Zealand*, and all the Estate and Right of Her Majesty therein, or Power and Authority over the same, or any Part thereof, shall, from and immediately after the passing of this Act, and during the Suspension of the said Instructions, be absolutely and entirely vested in the *New Zealand* Company in trust for the Purposes and subject to the Provisions herein-after contained, and during such Period all the Rights, Powers, and Authorities of Her Majesty in reference to the same may be exercised and administered by the said Company in such Manner in all respects, subject to the Restrictions herein-after contained, as to the said Company shall seem best fitted to promote the efficient Colonization of *New Zealand*, and the Welfare of the Colonists thereof.

The Demesne Lands of the Crown in New Munster vested in New Zealand Company in trust for the Purposes herein contained.

III. And be it enacted, That it shall not be lawful for the said Company in the Exercise of any of the Rights or Powers hereby conferred upon or vested in them to sell or dispose of any of the Lands hereby vested in them as aforesaid (other than and except such Lands as may by the said Company be granted or conveyed in trust for or be dedicated to public Purposes or Uses, as herein-after authorized,) without Consideration, or for any less Consideration than the Sum of Twenty Shillings for each Acre.

Minimum Price for Sale of Lands.

IV. And be it enacted, That it shall be lawful for the said Company to convey any Part or Parts of the Lands hereby vested in them to any Person or Persons, or to any Body or Bodies Corporate, in trust for any public Purposes or Uses, sanctioned and approved by the Governor-in-Chief of *New Zealand* for the Time being, or by One of Her Majesty's Principal Secretaries of State, without any Money Consideration for the same.

Power to Company to grant Lands for public Purposes.

V. And be it enacted, That of the Monies arising from the Sale by the said Company of the Lands hereby vested in them a Sum of not less than Ten Shillings for each Acre of the Lands so sold shall be carried by the said Company to a Fund, to be designated "The Emigration Fund," to be by the said Company applied in satisfaction and discharge of the Costs, Charges, and Expences to be incurred in the Conveyance of Emigrants to *New Zealand*, and incidental thereto.

Part of Monies arising from Land Sales to be applied to Emigration Purposes.

VI. And be it enacted, That, except as herein otherwise provided, all Monies which may come to the Hands of the said Company in respect of the said Lands so hereby vested in them shall be applied toward defraying the Costs, Charges, and Expences which may be incurred by the said Company in and about their Establishments and the Administration of their Affairs, and the Execution of the Powers hereby vested in them, and the effecting of any Sales, Leases, Mortgages, Charges, or other Dispositions of the said Lands, and in and about the Compensation (if any) to be made to the aboriginal Inhabitants of *New Zealand* for the Purchase or Satisfaction of their Claims, Rights, or Interests in the said Demesne Lands, or which may be incurred or contributed, or agreed to be incurred or contributed, in and about the making of Surveys, Maps, and Plans, and the laying out of Settlements, and in and about the making of Roads, Railroads, Bridges, Canals, Docks, Quays, Landing Places, Wharves, Piers, Lighthouses, and other like public Works, and in and about the clearing of Waste Lands, opening or working of Mines, Quarries, and Minerals, and other Outlay for the general Improvement of the said Colony or any

As to Application of Residue of Produce of Sales.

any Part thereof, and in and about the promoting, establishing, endowing, or maintaining of Places of Religious Worship, Schools, Hospitals, or other Institutions of a like Kind, and such other Purposes for promoting Colonization in *New Zealand* as shall be adopted by the Directors of the said Company, and approved by One of Her Majesty's Principal Secretaries of State; and the Residue thereof shall be applied, under the Restrictions herein-after contained, to the Payment of Interest or Dividends on the Capital Stock of the said Company, not exceeding the Proportion herein-after mentioned, and toward the Discharge and Satisfaction of any Monies then due and owing by the said Company to Her Majesty, or the Commissioners of Her Majesty's Treasury.

Secretary of State may, during Suspension of Instructions, nominate a special Commissioner. Salary of special Commissioner.

VII. And for more effectually securing the due Performance of the Trust hereby reposed in the said Company, be it enacted, That it shall be lawful for One of Her Majesty's Principal Secretaries of State, at any Time during the Suspension of the said Instructions, to nominate and appoint a special Commissioner, to be called "Her Majesty's Commissioner for the Affairs of the *New Zealand* Company," and at his Pleasure to remove the Commissioner so appointed, and in the Case of the Death, Removal, or Resignation of the Commissioner so appointed, to appoint another special Commissioner in his Stead; and there shall be allowed and paid to the said special Commissioner out of any Monies belonging to and in the Hands of the said Company, or which may be advanced and lent to them under the Provisions of this Act, such yearly Salary, not exceeding Fifteen hundred Pounds, as shall be directed and allowed by One of Her Majesty's Principal Secretaries of State, to be paid quarterly by equal Instalments on the Tenth Day of *October* and the Fifth Days of *January*, *April*, and *July* in every Year, with a proportionate Part for any Part of a Quarter of a Year during which he shall hold the said Office: Provided always, that no special Commissioner shall be so nominated and appointed or enabled to act in the Execution of this Act unless he shall have been previously approved and accepted by the Directors of the said Company.

During Suspension of Instructions Commissioner entitled to be present at all Meetings of Directors and to have Access to all Books, &c. 9 & 10 Vict. cc. 42. and 82.

VIII. And be it enacted, That during the Suspension of the said Instructions the said special Commissioner shall be entitled to be present at every Court of Directors of the said Company, and at every Committee and Meeting of Proprietors thereof, and at all Times to have full and free Access to all Documents, Books, Papers, Correspondence, Accounts, Vouchers, Writings, and Records whatsoever of or belonging to the said Company, and in the Custody or Possession of the said Company, or of any of the Officers thereof, and to take Copies or Abstracts thereof or Extracts therefrom, and from Time to Time, once or oftener in every Year, and until the final Examination and Audit of all Accounts under this Act, and under Two Acts passed in the last Session of Parliament, severally intituled *An Act to authorize a Loan from the Consolidated Fund to the* New Zealand *Company*, and *An Act to amend an Act of the present Session for authorizing a Loan from the Consolidated Fund to the* New Zealand *Company*, shall be completed to his Satisfaction, to examine and audit the Accounts of the said Company in reference to all Receipts and Payments by them under or by virtue of this Act and the Two last-recited Acts, and also, with a view to such annual or other periodical auditing of the said Accounts, to authorize and direct an Accountant nominated by him, and approved and paid by the said Directors, to assist him in such Inspection and Examination of the said Accounts or any of them, and to call for and require the Production of all Vouchers relating thereto; and the Examination and auditing of the Company's said Accounts by the said special Commissioner shall be deemed to be and shall be a satisfactory and conclusive Auditing and Settlement thereof as between Her Majesty or the Commissioners of Her Majesty's Treasury and the said Company.

Powers of the Commissioner over the Proceedings of the Company.

IX. And be it enacted, That the said special Commissioner shall be empowered to disallow and annul any Resolution, Order, or Proceeding (except as herein-after provided) of the Directors of the said Company, or of any Court or Committee thereof, or of the Proprietors of the said Company, by any Writing under his Hand delivered to the Directors or Secretary, or left at the Office of the said Company, within One Week after the passing of the same; and from and after such Disallowance the Resolution, Order, or Proceeding so disallowed shall be deemed to be wholly annulled and rescinded, subject however and without Prejudice to all Acts done under the same before the Signification of such Disallowance by the special Commissioner; and if the said Company, or the Directors thereof, notwithstanding any such Disallowance, shall continue to act as if such Resolution, Order, or Proceeding were not disallowed, it shall be lawful for the said special Commissioner, with the Approval of One of Her Majesty's Principal Secretaries of State, by any Notice under his Hand, to be published in the *London Gazette*, to suspend all the Powers and Privileges of the said Company, and upon the Publication of such Notice in the *London Gazette* all the Powers and Privileges of the said Company shall be suspended and vacated until Parliament shall otherwise provide; and a Copy of any such Notice shall be laid before both Houses of Parliament within Three Weeks after the Publication thereof, if Parliament be then sitting, or if not then within Three Weeks after the next Meeting of Parliament.

Deeds and Resolutions to be deemed valid until disproved.

X. And be it enacted, That the Production of any Deed or Instrument under the Seal of the Company, or of any Order, Regulation, or Writing under the Hand of their Secretary for the Time being, shall be Evidence until the contrary be proved that the same has been executed or made with the Consent of the special Commissioner in all Cases in which his Consent is necessary to the Validity thereof under this Act, and in all other Cases that he has not disallowed and annulled the same.

Custody of the Seal of the Company.

XI. And be it enacted, That during the Suspension of the said Instructions the Directors and the special Commissioner jointly shall have the Custody of the Common Seal of the said Company, and it shall be lawful for the Directors of the said Company, with the Consent of the said special Commissioner,

but

but not otherwise, to affix the Common Seal of the said Company to all requisite Deeds, Documents, and Writings.

No Dividend to be payable without Consent of Commissioner.

XII. And be it enacted, That during the Suspension of the said Instructions it shall not be lawful for the said Company to declare or pay any Interest or Dividend upon the Capital of the said Company, or to reserve or set apart any Fund for the Purpose of such Interest or Dividend, or by way of Bonus or otherwise, without the Consent in Writing of the said Commissioner; and during the same Period no greater Proportion than One Tenth Part of the gross Proceeds of the Sale or leasing of the Lands hereby vested in the said Company by the said Company shall be applied in or toward any Interest, Dividend, or Bonus to the Shareholders of the said Company.

For Exercise of Functions of special Commissioner during Illness or necessary Absence.

XIII. And be it enacted, That in the Case of the Illness or necessary Absence of the special Commissioner all the Powers vested in him by this Act may be exercised by One of Her Majesty's Principal Secretaries of State, or by any Person whom such Secretary of State, with the Consent of the Directors of the said Company, shall appoint to exercise the Functions of the special Commissioner during such Illness or necessary Absence.

Authorizing absolute Grants to the Company and other Corporate Bodies for the Purposes of their Incorporation.

XIV. 'And whereas Doubts have arisen as to the Power of the Governor of *New Zealand* to make 'and issue Grants of Land to any Corporate Body for the Purposes for which it is incorporated under 'the Provisions in that Behalf contained in the Royal Letters Patent granted by Her Majesty, and issued 'under the Great Seal on the Sixteenth Day of *November* in the Fourth Year of Her Majesty's Reign, 'for the Purpose of erecting *New Zealand* into an independent Colony, or under the said recited Royal 'Letters Patent of the Twenty-third Day of *December* in the Tenth Year of the Reign of Her Majesty, 'and it is expedient that such Doubts be removed;' be it enacted, That all Grants of Land to the *New Zealand* Company or to any other Corporate Body by the Governor for the Time being of *New Zealand* which have been or shall be made and issued before the Expiration of Six Calendar Months after the passing of this Act, and which have been or shall hereafter be accepted by the said Company or other Corporate Body, shall be deemed good and valid Grants in manner and on the Terms, if any, therein stated and declared; and further, that it shall be lawful for the Governor-in-Chief of *New Zealand* for the Time being at any Time or Times hereafter to grant and assure to the said Company, or to any other Body Corporate, any Lands to which the said Company or any such Body Corporate as aforesaid now is or may at any Time or Times hereafter be or become entitled.

Power to Treasury to advance the Sum of 136,000*l.* in Three Payments, in addition to the Sum of 100,000*l.* authorized to be advanced under 9 & 10 Vict. cc. 42. and 82.

XV. 'And whereas the Commissioners of Her Majesty's Treasury were empowered to advance and 'have advanced or agreed to advance to the *New Zealand* Company One hundred thousand Pounds under 'the Provisions of the said Two Acts passed in the last Session of Parliament, severally intituled *An Act* '*to authorize a Loan from the Consolidated Fund to the* New Zealand *Company*, and *An Act to amend* '*an Act of the present Session for authorizing a Loan from the Consolidated Fund to the* New Zealand '*Company:* And whereas it is expedient that further Aid should be afforded to the Company for 'enabling them to carry out more effectually Colonization;' be it enacted, That it shall be lawful for the Lord High Treasurer, or any Three or more Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, at any Time or Times before the Fifth Day of *April* in the Year One thousand eight hundred and fifty, to advance and lend to the *New Zealand* Company, out of the growing Produce of the Consolidated Fund of the said United Kingdom, any Sum or Sums of Money not exceeding in the whole the Sum of One hundred and thirty-six thousand Pounds, over and above the Sum of One hundred thousand Pounds already authorized and agreed to be advanced to them as aforesaid, in the following Manner; (that is to say,) any Sum not exceeding Twenty-eight thousand Pounds at any Time before the Fifth Day of *April* in the Year One thousand eight hundred and forty-eight, any additional Sum not exceeding Seventy-two thousand Pounds between the Fifth Day of *April* One thousand eight hundred and forty-eight and the Fifth Day of *April* One thousand eight hundred and forty-nine, and any Sum not exceeding Thirty-six thousand Pounds between the Fifth Day of *April* One thousand eight hundred and forty-nine and the Fifth Day of *April* One thousand eight hundred and fifty, to be by them applied, together with such Portion of the said Loan of One hundred thousand Pounds as has not yet been advanced to the said Company, in the Discharge of any Charges or Liabilities of the said Company, and for the Purposes of this Act; and that the several Sums of Money which may be so lent and advanced shall not bear Interest; and that all Claims of Interest on account of the said Sum of One hundred thousand Pounds, or so much thereof as has been or shall be advanced and lent under the last Two recited Acts of the last Session of Parliament, shall be wholly forborne and remitted to the said Company.

For securing Repayment of Loans and Advances.

XVI. And be it enacted, That the said Advances and Loans, not exceeding the several Amounts herein-before specified in each Year, shall be granted and made at such Times and in such Proportions, and subject to such Conditions and Undertakings for securing the due Application and Apportionment thereof to the Purposes of this Act, as the said Lord High Treasurer or Commissioners of the Treasury shall think fit; and the Repayment of all Sums of Money so to be lent under the Provisions thereof, by a yearly Payment of not less than One Fourth of the clear Profits of such Company, after Payment of all Expences incurred by them in such Year, shall be secured upon the Security and Credit of the Profits of the Undertaking, and upon the Security and Credit of the Lands, Tenements, and Hereditaments in *New Zealand* now belonging to the said Company, or to the Possession of which the Company are now entitled by a Deed or Deeds of Assignment and Mortgage of the same under their Common Seal, to such Persons, in such Manner, and at such Times, and under such Conditions and Regulations, as the said Lord High Treasurer or Commissioners of Her Majesty's Treasury shall order.

XVII. And

Company may dispose of Lands, although mortgaged.

XVII. And be it enacted, That notwithstanding the Trust hereby created, and such Deed or Deeds of Assignment and Mortgage as aforesaid, it shall be lawful for the said Company, with the Consent of the said special Commissioner, to hold, enjoy, sell, dispose of, receive, take, and deal with the Lands, Tenements, and Hereditaments now belonging to or hereafter to be acquired by the said Company by virtue of this Act or otherwise, and the Issues and Profits thereof, in like Manner in all respects, both at Law and in Equity, as if such Trust had not been created, and such Deed or Deeds of Assignment and Mortgage had not been made; and that no Purchaser from, or Lessee or Tenant of a Person in any Manner dealing with, the Company for the said Lands, Tenements, and Hereditaments, or the Rents, Issues, and Profits thereof, or any of them, with such Consent as aforesaid, shall be affected by any Default of the Company in making Repayment of the Advances made to them according to the Provisions of this Act, notwithstanding that such Default may have been actually made, and he or she may have Notice thereof.

Monies repaid to be carried to the Credit of the Consolidated Fund.

XVIII. And be it enacted, That all Money to be secured by any such Deed or Deeds of Assignment and Mortgage as aforesaid that shall be paid by the said Company, their Successors or Assigns, to such Person as shall be appointed by the Lord High Treasurer or Commissioners of Her Majesty's Treasury to receive the same, shall be carried to the Credit of the Consolidated Fund, and shall go in discharge of the Monies advanced or to be advanced to the said Company; nevertheless every Receipt that shall be given by the Persons to whom any such Assignment and Mortgage shall be made as aforesaid, or the Survivors or Survivor of them, his Executors or Administrators, or their or his Assigns, for any Money to be secured by any such Assignment and Mortgage, shall exonerate the said Company, their Successors and Assigns, from all Liability with respect to the Application thereof.

For enabling the New Zealand Company to relinquish their Undertaking, if they think fit.

XIX. 'And whereas it is expedient to provide for the Contingency of the *New Zealand* Company 'finding themselves unable to continue their Proceedings with Profit to themselves and Benefit to the 'said Colony;' be it enacted, That if the Directors of the said Company shall give Notice to One of Her Majesty's Principal Secretaries of State within Three Calendar Months next after the said Fifth Day of *April* One thousand eight hundred and fifty, by any Instrument under the Seal of the Company, that they are ready to surrender the Charters of the said Company to Her Majesty, and all Claim and Title to the Lands granted or awarded to them in the said Colony, all the Powers and Privileges of the said Company, except such as shall be necessary for enabling the Directors to receive the several Sums of Money hereinafter mentioned, and to distribute the same among the Shareholders and other Persons entitled thereunto, and for enabling the Directors to adjust and close the Affairs of the Company, shall cease and determine, and all the Lands, Tenements, and Hereditaments of the said Company in the said Colony shall thereupon revert to and become vested in Her Majesty as Part of the Demesne Lands of the Crown in *New Zealand*, subject nevertheless to any Contracts which shall be then subsisting in regard to any of the said Lands, and upon the Condition of satisfying any Liabilities to which the said Company may then be liable under their existing Engagements with reference to the Settlement at *Nelson*, or any Liabilities of the said Company which during the Suspension of the said Instructions shall have been contracted by them with the Consent of the said special Commissioner, and all Claims of the said Company to any further Grant of Land shall cease, and the said special Commissioner shall not be empowered to annul any Resolution of the Directors or Proprietors for giving such Notice as aforesaid, and shall be bound to consent to affix the Seal of the Company to such Instrument as shall be prepared by Order of the said Directors for that Purpose.

Upon Reversion of Lands belonging to Company all Claim to Loans to be remitted.

A certain Sum to be paid to the Company out of the Proceeds of future Sales, with Interest.

XX. And be it enacted, That upon the Reversion as aforesaid to Her Majesty of the Lands belonging to the said Company all Claim on behalf of Her Majesty, or of the Commissioners of Her Majesty's Treasury, upon the said Company, in respect of either the said Loan of One hundred thousand Pounds, or the Loan authorized by this Act, or of so much as shall then remain due and unpaid, shall be remitted to the said Company; and there shall be charged upon and paid to the *New Zealand* Company out of the Proceeds of all future Sales of the Demesne Lands of the Crown in *New Zealand*, after deducting the Outlay for Surveys, and the Proportion of such Proceeds which is appropriated to the Purposes of Emigration, the Sum of Two hundred and sixty-eight thousand three hundred and seventy Pounds Fifteen Shillings, being after the Rate of Five Shillings for each Acre of the One million and seventy-three thousand four hundred and eighty-three Acres to the Possession of which the Company are now entitled, including therein Twenty-four thousand four hundred and ninety-one Acres and Half an Acre purchased by the said Company within their own Settlements, and now held as their private Estate, with Interest after the yearly Rate of Three Pounds Ten Shillings in the Hundred Pounds upon the said Sum, or so much thereof as shall from Time to Time remain due and unpaid, to be computed from the Day of the Delivery of such Notice as aforesaid.

Who may give Discharges.

XXI. And be it enacted, That the Receipt by Two of the Directors of the said Company authorized to give such Receipt by any Resolution under the Seal of the said Company shall be a sufficient Acknowledgment of the Payment or Advance of any Monies authorized by this Act to be paid or advanced to the said Company, and that neither the special Commissioner nor the Commissioners of Her Majesty's Treasury shall be bound to see to the due Application of the said Monies otherwise than is herein provided.

Nothing to invalidate Colonial Ordinances duly made.

XXII. And be it enacted, That nothing herein contained shall invalidate or in any Manner alter or affect any Ordinance or Ordinances which shall have been duly made in *New Zealand* before the Promulgation of this Act in the said Colony for regulating the Sale of Lands belonging to the aboriginal Inhabitants of *New Zealand*.

XXIII. Pro-

XXIII. Provided always, and be it enacted, That nothing in this Act contained shall in any way prevent, impede, interfere with, alter, or affect any Sales or Contracts for Sale of Lands made and entered into before the Fifth Day of *July* in this Year by the said Company, whether before or since their said Incorporation, or by the *New Zealand* Land Company, or by any Person or Persons as Trustees or Trustee for the *New Zealand* Company, before their Incorporation as aforesaid, or for the said *New Zealand* Land Company, or made and entered into by a certain Company called "The *Plymouth* Company of *New Zealand*," or by any Trustees or Trustee for such last-mentioned Company; but the said *New Zealand* Company, so incorporated as aforesaid, shall have full Liberty and Power to carry the said several Contracts and Agreements into effect, under and subject to the Provision contained in the said Act of the last Session of Parliament for granting certain Powers to the *New Zealand* Company, without any Right or Power of Interference therein by the special Commissioner, and without any Necessity for his Consent thereto.

Nothing to affect existing Contracts for Sale.

XXIV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

C A P. CXIII.

An Act to facilitate the Drainage of Lands in *Scotland*. [23d *July* 1847.]

'WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act to authorize the Advance of public Money to a limited Amount, to promote the Improvement of Land in* Great Britain *and* Ireland *by Works of Drainage:* And whereas another Act was passed in the present Session of Parliament, intituled *An Act to explain and amend the Act authorizing the Advance of Money for the Improvement of Land by Drainage in* Great Britain: And whereas it is expedient to render the Provisions of the said recited Acts more operative and effectual, and to facilitate and promote the Drainage of Lands in *Scotland* by making Provision for the Improvement of Outfalls:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That where any Land shall be capable of being drained or improved by Drainage, by means of Works to be executed on the same and other Lands for obtaining or improving the Outfall or otherwise, it shall be lawful for any Persons interested in the Lands so capable of being drained or improved, and who shall be desirous for that Purpose to execute all or any of the Works herein-after mentioned, and shall be unable to execute such Works by reason of the Objection, Absence, or Disability of any Person whose Land, Property, or Rights would be entered upon, cut through, interfered with, or affected by or for the Purpose of such Works, to make Application to the Sheriff of the County within which the Lands, Property, or Rights so to be entered upon, cut through, interfered with, or affected are situated, or, in the event of such Lands, Property, or Rights being situated in more Counties than One, to the Sheriff of that County in which the Portion of such Lands, Property, or Rights most contiguous to the Lands to be drained and improved shall be situated, showing the Means by which such Drainage or Improvement may be effected, and praying for Authority to effect the same, under the Provisions of this Act; and to such Application shall be annexed a Map or Plan, showing the Land to which such Application shall relate, and the Land and Property required to be entered upon, cut through, or interfered with for the Purposes of such Drainage or Improvement, or likely to be affected by the proposed Works, and also the Rivers, Watercourses, Ditches, and Drains intended to be cleared, scoured, deepened, or embanked, and the proposed Variations, Divisions, Abridgments, or Enlargements of the same, and the new Cuts, Embankments, Drains, Watercourses, and other Works proposed to be made, and the Dams, Sluices, Weirs, or Floodgates to be lowered, altered, or removed, and the Engines and Machinery proposed to be erected for the Purposes of such Drainage or Improvement, and also Schedules showing the reputed Proprietors, Lessees, and Occupiers of the Lands proposed to be drained and improved, and the Lands and Property required to be entered upon, cut through, or interfered with respectively for the Purposes of such Drainage or Improvement, and also an Estimate of the Expence of the proposed Works, Engines, and Machinery, including the probable Amount of Money payable as Purchase and Compensation Money in respect of the Land and Property or Rights required to be entered upon, cut through, interfered with, or affected, and also a Statement of the actual Condition of the Lands proposed to be drained or improved, and of the probable increased Value of the Land consequent upon the Execution of the proposed Works; or, in case it shall appear to the Sheriff that a correct Judgment can be formed on the proposed Means of Drainage or Improvement without a Map or Plan and Estimates including the whole of the Land to which such Application shall relate, then a Map or Plan showing only the proposed Works, or such other Map or Plan as the Sheriff shall think necessary; and the Persons by whom such Application shall be made shall, upon the Request of the Sheriff, furnish such further Details in respect of the said Map or Plan, Schedules, Estimates, and Statements, or any of them, as the Sheriff shall think fit for his Guidance in the Matter of the Application; and the Persons by whom such Application shall be made shall cause Copies of the said Application, Map or Plan, Schedules, Estimates, and Statements, or of such of them as shall have been furnished to the Sheriff under the Provisions hereinbefore contained, to be deposited in such convenient Place or Places as the Sheriff shall approve, within or adjoining to the Parish or One of the Parishes in which the Land to which such Application shall relate shall be situate, there to remain open for public Inspection for a Period of Two Months; and the Deposit of such Copies shall be certified to the Sheriff in such Manner as he shall require; and all Persons shall be at liberty to inspect and make Copies of or Extracts from the said Application, Map or Plan, Schedules,

9 & 10 Vict. c. 101.

10 & 11 Vict. c. 11.

Persons desirous of draining Land may apply to the Sheriff for Authority to effect the same.

Map or Plan to be annexed to such Application;

also an Estimate of the Expence, and a Statement of the actual Condition of the Lands.

Copies of Application, Map, &c. to be deposited, and to be open to Inspection.

Schedules, Estimates, and Statement, or any of them, and Copies thereof or Extracts therefrom shall be made by such Person as the Sheriff shall direct for any Person who shall require the same, on Payment of the Expences of making such Copies or Extracts.

8 & 9 Vict. c. 19., with respect to Service of Notices on Owners, &c., incorporated with this Act.

II. And be it enacted, That the Clauses of the Lands Clauses Consolidation (*Scotland*) Act, 1845, with respect to the Service of Notices on Owners and Occupiers of Land, shall be incorporated with this Act, and that Notice, as therein provided for, shall be given of such Application having been presented, and of the Parishes in which Works are by such Application proposed to be executed, and of the Places in which Copies of the said Application, Map or Plan, Schedules, Estimates, and Statements have been deposited as aforesaid; and by such Notice all Parties interested, or in any way affected by the proposed Works, shall be required on or before a Day to be therein named, not sooner than Six Weeks and not later than Eight Weeks from such Publication and Service as aforesaid of such Notice, to transmit in Writing to the Sheriff all Objections which such Parties shall think fit to make with respect to any thing by the said Application proposed to be done under the Provisions of this Act.

Objections to be sent to the Sheriff in Writing.

The Sheriff may require Security for Payment of Expences.

III. And be it enacted, That the Sheriff may in every Case, before he shall proceed to act or inquire on or in relation to any such Application as aforesaid, require such Provision or Security to be made or given as he shall think fit, for the Payment, by the Parties making the Application, of all Expences incident to or to be occasioned by the Inquiries and Proceedings in relation thereto.

Where Objections to any thing proposed to be done have been sent to the Sheriff, he shall appoint a qualified Person to inspect the Lands, &c.

IV. And be it enacted, That in every Case in which there shall have been transmitted to the Sheriff Objections to any thing by the said Application proposed to be done, the Sheriff shall appoint a properly qualified Person to inspect the Lands proposed to be drained or improved, and the Lands, Property, or Rights intended to be entered upon, cut through, interfered with, or affected by the Works in such Application mentioned, and to report to him the comparative Amount of Benefit to be derived and Damage to be done thereby, and whether in his Opinion the Lands proposed to be drained might be drained in any other Way than by the Works in such Application mentioned, and the comparative Advantages and Disadvantages of such several Ways of Drainage; and the Sheriff shall, if he shall think necessary, require the Parties interested in such Lands, Property, and Rights, or likely to be affected by any of the Works proposed to be executed for such Drainage or Improvement, to attend him, or the Person so to be appointed by him, at such Time as he shall fix subsequent to the Expiration of such Period of Six Weeks, and at such convenient Place or Places within the Parish or one of the Parishes wherein such Land so to be drained or improved shall be situate, or in the Vicinity thereof, as the said Sheriff shall specify in a Notice to be given Twenty-one Days at the least before the Time of such Meeting, by Advertisement in One or more Newspapers circulated in the County in which such Works are proposed to be executed; and at the Time and Place named in such Notice as aforesaid the Sheriff, or the Person so appointed by him as aforesaid, shall attend, and shall have Power to adjourn any Meeting from Time to Time, or hold any new Meeting as he may find necessary, and shall inquire into the Correctness of the Schedules containing the Names of such reputed Proprietors, Lessees, and Occupiers as aforesaid, and shall inquire whether the Notices by the Act required shall have been duly given and served, and shall hear and inquire into all such Objections as shall have been or shall be then and there made by any Person or Persons interested in any Land likely to be affected by any thing by such Application proposed to be done; and the said Sheriff, or Person appointed by him as aforesaid, shall receive and hear all such Evidence as may be offered to him in relation to the several Matters aforesaid.

If, after Inquiry, the Sheriff thinks that the Benefit derived from Drainage outweighs the Damage, he may authorize the Execution of the Works.

V. And be it enacted, That if after such Inquiry shall have been concluded the Sheriff shall be of opinion that the Benefit to be derived from such Drainage or Improvement outweighs the Damage to be done thereby, and the proposed Method of Drainage is in the whole Circumstances the best, and that such Drainage or Improvement may be effected without material Detriment to the Lands, Property, or Rights proposed to be entered upon, cut through, interfered with, or affected, and that the Damage to the Lands, Property, or Rights so proposed to be entered upon, cut through, interfered with, or affected may be adequately and effectually compensated under the Provisions of this Act, he may allow such Works, according to the Proposal in such Application contained, or with such Alterations therein as he may think fit; and it shall be lawful for him to authorize the Persons by whom such Application shall have been made, or any of them, or any other Person or Persons to be named or described by him in an Order to be issued by him, to execute the proposed Works, as the same shall have been allowed as aforesaid, within a Time to be limited in such Order; and such Order shall specify or describe directly, or by Reference to a Plan thereunto annexed, the Works thereby authorized to be executed; and the Person or Persons authorized in this Behalf by such Order, or the Person or Persons who shall be authorized by any supplementary Order of the Sheriff, shall have full Power to execute the Works in such Order specified and authorized, according to the Terms and Intent of such Order, and to maintain such Works for ever thereafter, subject nevertheless to the Provisions herein-after contained, and making Compensation, to be ascertained in manner herein-after mentioned, to all Persons, for any Damage occasioned to them by the Exercise of the Powers granted by such Order, or any of them: Provided always, that no such Order shall be made for allowing any Works to be executed in any Park, Policy, Garden, Pleasure Garden, or planted Walk, or the Avenue to any Mansion House, without the Consent in Writing of the Proprietor and Occupier thereof, and that every such Order of the Sheriff shall be subject to Review by the Court of Session according to the ordinary Forms of Law.

Sheriff may award Costs in certain Cases.

VI. And be it enacted, That in the Case of Objections lodged before the Sheriff the Expences attending the Proceedings which may take place in consequence of such Objections shall be borne by the Persons by whom the Application is made, unless the Sheriff shall decide that any Objection is frivolous

frivolous and vexatious, in which Case it shall be in the Power of the Sheriff to award such Part of the Expences as he shall think just to be paid by the Objector.

If no Objections lodged, Sheriff may authorize Works to be executed under Superintendence.

VII. Provided always, and be it enacted, That if no Objections shall be lodged as aforesaid the Sheriff shall, if he shall think fit, authorize the Works so applied for, or so much thereof as he shall think fit, to be executed according to the Plan or Description lodged with such Application, or with and under such Modifications and Alterations as shall appear to him to be proper, under the Inspection and Superintendence of a competent Person, to be appointed by him, and subject to the Restrictions and Exceptions herein-before contained.

Persons authorized to execute Works may enter upon Lands specified in Sheriff's Order, not being a Park, &c.

VIII. And be it enacted, That it shall be lawful for any Person authorized by the Sheriff as aforesaid to enter in and upon any Land specified in the Order of the Sheriff, not being a Park, Policy, Garden, Pleasure Ground, or planted Walk, or the Avenue to any Mansion House, and in Terms of such Order, but not otherwise, to widen, straighten, deepen, divert, scour, or cleanse any River, Stream, Ditch, Drain, Brook, Pool, or Watercourse, and to make, open, and cut any new Watercourse, Side-cut, Ditch, or Drain, and to make or erect any Bank, Dam, Weir, Sluice, Flood Gate, Ditch, Drain, Tunnel, or other Works necessary or convenient for Drainage: Provided always, that nothing herein contained shall interfere with or be held to supersede the present Law authorizing and regulating the cleaning, scouring, and maintaining of Streams and Watercourses throughout their whole Length by the different Proprietors thereon, according to their respective Rights and Interests therein, and for recovering the Expences thereby incurred.

Nothing to supersede the present Law as to cleansing Streams, &c.

Obstructions on Rivers, &c. may be removed by Order of Sheriff.

IX. And be it enacted, That where the Drainage Outfall of any Lands is prevented or obstructed by the damming up of any River or Stream by any Weir, Dam, Sluice, or other Obstruction, it shall be lawful for any Person authorized by the Sheriff as aforesaid, and in Terms of his Order, but not otherwise, to enter in and upon the Lands where such Weir, Dam, Sluice, or other Obstruction is situated, except as herein-before excepted, and to remove, alter, lower, or otherwise interfere with the same, or with the Watercourses connected therewith, as shall be necessary or convenient for the Purposes of the Outfall: Provided always, that where such Weir, Dam, Sluice, or other Obstruction is for the Use of any Factory or Bleachwork, or of any Mill, it shall not be lawful to diminish the actual working Water Power of such Factory or Bleachwork, or of such Mill, without the Consent of the Proprietor or Occupier thereof, until a Steam Engine, or other Engine or Machinery of equal Power, shall have been erected for the Use of such Factory, Bleachwork, or Mill, and full Compensation paid to the Proprietor and Occupier thereof for the Difference in the Expence of using and maintaining such Steam Power, or other Power or Machinery, as compared with the Expence of the Water Power theretofore enjoyed by them respectively.

For the Protection of Fisheries, Mills, and Houses.

X. Provided always, and be it enacted, That nothing herein contained shall authorize the Removal of any Obstruction in any River or Stream so as to occasion Injury to any Salmon Fishery, and that in all Cases where it shall be necessary to remove any Obstruction required for the Supply of Water to any Mill, the Proprietor of such Mill shall be entitled to require of the Person making the Application as aforesaid to purchase such Mill, and make full Compensation therefor in the Manner directed by this and the said Lands Clauses Consolidation (*Scotland*) Act, 1845, or such Proprietor may determine that the diminished Supply of Water Power shall be compensated as herein-before provided; and in such Case he shall be entitled to decide whether such Compensation shall be effected by Steam Power or by other Machinery or Power; and no Steam Engine shall be erected in or upon the Bank of any River or Stream in any Situation in which the same shall be a Nuisance or shall injure the Amenity of any Dwelling House, without the Consent in Writing of the Proprietor of such River or Stream and of the Owner and Occupier of such Dwelling House first had and obtained thereto.

Ornamental Waters not to be affected.

XI. And be it enacted, That no Order of the Sheriff under this Act shall authorize any Work whereby any Spring, Brook, or Stream supplying any Mansion, House, or Offices with Water, or contributing to the Amenity or Ornament of any Mansion, House, Park, Policy, Garden, or Pleasure Ground, shall be diverted or affected, without the Consent in Writing of the several Proprietors thereof.

No Entry to be made on Lands until Compensation is agreed upon.

XII. And be it enacted, That no Entry shall be made on any Land for the Purpose of executing any of the Works authorized as aforesaid, except with the Consent in Writing of the Proprietors thereof, until the Amount of Compensation for the Damage to be occasioned by such Entry, and by the Execution and Maintenance of the Works authorized as aforesaid, shall have been agreed upon or ascertained, as the Case may be, and paid, under the Provisions herein-after contained.

So much of 8 & 9 Vict. c. 19. as to Compensation, &c., incorporated with this Act.

XIII. And be it enacted, That the Compensation to be paid for the Damage or Injury to any Lands, Property, or Rights which may be entered upon, cut through, interfered with, or affected under any such Order of the Sheriff as aforesaid, may be agreed upon with the Persons and in the Manner provided by "The Lands Clauses Consolidation (*Scotland*) Act, 1845," with respect to the Purchase of Land otherwise than by Agreement; and all the Provisions of "The Lands Clauses Consolidation (*Scotland*) Act, 1845," in so far as the same are not inconsistent with this Act, shall be incorporated with this Act, and shall apply thereto, and to the Works and Purchases to be authorized by the Sheriff, in such and the same Manner as if the Works and Purchases which shall be authorized by the Sheriff had been set forth and authorized to be executed and made by this Act; and the Persons making the Application to the Sheriff shall be deemed the Promoters of the Undertaking: Provided always, that in estimating the Amount of any Compensation to be paid as aforesaid it shall be lawful to take into account the Benefit which, in consequence of the Operations authorized to be executed, may accrue to

the Party claiming Compensation, or to the Lands, Property, or Rights proposed to be interfered with or affected.

Power to Sheriff, on Application, to give Authority to enter upon Lands for the Purpose of upholding Works.

XIV. And be it enacted, That for the Purpose of maintaining, repairing, and upholding in an efficient State any Works authorized to be executed under the Authority of this Act it shall be lawful for the Sheriff, on the Application of any Person interested, to give Authority to enter from Time to Time upon the Lands where such Works have been executed, and to perform such Operations as may be necessary for maintaining, repairing, and upholding as aforesaid; and it shall be lawful for the Sheriff to allocate the Expence of such Operations among the Persons deriving Benefit therefrom in such Proportions as to him shall seem just.

Copies of Orders of Sheriff authorizing Works to be executed to be made and deposited, and be open to Inspection.

XV. And be it enacted, That Two Copies of every Order of the Sheriff by which he shall authorize the Execution of Works under the Provisions of this Act shall be made, and one such Copy shall be deposited with the Sheriff Clerk of the County in which that Part of the Lands, Property, or Rights authorized to be entered upon, cut through, interfered with, or affected most contiguous to the Lands proposed to be drained and improved shall be situated, who is hereby required to deposit and keep the same among the Records of the said County, so that recourse may be had thereto by any Person interested in the Premises, and the other Copy shall be deposited with the Parish Schoolmaster for the Time being of the Parish in which the said Land, Property, or Rights shall be situated, to be kept by him and his Successors in Office with the public Books, Writings, and Papers of the Parish, or shall be deposited with such other fit Persons as the Sheriff shall approve; and all Persons interested therein may have Access to and be furnished with Copies of or Extracts from any such Copy, on giving reasonable Notice to the Person having Custody of the same, and on Payment of Two Shillings and Sixpence for such Inspection, and after the Rate of Three-pence for every Seventy-two Words contained in such Copy or Extract; and all such Copies of and Extracts from any such Copy of any such Order as aforesaid as shall be furnished by the Sheriff Clerk shall be signed by the Sheriff Clerk, purporting the same to be a true Copy or Extract; and every such Copy and Extract, so signed, shall be received in Evidence without further Proof thereof.

Navigable Rivers and Canals not to be altered, &c. without Consent of the Admiralty.

XVI. Provided always, and be it enacted, That it shall not be lawful for any Person acting or pretending to act under this Act to make or construct, alter or extend, on the Shore of the Sea, or of any Creek, Bay, or Arm of the Sea, or any navigable River communicating therewith, where and so far up the same as the Tide flows, any Work which might not have been lawfully made or constructed in case this Act had not been passed, without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom aforesaid, for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only according to such Plan and under such Restrictions and Regulations as the said Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral aforesaid, may approve of, such Approval being signified as last aforesaid; and if any such Work shall be commenced or completed contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, at his or their Discretion, to abate and to remove the same, and to restore the Site thereof to its former Condition, at the Cost of the Person or of any One or more of the Persons by whom the same shall have been so commenced or completed; and nothing herein contained shall authorize or enable any Person acting or pretending to act under this Act to make or construct any Work affecting any navigable River or Canal, or any River within the Provisions of any Act of Parliament, without the Consent of the Trustees or Proprietors of such River or Canal, and of Her Majesty's Commissioners of Woods and Forests, or to use or occupy Land between High or Low Water Mark, without the Consent of Her Majesty's Commissioners of Woods and Forests.

Definition of Terms in this Act.

XVII. And be it enacted, That in the Construction of this Act (except where the Nature of the Provision or the Context of the Act is repugnant to such Construction) "the Sheriff" shall mean the Sheriff or his Substitute; and the Word "Plan" shall extend to Drawings and Sections; and the Word "River" shall extend to all Rivers, Rivulets, Lakes, Canals, Streams, and Estuaries; and the Word "Person" and the Word "Proprietor" shall extend to the Queen's Majesty, and to all Bodies Politic, Corporate, or Collegiate; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing; and every Word importing the Plural Number shall extend and be applied to one Person or Thing as well as several Persons or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male.

Act may be amended, &c.

XVIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

CAP. CXIV.

An Act for improving the Harbour and Docks of *Leith*. [23d *July* 1847.]

1 & 2 Vict. c. 55.

'WHEREAS by an Act passed in the Second Year of the Reign of Her Majesty, intituled *An Act to regulate and secure the Debt due by the City of* Edinburgh *to the Public; to confirm an Agreement between the said City and its Creditors; and to effect a Settlement of the Affairs of the said City and the Town of* Leith, it was provided, that the Commissioners acting under the Authority of that Act, afterwards incorporated by the Style of "The Commissioners of the Harbour and Docks of *Leith*," should pay annually, out of the Revenues of the said Harbour, in preference to all other Payments, the Sum of Seven thousand six hundred and eighty Pounds, to be applied in the Manner therein mentioned;

'mentioned; and it was also provided, that the annual Sums for defraying the Expence of the Maintenance and Repairs of the said Harbour and Docks, the Expence of dredging the said Harbour, and every other Item of Expence known or which could be anticipated as in anywise necessary to be incurred or paid by the said Commissioners in relation to the said Harbour and Docks, should not exceed such Sums as should be considered and approved of by the Commissioners of Her Majesty's Treasury, except in the event of any unforeseen Damage arising to the Works of the said Harbour or Docks through Storm or Accident, for the Repair of which special Provision was therein made: And whereas the said Commissioners were thereby authorized, with the Consent and Approbation of the said Commissioners of the Treasury, to borrow, upon the Security of the said Harbour and Docks, and Revenue thereof, and Property therewith connected, any Sum or Sums of Money necessary to be expended on the Improvement, Alteration, or Enlargement of the said Harbour or Docks, or for the Accommodation of the Shipping resorting to the same, not exceeding in all the Sum of One hundred and twenty-five thousand Pounds, and to grant Securities therefor over the whole Rates, Duties, and Revenues of the said Harbour and Docks and other Property therewith connected, which, being sanctioned by the Commissioners of the Treasury as aforesaid, should be preferable and have Priority over all other Debts and Securities affecting the said Harbour and Docks, Revenue and Property, excepting the said annual Sum of Seven thousand six hundred and eighty Pounds, and the said annual Sums for Repairs and Expences of Management to be sanctioned and allowed as aforesaid; and it was thereby further provided, that after the Payment of the said Sum of Seven thousand six hundred and eighty Pounds, and the Amount of the Expences of the Establishment to be allowed by the said Commissioners of Her Majesty's Treasury as aforesaid, and the Interest of any Sum which might be borrowed with the Approbation of the said last-mentioned Commissioners as aforesaid, the whole surplus Revenue arising from the said Harbour and Docks should annually, within Twenty-one Days after the Term of *Whitsunday* in each Year, be by the said Harbour and Dock Commissioners paid to the Remembrancer of Her Majesty's Court of Exchequer in *Scotland*, to be remitted to Her Majesty's Treasury; and if the Sum so remitted should exceed in Amount the Sum necessary to pay the Interest of the said Debt due to Her Majesty, so far as not postponed, the Excess should go and be imputed *pro tanto* in extinction of the Principal of the said Debt: And whereas the Commissioners of Her Majesty's Treasury were thereby also empowered to forego, for such Time as they should think fit, the Exaction in whole or in part, of the Interest to become due upon the Amount of the Debt which should remain owing after Deduction of the Charges or Burdens thereby rendered preferable to the said Debt due to Her Majesty: And whereas since the passing of the said Act the Revenue arising from the said Harbour and Docks has been more than sufficient to defray the said annual Charge of Seven thousand six hundred and eighty Pounds, and the Amount of the Expences of the Establishment annually allowed by the Commissioners of Her Majesty's Treasury, but no Part of such surplus Revenue has been paid to the Remembrancer of Her Majesty's Court of Exchequer in *Scotland*, as provided by the said Act, but the same has been allowed to accumulate in the Hands of the Commissioners of the said Harbour and Docks, with the Exception of a Sum of Sixteen thousand and seventy-seven Pounds, which, under the Sanction of the Commissioners of Her Majesty's Treasury, has been applied to the Completion of the Eastern Pier, which was in an imperfect and dangerous Condition, upon the Understanding that the Sum so expended should be deemed Part of the Sum of One hundred and twenty-five thousand Pounds which the Commissioners of the said Harbour and Docks were empowered by the said Act to borrow, and should be replaced out of the First Instalment of the Loan: And whereas a Plan has been prepared, and approved by the Commissioners of Her Majesty's Treasury, for the Improvement of the said Harbour and Docks, at an estimated Cost of One hundred and thirty-five thousand Pounds; and it is expedient, for the better Security of the Debt due to Her Majesty from the said Commissioners, that the said Commissioners for the Harbour and Docks of *Leith* should be empowered, with the Approval of the Commissioners of Her Majesty's Treasury, to appropriate the surplus Revenue which may remain after Payment of the said annual Sum of Seven thousand six hundred and eighty Pounds, and the Amount of the Expences of the Establishment, to be allowed as aforesaid, toward the Expence of executing such Improvements in the said Harbour and Docks as have been or shall be sanctioned by the Commissioners of Her Majesty's Treasury, and that during the Execution of the said Works and Improvements; and that, until Repayment of any Monies which may be borrowed for the Purpose, and under the Power herein-before recited, no Claim be made on the Part of Her Majesty for the Principal Sum or Interest accruing due upon the Debt now due to Her Majesty, and preferably secured on the Revenues and Property of the said Harbour and Docks; and that the Amount at which the said Debt is to be henceforth taken be declared in this Act:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Debt to Her Majesty from the Commissioners for the Harbour and Docks of *Leith* at the Term of *Whitsunday* in the Year One thousand eight hundred and forty-seven, including all Arrears of Interest due to that Term, shall be taken at the Sum of Two hundred and twenty-eight thousand three hundred and seventy-four Pounds Nine Shillings and Eight-pence, which was declared by the said Act to be the Amount of the Debt due to Her Majesty by the said Commissioners at the Time of the passing of the said Act.

Debt of the Commissioners of Leith Harbour taken at 228,374*l.* 9*s.* 8*d.*

II. And be it enacted, That the Expenditure of the said Sum of Sixteen thousand and seventy-seven Pounds upon the Improvement of the East Pier of the said Harbour, out of the surplus Profits of the said Harbour and Docks, heretofore made as aforesaid, with the Approval of the Commissioners of Her Majesty's

Expenditure of 16,077*l.* on the East Pier ratified.

Majesty's Treasury, shall be ratified and declared lawful; and the Commissioners for the Harbour and Docks of *Leith* shall not be required to give any further Account of the same, or to replace the Monies so expended out of any Monies which shall be hereafter borrowed, under the Power for that Purpose contained in the said Act, for or toward the Expence of the said Improvements, and that all Persons shall be indemnified and held harmless against all Proceedings, at the Suit of Her Majesty or otherwise, for or on account of such Expenditure.

Treasury may allow Commissioners of Harbour and Docks to apply surplus Profits to improving the same.

III. And be it enacted, That the Commissioners of Her Majesty's Treasury shall be empowered to allow the Commissioners of the Harbour and Docks at *Leith* to appropriate the whole Monies now in the Hands of the last-mentioned Commissioners, or which may hereafter accrue to them, from the surplus Revenue of the said Harbour and Docks, or such Part thereof as the Commissioners of Her Majesty's Treasury from Time to Time shall think fit to allow for that Purpose (after Payment of the said annual Sum of Seven thousand six hundred and eighty Pounds, and the Expence of the Establishment, and any extraordinary Expence which may be necessary in the event of any unforeseen Damage arising to the Works of the said Harbour or Docks through Storm or Accident), toward the Expence of carrying into execution the said Plan, with such Alterations, Additions, or Omissions as shall be from Time to Time sanctioned by the Commissioners of Her Majesty's Treasury.

Certain Clauses of 8 & 9 Vict. c. 17. as to borrowing Money incorporated with this Act.

IV. And be it enacted, That when any Money shall have been borrowed by the said Commissioners for the Harbour and Docks of *Leith*, on Bond, as aforesaid, with the Approval of the Commissioners of Her Majesty's Treasury, the Clauses of the Companies Clauses Consolidation (*Scotland*) Act, 1845, with respect to the borrowing of Money by the Company on Mortgage or Bond, so far as applicable to such Bonds, shall be incorporated with this Act, and the said Commissioners for the Harbour and Docks of *Leith* shall be deemed the Company referred to by the last-mentioned Act, and the said Clauses shall be otherwise interpreted as in and by the last-mentioned Act is provided.

Act may be amended, &c.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. CXV.

An Act to vary the Priorities of the Charges made on "The *London Bridge* Approaches Fund." [23d *July* 1847.]

2 & 3 Vict. c. 80.

'WHEREAS by an Act passed in the Session of Parliament held in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act to empower the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings to raise a Sum of Money for making additional Thoroughfares in the Metropolis*, after reciting (amongst other things) that it had been proposed to open a convenient Thoroughfare from the End of *Coventry Street* to the Junction of *Newport Street* and *Long Acre*, and to continue the Line of Street from *Waterloo Bridge*, already completed, to *Bow Street*, from thence Northward into *Broad Street, Holborn*, to extend *Oxford Street* in a direct Line through *Saint Giles's*, so as to communicate with *Holborn* at or near *Southampton Street*, and to open a spacious Thoroughfare between the populous Neighbourhood of *Whitechapel* and *Spitalfields* and the Docks and Wharfs of the River *Thames*, by widening the Northern and Southern Extremities of *Leman Street*, and by creating a new Street from the Northern Side of *Whitechapel* to the Front of *Spitalfields* Church, it was enacted, that the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings should be appointed Commissioners for executing and completing the several Alterations and Improvements therein-before mentioned, and for carrying the Purposes of the Act now in recital into execution; and that for providing a Fund for the Purposes of the Act now in recital it should be lawful for the said Commissioners from Time to Time, with the Consent of the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, or of the Commissioners for executing the Office of Lord High Treasurer of the said United Kingdom, or any Three or more of them, to charge the Funds therein-after mentioned, and made subject as therein-after mentioned, with the Payment of any Sum or Sums of Money not exceeding in the whole the Sum of Two hundred thousand Pounds, together with Interest on the Sum or Sums to be charged from the Time of charging the same, not exceeding Five Pounds *per Centum per Annum*, to be payable half-yearly; and that the Fund called "The Orphans Fund," and the Fund called "The *London Bridge* Approaches Fund," and all and singular the Funds, Duties, Impositions, and Revenues created, constituted, imposed, or continued by the therein-recited Acts of the Tenth Year of the Reign of King *George* the Fourth, the Eleventh Year of the Reign of King *George* the Fourth, and the First and Second Year of the Reign of Her present Majesty, should be the Fund to be charged by Her Majesty's said Commissioners, and should be applicable, after the Sums already borrowed thereon should have been paid off, to the Payment of all such Monies as might be so charged thereon by the Commissioners for executing the Act now in recital, and the Interest thereof, until the Sum or Sums, and Interest to be charged thereon, as last aforesaid, should be paid off; and that the Funds so to be charged as aforesaid should (subject as aforesaid) be paid and applied in satisfaction and discharge of all Monies to be charged thereon by the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings as aforesaid, and the Interest thereof, in such Manner and from Time to Time as the same should be received, and as the said Commissioners for executing the Act now in recital should direct; and that for the Purposes of the Act now in recital it should be lawful for the Commissioners

'of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, by and with the Consent of the 'Lord High Treasurer, or of the Commissioners of Her Majesty's Treasury, for the Time being, to 'borrow and raise any Sum or Sums of Money, not exceeding in the whole the Sum of Two hundred 'thousand Pounds, upon the Credit of the said Monies and Interest so charged, and thereupon to assign 'and dispose of the Principal Monies and Interest which the said Commissioners were thereby authorized 'to charge as aforesaid in such Shares, and by way of Debenture or otherwise, and with such Priorities 'and in such Manner as the said Commissioners should think fit, as a Security for the Monies so to be 'borrowed; and that such Parts of the Fund therein-before made applicable to the Purposes of the Act 'now in recital, and which were thereby authorized to be charged, as were not permanent, after all the 'Principal Sums raised and borrowed, and all the Annuities charged upon the said Fund, and then due, 'had been paid off, should be continued in all respects as was directed by the said Act passed in the 'Tenth Year of the Reign of His Majesty King *George* the Fourth until the Sums charged and to be 'charged thereon by virtue of the Act now in recital should be paid off; and in the Act now in recital 'was contained a Proviso that the Rates or Duties which by the said Act of the Tenth Year of the Reign 'of King *George* the Fourth were continued for a Term which would expire on the Fifth Day of *July* 'One thousand eight hundred and fifty-eight, unless the Sums of Money charged thereon should be 'sooner paid off and discharged, should not be continued beyond the said Fifth Day of *July* One thousand 'eight hundred and fifty-eight: And whereas by an Act passed in the Session of Parliament held in the 'Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act to enable Her Majesty's* 3 & 4 Vict. c. 87. '*Commissioners of Woods, Forests, Land Revenues, Works, and Buildings to make additional Thorough-* '*fares in the Metropolis*, it was enacted, that it should be lawful for the Commissioners of Her Majesty's 'Woods, Forests, Land Revenues, Works, and Buildings for the Time being to make the several new 'Streets, Improvements, and Alterations therein-before mentioned, and to carry the Purposes of the Act 'now in recital into execution, in manner therein-after mentioned; and that the said Funds by the said 'Act lastly herein-before recited authorized to be charged as aforesaid should be the several Duties on 'Coals imported into the Port of *London*, and brought by inland Conveyance, the Duty on Wine, the 'several annual Sums charged on the Revenues of the City of *London*, amounting to the annual Sum 'of Eleven thousand five hundred Pounds, the Fees payable on the Admission of Freemen, and on the 'binding of Apprentices, and for Aqueducts; and that all and every the Monies by the said lastly herein- 'before recited Act authorized to be charged and borrowed should, subject to the Application thereof so 'directed to be made by the said last-mentioned Act, be applied by the Commissioners of Her Majesty's 'Woods, Forests, Land Revenues, Works, and Buildings to the carrying into effect the Purposes of the 'Act now in recital; and that for the Purposes of the Act now in recital, and the said Act passed in the 'Second and Third Year of Her Majesty's Reign, the said Commissioners of Her Majesty's Woods, 'Forests, Land Revenues, Works, and Buildings for the Time being should be constituted a Corporation, 'by the Name and Style of "The Commissioners of Her Majesty's Woods, Forests, Land Revenues, 'Works, and Buildings;" and that it should be lawful for the said Commissioners of Her Majesty's Woods, 'Forests, Land Revenues, Works, and Buildings, with the Consent of the Lord High Treasurer or the 'Commissioners of Her Majesty's Treasury for the Time being, (in addition to the Sum of Two hundred 'thousand Pounds by the said recited Act of the Second and Third Years of the Reign of Her present 'Majesty authorized to be raised as aforesaid,) to charge and raise, for the Purposes of the said Act now 'in recital, any further Sum or Sums of Money not exceeding in the whole the Sum of One hundred 'thousand Pounds, upon the Credit of the Monies and Interest in the said Act of the Second and Third 'Years of the Reign of Her present Majesty mentioned, and therein-before specified as the Funds by the 'said lastly herein-before recited Act authorized to be charged; and that all such Parts of the Funds by the 'said last-mentioned Act authorized to be charged with the said Sum of Two hundred thousand Pounds 'as were not permanent, and which by the same Act were directed to be continued until the Sums 'charged and to be charged thereon by virtue of the same Act should be paid off, should be continued 'in all respects as directed by the said last-mentioned Act until the further Sum to be charged thereon 'by virtue of the Act now in recital should be paid off: And whereas by another Act passed in the same 'Session of Parliament, intituled *An Act to continue for Four Years, from the Fifth Day of* July *One* 3 & 4 Vict. '*thousand eight hundred and fifty-eight, the Duties now levied on Coal and Wines imported into the* c. cxxxi. '*Port of* London, after reciting, among other things, that for providing a Fund for providing additional 'Thoroughfares and Improvements in the Metropolis, to be executed under the Direction of the Lord 'High Treasurer or the Commissioners of Her Majesty's Treasury, and more particularly an intended 'Thoroughfare from *Coventry Street* to *Long Acre*, and another intended Thoroughfare from *Southwark* 'to *Westminster Bridge*, and for completing certain Thoroughfares in the City of *Westminster* and '*Clerkenwell*, in such Manner as should be provided by any Act to be passed in the then present or any 'future Session of Parliament, it was expedient that the several Duties therein-after mentioned should 'be continued for a further Term of Four Years, it was enacted, that all and every the Rates, Impo- 'sitions, and Duties on Coal imported into the Port of *London* or the River *Thames* within the Liberty 'of the said City, which by the Act of the Tenth Year of the Reign of King *George* the Fourth were 'continued for a Term which would expire on the Fifth Day of *July* One thousand eight hundred and 'and fifty-eight, should be continued for a further Term of Four Years from the Fifth Day of *July* One 'thousand eight hundred and fifty-eight; and it was enacted that the Duty of Four Shillings *per* Tun 'upon Wines should also be continued for a further Term of Four Years from the Fifth Day of *July* One 'thousand eight hundred and fifty-eight: And whereas by an Act passed in the Fourth Year of the Reign of

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4 & 5 Vict. c. 12. ‘ Her present Majesty, intituled *An Act to enable Her Majesty's Commissioners of Woods to make a new ‘ Street from* Coventry Street, Piccadilly, *to* Long Acre, *and for other Improvements in the Metropolis,* ‘ after reciting, among other things, that an Act was passed in the Second Year of the Reign of
1 & 2 Vict. c. lxxxiii. ‘ Her present Majesty, intituled *An Act for making a new Street from* Holborn Bridge *in the City ‘ of* London *towards* Clerkenwell Green, under which Act the Mayor, Commonalty, and Citizens ‘ of the City of *London* had purchased certain Lands, and had pulled down the Buildings thereon, ‘ and cleared the Site for the said intended Street to or nearly to the South-western Boundary ‘ of the County of *Middlesex*, and that an Act was passed in the Third and Fourth Years of the
3 & 4 Vict. c. cxii. ‘ Reign of Her present Majesty, intituled *An Act for opening a Street to* Clerkenwell Green *in ‘ the County of* Middlesex, *in continuation of the new Street from* Farringdon Street *in the City ‘ of* London, under which last-mentioned Act certain Persons were appointed Commissioners for making ‘ a Street from the Termination of the Street authorized to be made by the said recited Act of ‘ the Second Year of the Reign of Her present Majesty to *Clerkenwell Green;* and reciting that ‘ essential Benefit would be afforded to the Public by the Completion of a Line of Communication ‘ between *Southwark* and *Westminster Bridge*, then partly existing through *Stamford Street, Black- ‘ friars*, which in communication with the *York Road* would make a continuous Line of broad and open ‘ Street from *Westminster Bridge* to *London Bridge*, and provide a ready Means of Communication ‘ between the Terminus of the *Brighton* and *Kent* Railroads, situate at *London Bridge*, and the whole ‘ of the West End of the Metropolis; and reciting that essential Benefit would also be afforded to the ‘ Public if a spacious and convenient Communication were made between the Neighbourhood of the ‘ Parliament Houses and that of *Buckingham Palace*, passing through a District in the City of ‘ *Westminster* which was then very insalubrious, by reason of the Want of a sufficient Drainage, and ‘ from other Causes which would be thereby removed, and that it was expedient that the Commissioners ‘ of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings should be authorized, by and ‘ with the Consent and Approbation of the Lord High Treasurer or the Commissioners of Her Majesty's ‘ Treasury, to advance or to appropriate and apply out of the Monies to be borrowed and raised by them ‘ under the Provisions of the now-reciting Act any Sum not exceeding the Sum of Twenty-five thousand ‘ Pounds, towards the Expences attending the forming, making, and completing the said Street from the ‘ Termination of the Street authorized to be made by the Mayor, Commonalty, and Citizens of the City ‘ of *London*, under the said recited Act of the Second Year of the Reign of Her present Majesty, to ‘ *Clerkenwell Green*, and any Sum not exceeding the Sum of Thirty thousand Pounds towards the ‘ Expence of forming, making, and completing a Line of Street between *Southwark* and *Westminster ‘ Bridge*, and also any Sum not exceeding the Sum of Thirty-nine thousand Pounds towards the Expence ‘ of forming, making, and completing a spacious and convenient Communication as aforesaid between the ‘ Houses of Parliament and *Buckingham Palace*, in such Manner as was therein-after provided; and ‘ that for the Purpose of providing a Fund to enable the Commissioners to effect the several Objects ‘ aforesaid it was expedient that they the said Commissioners should be authorized to charge the said ‘ Funds by the said recited Act of the Second and Third Years of the Reign of Her present Majesty ‘ authorized to be charged by the said Commissioners, and defined and specified by the said recited Act ‘ passed in the Third and Fourth Years of the Reign of Her present Majesty, (subject nevertheless to ‘ the said several Sums of Two hundred thousand Pounds and One hundred thousand Pounds, and ‘ Interest, which they were already authorized to charge as aforesaid,) and also the Funds made ‘ applicable thereto by the herein-before recited Act of the Third and Fourth Years of the Reign of Her ‘ present Majesty, with any further Sum or Sums of Money not exceeding in the whole the Sum of Two ‘ hundred and fourteen thousand Pounds; it was enacted that it should be lawful for the Commissioners ‘ of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being and they ‘ were thereby authorized and empowered to make, form, and complete a new Street from the East End of ‘ *Coventry Street, Piccadilly*, to the West End of *Long Acre*, and also a new Street from the East End of ‘ *East Smithfield* to *Rosemary Lane;* and that for the Purposes of the Act now in recital, and of the said ‘ Act of the Second and Third Years of the Reign of Her present Majesty, and of all Matters and Things ‘ thereby authorized to be done under the Authority of the Act now in recital, or of any other Act, the ‘ said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time ‘ being should be and they were thereby constituted a Corporation, by the Name and Style of "The Com- ‘ missioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings;" and that for pro- ‘ viding a Fund for the Purposes of the Act now in recital it should be lawful for the Commissioners of ‘ Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, from Time to Time, with the ‘ Consent of the Lord High Treasurer or of the Commissioners for executing the Office of Lord High ‘ Treasurer of the said United Kingdom, or any Three or more of them, to charge the Funds therein-after ‘ mentioned, and made subject as therein-after mentioned, with the Payment of any Sum or Sums of Money ‘ not exceeding in the whole the Sum of Two hundred and fourteen thousand Pounds, together with Interest ‘ on the Sum or Sums to be charged from the Time of charging the same, at such Rate as should be approved ‘ of by the said Lord High Treasurer or the Commissioners of Her Majesty's Treasury for the Time being, ‘ to be payable half-yearly, such Sum of Two hundred and fourteen thousand Pounds being in addition ‘ to the several Sums amounting together to the Sum of Three hundred thousand Pounds which the said ‘ Commissioners were so as aforesaid authorized to charge for the Purposes herein-before mentioned; and ‘ that the several Funds which by the said Acts herein-before mentioned the said Commissioners were ‘ authorized to charge as aforesaid should be the Funds to be charged by the said Commissioners for

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'the Purposes of the Act now in recital, under the Power aforesaid; and such several Funds should, 'subject as aforesaid, be applicable to the Payment of all such Monies as should be so charged thereon 'by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and 'the Interest thereof; and it was enacted that the said Commissioners of Her Majesty's Woods, Forests, 'Land Revenues, Works, and Buildings should and they were thereby authorized, by and with the 'Consent of the Lord High Treasurer or the Commissioners of Her Majesty's Treasury, or any Three 'or more of them, from Time to Time to appropriate and pay, out of the Monies to be borrowed and 'raised by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, 'under the Powers and Provisions of the Act now in recital, to the Commissioners named and appointed 'in and by the said recited Act of the Third and Fourth Years of the Reign of Her present Majesty, 'intituled *An Act for opening a Street to* Clerkenwell Green *in the County of* Middlesex, *in continuation* 3&4 Vict. c. cxii. 'of the new Street from* Farringdon Street *in the City of* London, any Sum or Sums of Money not 'exceeding in the whole the Sum of Twenty-five thousand Pounds, to be by the said last-mentioned 'Commissioners applied towards the Expence of making, forming, and completing the said Street to '*Clerkenwell Green* as aforesaid; and it was thereby further enacted that the said Commissioners of Her 'Majesty's Woods, Forests, Land Revenues, Works, and Buildings should and they were thereby 'authorized and empowered, by and with the Consent and Approbation of the Lord High Treasurer or 'the Commissioners of Her Majesty's Treasury, or any Three or more of them, from Time to Time, and 'at such Time or Times as they the said last-mentioned Commissioners in the Exercise of their 'Discretion should think fit and proper, to appropriate and apply, out of the Monies to be borrowed and 'raised by the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and 'Buildings, under the Powers and Provisions of the Act now in recital, in case they the said Commis- 'sioners should be authorized and empowered by any Act or Acts of Parliament to be passed for that 'Purpose to make, form, and complete the said Line of Street between *Southwark* and *Westminster* '*Bridge*, or in case any other Trustees or Persons should in and by such Act or Acts as aforesaid be 'authorized and empowered to make, form, and complete such Street, then to advance and pay to such 'Trustees or Persons as last aforesaid any Sum not exceeding the Sum of Thirty thousand Pounds 'towards the Expence of making, forming, and completing the same Street, and also, with such Consent 'and Approbation as aforesaid, to appropriate and apply, out of the Monies to be borrowed and raised 'as aforesaid, in case the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, 'and Buildings should be authorized and empowered by any Act or Acts of Parliament to be passed 'for that Purpose to make, form, and complete the said Communication between the Neighbourhood of 'the Houses of Parliament and that of *Buckingham Palace*, or in case any other Trustees or Persons 'should in and by any such Act or Acts as aforesaid be authorized and empowered to make, form, and 'complete such Communication, then to advance and pay to such Trustees or Persons as last aforesaid 'any Sum not exceeding the Sum of Thirty-nine thousand Pounds towards the Expence of making, 'forming, and completing such Communication as last aforesaid: And whereas by an Act passed in the 'Fourth and Fifth Years of the Reign of Her present Majesty, intituled *An Act to empower the* 4&5 Vict. c. 40. '*Commissioners of Her Majesty's Woods to raise Money for certain Improvements in the Metropolis* '*on the Security of the Land Revenues of the Crown within the County of* Middlesex *and City of* 'London, it was enacted that it should be lawful for the Commissioners of Her Majesty's Woods, 'Forests, Land Revenues, Works, and Buildings for the Time being, with the Consent of the Lord 'High Treasurer or of the Commissioners for executing the Office of Lord High Treasurer of the 'United Kingdom, or any Three or more of them, to borrow and take up at any Rate of Interest not 'exceeding Five Pounds *per Centum per Annum*, and on such Terms and Conditions as they should 'think proper, such Sum or Sums of Money as they the said Commissioners, with such Consent as 'aforesaid, should judge necessary for the Purpose of carrying into effect and completing the said several 'Improvements and new Streets so authorized and directed to be made by them by the several Acts 'therein-before and herein-before recited, on Mortgage of all or any Part or Parts of the Houses, 'Buildings, Lands, Tenements, and Hereditaments of or belonging to Her Majesty, Her Heirs and 'Successors, within the County of *Middlesex* and City of *London*, or either of them, (other than Royal 'Palaces and Parks,) and to secure the Repayment of the Sum or Sums so to be borrowed, or any Part 'or Parts thereof, with Interest for the same, in manner therein mentioned; and it was enacted that 'all Sum and Sums of Money which might from Time to Time thereafter be received by the said 'Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings from any 'Sales directed or authorized to be made by them by the therein and herein before recited Acts, or as 'the Premium on the granting of any Lease, or which might be received on the rescinding of any 'Contract, or which should be forfeited in respect of the Nonperformance of any Contract, and all other 'the Monies (if any), and also the Rents (if any) of all the Hereditaments which might be acquired 'under or by virtue of the said recited Acts or any of them, until the same should be sold, (except such 'Monies as might be advanced to the said Commissioners of Her Majesty's Woods, Forests, Land 'Revenues, Works, and Buildings on the Credit of the Coal and Wine Duties and other Funds authorized 'to be charged by the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, 'and Buildings, under the Powers and Provisions of the said recited Acts,) or a sufficient Part thereof, 'should be applied by the said Commissioners, in the first place, in the Repayment, so far as the same 'would extend, of any Sum or Sums of Money which might be borrowed on the Credit of the Land 'Revenues of the Crown, and the Interest thereof, under the Powers and Provisions therein-before

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'contained; and that all Monies which might be advanced to the said Commissioners of Her Majesty's 'Woods, Forests, Land Revenues, Works, and Buildings on the Credit of the Coal and Wine Duties 'and other Funds therein-before mentioned, under the Powers and Provisions of the said recited Acts, 'should, subject to the before-mentioned Advances in aid of the Costs and Expences attending the 'making, forming, and completing the said Street to *Clerkenwell Green*, the Street between *Southwark* 'and *Westminster Bridge*, and the Communication between the Houses of Parliament and *Buckingham* '*Palace*, in case the Lord High Treasurer or the Commissioners of Her Majesty's Treasury, or any 'Three or more of them, should in the Exercise of their Discretion think fit and proper to consent 'to such Advances being made by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, 'Works, and Buildings, be also applied by the said Commissioners, in the first place, in the Repayment 'of such Sum or Sums of Money as might be borrowed on the Credit of the Land Revenues of the 'Crown, and the Interest thereof, as aforesaid, or of so much thereof as should remain due; and, 'subject as aforesaid, all and singular the Monies which by any Means whatsoever should come to 'the Hands of the said Commissioners by virtue of the said recited Acts, or of the Act now in recital, 'should be applied as directed by the said several therein and herein-before recited Acts, in such 'and the like Manner as if the Act now in recital had not been passed; provided always, that 'nothing in the Act now in recital contained should authorize the levying or raising by the Means 'aforesaid any Sum or Sums of Money for any other Purpose than for the Purpose of executing the 'aforesaid Improvements, and other the Purposes aforesaid: And whereas by an Act passed in the 'Session of Parliament held in the Fifth and Sixth Years of the Reign of Her present Majesty,
5 & 6 Vict. c. 64. 'intituled *An Act for regulating the Priorities of Monies authorized to be charged on a Fund called "The* 'London Bridge *Approaches Fund*," after reciting as herein-before is recited, and reciting that the said 'Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings had, in pur- 'suance of the aforesaid Power in that Behalf, raised by Mortgage of the said Land Revenues of the 'Crown several Sums of Money amounting in the whole to the Sum of Five hundred thousand Pounds, 'from the Trustees of the Society for Equitable Assurances on Lives and Survivorships, but no actual 'Charge of any of the said Sums of Two hundred thousand Pounds, One hundred thousand Pounds, and 'Two hundred and fourteen thousand Pounds, so authorized to be raised by the said Commissioners as 'aforesaid, nor of any Part thereof, had then been made; and that by an Act passed in the then present
5 & 6 Vict. c. ci. 'Session of Parliament, intituled *An Act for further extending the Approaches to* London Bridge *and* 'the Avenues adjoining to the Royal Exchange *in the City of* London, *and for amending the Acts relating* 'thereto respectively; *and for raising a Sum of Money towards opening a Street to* Clerkenwell Green '*in the County of* Middlesex, *in continuation of the new Street from* Farringdon Street *in the City of* 'London, it was (amongst other things) enacted, that it should be lawful for the Mayor, Aldermen, and 'Commons of the City of *London*, in Common Council assembled, to borrow any Sum or Sums of 'Money not exceeding in the whole the Sum of Forty thousand Pounds upon the Credit of the Fund 'created, increased, and continued by the several therein and herein before in part recited Acts, and 'that Act, as therein is mentioned, and also any Sum or Sums of Money not exceeding in the whole the 'Sum of Twenty-five thousand Pounds upon the Credit of the Fund created, increased, and continued by 'the several therein and herein-before in part recited Acts, at such Rate of Interest as therein is 'mentioned, and out of such Sum or Sums so to be raised as aforesaid the said Mayor, Aldermen, and 'Commons, in Common Council assembled, should and they were thereby authorized to pay to the 'Commissioners named in and appointed by the said Act of the Fourth Year of the Reign of Her present
3 & 4 Vict. c. cxii. 'Majesty, intituled *An Act for opening a Street to* Clerkenwell Green *in the County of* Middlesex, *in* 'continuation of the new Street *from* Farringdon Street *in the City of* London, any Sum or Sums of 'Money not exceeding in the whole the said Sum of Twenty-five thousand Pounds, as therein is men- 'tioned; and further reciting that inasmuch as the said Mayor, Aldermen, and Commons of the City of '*London* had been so as aforesaid authorized to raise the said Sum of Twenty-five thousand Pounds for 'the Purpose of being applied towards the making, forming, and completing the said Street to *Clerkenwell* '*Green* in continuation of the said new Street from *Farringdon Street* in the City of *London*, it was 'expedient that the Power given to the said Commissioners of Her Majesty's Woods, Forests, Land 'Revenues, Works, and Buildings to raise the Sum of Two hundred and fourteen thousand Pounds 'should (as regarded the Sum of Twenty-five thousand Pounds, Part thereof, authorized to be raised for 'the same Purpose by the said Act of the Fourth Year of the Reign of Her present Majesty,) be repealed; 'and that in order the more effectually to enable the said Mayor, Aldermen, and Commons to borrow 'and take up the said Two several Sums of Forty thousand Pounds and Twenty-five thousand Pounds, and 'Interest, by the said last-recited Act authorized to be raised, it was expedient that the said Sums of 'Forty thousand Pounds and Twenty-five thousand Pounds, and Interest, and the Securities for the 'same, should have Priority over the said Sums so authorized to be raised by the said Commissioners as 'aforesaid; and that further Provision should be made for the raising the said Sums of Money so 'authorized to be charged by the said Commissioners as therein-after was provided; it was by the said 'Act now in recital enacted that so much of the said recited Act of the Fourth Year of the Reign of 'Her present Majesty as authorized or enabled the said Commissioners of Her Majesty's Woods, Forests, 'Land Revenues, Works, and Buildings to charge or raise the said Sum of Two hundred and fourteen 'thousand Pounds, and Interest, and the applying any Sum not exceeding Twenty-five thousand Pounds, 'Part thereof, for the Purpose of making, forming, and completing the said Street to *Clerkenwell Green* 'as aforesaid, should be and the same was thereby repealed; and it was enacted that the said Commis-

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'sioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, should have Power, 'in lieu of the said Sum of Two hundred and fourteen thousand Pounds, to charge the Sum of One 'hundred and eighty-nine thousand Pounds, and Interest, for the Purposes and in manner in all respects 'and with such Consent as is by the said Act of the Fourth Year of the Reign of Her present Majesty 'provided with regard to the said Sum of Two hundred and fourteen thousand Pounds by the said Act 'authorized to be charged, except as regarded the Application of the said Sum of Twenty-five thousand 'Pounds towards such Improvements as aforesaid, and in all respects as if the Power to charge the said 'Sum of Two hundred and fourteen thousand Pounds, and Interest, had not been thereby repealed, and 'the Sum by the said last-mentioned Act authorized to be charged had been the Sum of One hundred 'and eighty-nine thousand Pounds, and Interest, instead of the Sum of Two hundred and fourteen 'thousand Pounds, and Interest; and it was enacted that the said several Sums of Forty thousand 'Pounds and Twenty-five thousand Pounds so authorized to be raised by the said Mayor, Aldermen, and 'Commons as aforesaid, and the Interest thereof, and the Bond or Bonds and other Securities authorized 'or required to be given by the said Mayor, Aldermen, and Commons for securing the Repayment of 'the same respectively, should have Priority over the said Sums of Two hundred thousand Pounds 'and One hundred thousand Pounds so as aforesaid authorized to be charged, and the said Sum of 'One hundred and eighty-nine thousand Pounds by the Act now in recital authorized to be charged 'by the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, 'and the Interest thereon, and any Securities or Charges to be given or made in respect thereof, or 'for securing the same or any Part thereof respectively; and it was by the said Act now in recital 'further enacted that the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, 'Works, and Buildings should, immediately after the passing of that Act by some Instrument or 'Writing under their Common Seal, with the Consent of the Lord High Treasurer aforesaid, or of the 'Commissioners of Her Majesty's Treasury, or any Three or more of them, charge all and singular the 'said Fund created, increased, and continued as aforesaid, and which they were so as aforesaid authorized 'to charge with such Sums as aforesaid, with the Payment to them the said Commissioners of Her 'Majesty's Woods, Forests, Land Revenues, Works, and Buildings of the Sums of Two hundred thousand 'Pounds and One hundred thousand Pounds which they the said Commissioners were so authorized to 'charge as aforesaid, and also with the Sum of One hundred and eighty-nine thousand Pounds thereby 'authorized to be charged in lieu of the said Sum of Two hundred and fourteen thousand Pounds which 'they were so authorized to charge as aforesaid, together with Interest thereon after such Rate not exceed-'ing Five Pounds *per Centum per Annum* as the said Lord High Treasurer, or the said Commissioners 'of Her Majesty's Treasury, or any Three or more of them, should direct, and such Interest to commence 'and be payable in respect of the said Sums of Two hundred thousand Pounds and One hundred thou-'sand Pounds as from the Times when, in pursuance of the aforesaid Acts in that Behalf, the said 'Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings were, with such 'Consent as aforesaid, authorized to charge the said Sums of Two hundred thousand Pounds and One 'hundred thousand Pounds respectively, and as regarded the said Sum of One hundred and eighty-nine 'thousand Pounds thereby authorized to be charged, from the Time when the aforesaid Sum of Two 'hundred and fourteen thousand Pounds was authorized to be charged; and that all and singular the 'Fund so to be charged as aforesaid should (after Satisfaction of Monies having Priority of the said 'Sums of Two hundred thousand Pounds, One hundred thousand Pounds, and One hundred and eighty-'nine thousand Pounds,) be paid to the said Commissioners of Her Majesty's Woods, Forests, Land 'Revenues, Works, and Buildings for the Time being, in and towards the Discharge of the said Sums of 'Two hundred thousand Pounds, One hundred thousand Pounds, and One hundred and eighty-nine 'thousand Pounds, and Interest, so to be charged as aforesaid; and that the said annual Sum of Eleven 'thousand five hundred Pounds, Fees on the Admission of Freemen, binding Apprentices, and paid in 'respect of Aqueducts, should, until the said Fifth Day of *July* One thousand eight hundred and sixty-'two, continue charged with the Payment of such Principal Sums and Interest, and should continue 'until the said Fifth Day of *July* One thousand eight hundred and sixty-two, unless such Principal 'Monies and Interest should be sooner paid off; and it was further enacted, that the said several Sums 'of Money, amounting together to the said Sum of Four hundred and eighty-nine thousand Pounds, 'which the said Commissioners were thereby authorized to charge as aforesaid, and the Interest thereon, 'should (subject to the Advances thereout by the said Act of the Fourth Year of Her Majesty's Reign 'authorized to be made in aid of the Costs and Expences of making, forming, and completing a Street 'between *Southwark* and *Westminster Bridge*, and a Communication between the Houses of Parliament 'and *Buckingham Palace*, in case the Lord High Treasurer, or Commissioners of Her Majesty's Trea-'sury, or any Three of them, should in the Exercise of their Discretion consent to such Advances 'being made,) be paid and applied by the said Commissioners from Time to Time, when and as they 'should receive the same, in Payment and Discharge of the said several Sums amounting together to 'the Sum of Five hundred thousand Pounds, and Interest, so as aforesaid charged by them on the Land 'Revenues of the Crown, and of any other Sum or Sums of Money (if any) which the said Commis-'sioners might have charged or might charge on the same Land Revenues in pursuance of the Power 'so given to them as aforesaid by the said Act of the Fourth and Fifth Years of the Reign of Her 'present Majesty; and that, subject as aforesaid, the said Monies so to be charged as aforesaid, and the 'Interest thereon, or the Surplus thereof, respectively, should be applicable for the Purposes of the said 'recited Acts, and for the Purposes for which the same Monies and Interest were authorized to be

'charged as aforesaid, and in all respects as if the now-reciting Act had not passed; and further, that, 'subject to the satisfying and discharging all Monies so as aforesaid borrowed or to be borrowed on 'the Security of the Land Revenues as aforesaid, any Sum or Sums of Money might be borrowed on the 'Security of such Monies and Interest as by any of the aforesaid Acts was provided, and in all respects 'whatsoever as if the now-reciting Act had not passed: And whereas in pursuance of the Powers and 'Directions in the said last-recited Act contained the said Commissioners of Her Majesty's Woods, 'Forests, Land Revenues, Works, and Buildings, with the Consent of the Commissioners of Her 'Majesty's Treasury, did, by an Instrument in Writing under their Common Seal bearing Date the 'Thirtieth Day of *July* One thousand eight hundred and forty-four, charge all and singular the Funds 'which by the said last-recited Act they were authorized to charge with the Payment to them the said 'Commissioners or their Successors of the Three several Principal Sums of Two hundred thousand 'Pounds, One hundred thousand Pounds, and One hundred and eighty-nine thousand Pounds, and by the 'Direction of the said Commissioners of Her Majesty's Treasury they did also charge the said Funds with 'the Payment of Interest on the said Three Principal Sums of Two hundred thousand Pounds, One hun-'dred thousand Pounds and One hundred and eighty-nine thousand Pounds, after the Rate of Five Pounds 'per Centum per Annum, such Interest on the said Three several Sums to commence and be payable as 'follows; that is to say, the Interest for the said Principal Sum of Two hundred thousand Pounds thereby 'charged as aforesaid to commence and be computed and payable as from the Twenty-fourth Day of 'August One thousand eight hundred and thirty-nine, the Interest for the said Sum of One hundred thou-'sand Pounds thereby charged as aforesaid to commence and be computed and payable as from the Eleventh 'Day of *August* One thousand eight hundred and forty, and the Interest for the said Sum of One hundred 'and eighty-nine thousand Pounds thereby charged as aforesaid to commence and be computed and 'payable as from the Tenth Day of *May* One thousand eight hundred and forty-one, such several Days 'being the respective Periods from which by the said last-recited Act such Interest was authorized 'to be charged and made payable: And whereas by an Act passed in the Session of Parliament held 8 & 9 Vict. c. clxxviii. 'in the Eighth and Ninth Years of Her Majesty's Reign, intituled *An Act for improving Parts of the 'City of* Westminster, it was enacted, that the Sum of Thirty-nine thousand Pounds which by the said 'recited Act of the Fourth Year of Her Majesty's Reign the Commissioners of Her Majesty's Woods, 'Forests, Land Revenues, Works, and Buildings, with the Consent of the Commissioners of Her 'Majesty's Treasury, were empowered to appropriate and apply towards the Expences of making, forming, 'and completing a Communication between the Neighbourhood of the Houses of Parliament and *Buck-'ingham Palace*, should be appropriated and applied towards the Expences of making, forming, and com-pleting the new Street and Communication by the Act now in recital authorized to be made, provided 'such new Street and Communication were made and fully completed according to the Plan modified and 'approved by Her Majesty's Commissioners of Metropolitan Improvements within Five Years after the 'passing of that Act, and that it should be lawful for the said Commissioners of Her Majesty's Woods, 'Forests, Land Revenues, Works, and Buildings, and they were thereby authorized and empowered, with 'the Consent of the Lord High Treasurer, or the Commissioners of Her Majesty's Treasury, or any 'Three or more of them, to pay to the Commissioners acting under the Act now in recital the said Sum 'of Thirty-nine thousand Pounds, or the proportionate Part thereof, from Time to Time, with Interest 'thereon at Five Pounds *per Centum per Annum* from the Tenth Day of *May* One thousand eight 'hundred and forty-one, by and out of the before-mentioned Sum of One hundred and eighty-nine thou-'sand Pounds, and the Interest thereof, so charged by them the said Commissioners of Her Majesty's 'Woods, Forests, Land Revenues, Works, and Buildings, pursuant to the said recited Act of the Fifth 'and Sixth Year of Her Majesty's Reign as aforesaid, as and when the said Commissioners should receive 'the said Sum of One hundred and eighty-nine thousand Pounds, and the Interest thereof, or any 'Part thereof, or by and out of any Monies which might be from Time to Time borrowed or raised 'by them the said last-mentioned Commissioners in anticipation and on the Credit of the said Sum 'of One hundred and eighty-nine thousand Pounds, and the Interest thereof or any Part thereof; 'provided always, that the Monies to be paid to the Commissioners under the Act now in recital 'in respect of the said Sum of Thirty-nine thousand Pounds, and Interest, should not exceed in the 'whole the Sum of Fifty thousand Pounds, with Interest at the Rate aforesaid upon the Sum of 'Fifty thousand Pounds, or on so much thereof as should from Time to Time remain unpaid, to 'be calculated from the Time of the Completion of the new Street and Communication thereby autho-'rized to be made (such Completion to be certified as therein-after mentioned) to the Time when the said 'Sum of Fifty thousand Pounds should be fully paid; provided also, that the said Sum of Thirty-nine 'thousand Pounds, and the Interest thereof, should not be raised and paid in priority to any other Sums 'authorized to be appropriated and applied out of the said Sum of One hundred and eighty-nine thousand 'Pounds, and the Interest thereof, but all the Sums authorized to be appropriated and applied out of the 'said Sum of One hundred and eighty-nine thousand Pounds, and the Interest thereof, should be raised 'and paid in equal Degree and in rateable Proportions; provided also, that no Part of the said Sum of 'Thirty-nine thousand Pounds, or the Interest thereof, should be paid to the Commissioners under the 'Act now in recital until the new Street and Communication thereby authorized to be made should have 'been actually made and completed to the Satisfaction of the Lord High Treasurer or the Commissioners 'of Her Majesty's Treasury for the Time being, to be certified by Warrant under their Hands or the 'Hands of any Three of them: And whereas by an Act passed in the present Session of Parliament, 10 & 11 Vict. c. cxxxi. 'intituled *An Act to amend and enlarge the Powers and Provisions of the* Westminster *Improvement*

'*Act*,

'*Act*, 1845, *and to authorize the Application of certain Rates in aid of the Improvements*, it is enacted, 'that the Proviso in the said last-recited Act contained, that no Part of the said Sum of Thirty-nine 'thousand Pounds, or the Interest thereof, shall be paid to the Commissioners under the said Act until 'the new Street and Communication thereby authorized to be made shall have been actually made and 'completed to the Satisfaction of the Lord High Treasurer or the Commissioners for the Time being of 'Her Majesty's Treasury, shall be and the same is thereby repealed; provided always, that no Part of 'the said Sum of Thirty-nine thousand Pounds, or the Interest thereof, shall be paid to the said 'Commissioners before and until they shall have expended the full Sum of Seventy-five thousand 'Pounds solely and exclusively in making and forming the new Street intended to be called *Victoria* '*Street*, and in purchasing the Lands and Hereditaments within the Area of the Line of the said Street '(and as little beyond such Area as the Boundaries of the respective Properties will allow) necessary or 'convenient for that Purpose, and in Payment of Expences strictly and exclusively contingent upon such 'Purchases not exceeding Twelve Pounds *per Centum* on the Sums expended, and shall have produced 'Evidence of the due Expenditure of the said Sum of Seventy-five thousand Pounds to the Satisfaction 'of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, 'to be certified in Writing under the Hands of any Two of them, and shall have also deposited and 'left with the said last-mentioned Commissioners the Deeds of Conveyance and Muniments of Title 'relating to the Lands and Hereditaments purchased with the said Sum of Seventy-five thousand Pounds, 'or any Part thereof, such Deeds and Muniments of Title to be held and retained by the said last-'mentioned Commissioners until the said Street intended to be called *Victoria Street* shall have been 'wholly completed and opened to the Public to the Satisfaction of Her Majesty's said Commissioners, in 'the Manner mentioned or provided in and by the said Improvement Act lastly herein-before recited 'of and concerning the Street thereby authorized to be made; and it is by the said Act now in recital 'further enacted that the Commissioners shall half-yearly, in the Month of *January* and the Month of '*July* in every Year, until the several Improvements and new Streets by the Improvement Act and the 'Act now in recital authorized to be made are fully made and completed in manner prescribed in the 'said Acts respectively, report to Her Majesty's Commissioners the Progress made by the Commis-'sioners from Time to Time in the Execution of such Improvements and new Streets respectively, and 'also at the same Time render to Her Majesty's Commissioners full and true Accounts of all Monies 'raised or received by the Commissioners under or by virtue of the Provisions of the Improvement 'Act and the Act now in recital, or either of them, or by Sale or Mortgage or from the Rents and 'Profits of any Houses, Buildings, Lands, Tenements, Rents, or Hereditaments by the Act now in 'recital or by the said Improvement Act authorized to be sold, mortgaged, demised, or let, or by the 'Sale of the Materials of any Houses or Buildings to be pulled down or sold as aforesaid, and of all 'other Monies which shall be received by them under or by virtue of the Authority of the Improve-'ment Act and the Act now in recital, or either of them, and of the Expenditure and Application of 'all such Monies for the Purposes of the Improvement Act and the Act now in recital, and of the 'Balance, if any, remaining unexpended at the Date of each Report and Account, and also the Number 'of Houses and Extent of Ground and other Property still remaining to be purchased in the Line of 'each Street, and the estimated Cost thereof, and the Funds applicable to the Purchase of the same: 'And whereas since the said recited Act of the Fifth and Sixth Years of Her Majesty's Reign was 'passed for regulating the Priorities of Monies authorized to be charged on the said Fund called "The '*London Bridge* Approaches Fund" the said Commissioners of Her Majesty's Woods, Forests, Land 'Revenues, Works, and Buildings have raised, by Mortgage of Land Revenues of the Crown in the 'County of *Middlesex*, and have advanced out of Monies received by them from Sales of Land Revenue, 'several further Sums of Money beyond the Sum of Five hundred thousand Pounds in the said Act 'mentioned, for carrying into effect and completing the several Improvements and new Streets autho-'rized and directed to be made by them the said last-mentioned Commissioners by the several Acts 'herein-before recited; and the Monies raised by Her Majesty's said Commissioners by Mortgage, and 'advanced by them out of Proceeds of Sales of Land Revenues of the Crown, for the Purposes aforesaid, 'now amount in the Aggregate to the Sum of Eight hundred and forty-five thousand Pounds; but the 'Monies so raised and advanced as aforesaid, and any Monies which may hereafter be raised by Mort-'gage of Land Revenues of the Crown under the Powers of the before-recited Act are applicable only 'to the particular Improvements and new Streets authorized and directed to be made by Her Majesty's 'said Commissioners, and no Part thereof can be applied to the Improvements and new Streets by the 'Two last-recited Acts authorized and directed to be made by the said *Westminster* Improvement 'Commissioners: And whereas the before-mentioned Sum of One hundred and eighty-nine thousand 'Pounds, charged as aforesaid by Her Majesty's said Commissioners upon the said Fund called "The '*London Bridge* Approaches Fund," constitutes the only Fund whereout Her Majesty's said Commis-'sioners are empowered to advance and pay the Sum of Thirty-nine thousand Pounds, and the Interest 'thereof, (to the Amount together of Fifty thousand Pounds,) by the Two last-recited Acts directed to 'be advanced and paid by them to the said *Westminster* Improvement Commissioners: And whereas 'the several Sums of Two hundred thousand Pounds and One hundred thousand Pounds, also charged 'by Her Majesty's said Commissioners upon the said Fund called "The *London Bridge* Approaches 'Fund," have Priority over the said Sum of One hundred and eighty-nine thousand Pounds charged 'by them upon the same Fund; and the several Sums of Forty thousand Pounds and Twenty-five 'thousand Pounds raised by the Mayor, Aldermen, and Commons of the City of *London* on the

'Credit of the same Fund, under the Powers of the before-recited Act in that Behalf, have Priority 'over the said Sums of Two hundred thousand Pounds and One hundred thousand Pounds charged 'upon the same Fund by Her Majesty's said Commissioners: And whereas by reason of the prior 'existing Charges upon the said Fund called "The *London Bridge* Approaches Fund," which will 'wholly absorb the said Fund for several Years to come, the Commissioners of Her Majesty's Woods, 'Forests, Land Revenues, Works, and Buildings will not be enabled to raise the before-mentioned Sum 'of One hundred and eighty-nine thousand Pounds, and the Interest thereof, whereout they are to 'advance and pay the said Sum of Thirty-nine thousand Pounds, and the Interest thereof, (limited in 'Amount as aforesaid,) to the said *Westminster* Improvement Commissioners, for a long Time after the 'said last-mentioned Commissioners will have expended the Sum of Seventy-five thousand Pounds 'towards making and forming the new Street intended to be called *Victoria Street;* and it would greatly 'facilitate the Completion of the said intended new Street, and the other Improvements by the said Two 'last-recited Acts authorized and directed to be made by the said *Westminster* Improvement Commis-'sioners, if Priority were given to the said Sum of Thirty-nine thousand Pounds, and the Interest 'thereof, appropriated to the new Street and Improvements to be executed by the said *Westminster* 'Improvement Commissioners next after the several Sums of Forty thousand Pounds and Twenty-five 'thousand Pounds appropriated as aforesaid to extending the Avenues adjoining the *Royal Exchange*, 'and opening a Street from *Farringdon Street* to *Clerkenwell Green*, respectively, and if the Commis-'sioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings were authorized and 'empowered to advance and pay the said Sum of Thirty-nine thousand Pounds, and the Interest thereof, 'out of the first Monies they may receive from the said Fund called "The *London Bridge* Approaches 'Fund," or out of the first Monies they may raise on the Credit of any of the Charges made upon the 'same Fund by them Her Majesty's said Commissioners:' Now therefore be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being, and they are hereby required, by and out of any Monies that shall be raised by them on the Credit of all or any or either of the Charges so made by them as aforesaid upon the several Funds, Duties, annual Sums, Fees, and Revenues which by the several Acts herein-before recited they were authorized to charge as aforesaid, or out of any Monies which shall from Time to Time be received by them the said Commissioners out of or in respect of the aforesaid Funds, Duties, annual Sums, Fees, and Revenues, under and by virtue of the Provisions of the said recited Acts or any of them, or of this Act, to pay to the *Westminster* Improvement Commissioners the said Sum of Thirty-nine thousand Pounds and Interest, not exceeding in the whole the said Sum of Fifty thousand Pounds, and in preference to any other Objects to which such Monies are under the Provisions of the said Acts respectively applicable, and notwithstanding any thing in the said Acts or any of them contained.

Commissioners of Woods, &c. empowered to pay 39,000*l.* and Interest to the Westminster Improvement Commissioners out of the first Monies raised by them on the Credit of "The London Bridge Approaches Fund."

II. Provided nevertheless, and be it enacted, That it shall not be lawful for the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings to make any such Payment unless and until they shall be satisfied, by the Production of such Vouchers or otherwise as they shall require, that the *Westminster* Improvement Commissioners have expended the Sum of Seventy-five thousand Pounds at the least towards the opening of the new Thoroughfare to be called *Victoria Street*, and so as such Expenditure be shown to have been made in respect of the procuring the Land for the Area of the Street, or as near thereto as in the Opinion of the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings the Boundaries of the Properties to be purchased will allow, and of the Payment of Expences relating to such Purchases not exceeding Twelve Pounds *per Centum* on the Amount of the Purchase Monies, and so as such Expenditure be shown to have been made out of Monies belonging to the said *Westminster* Improvement Commissioners, or Monies raised by a Charge on the surplus Profits to arise on the Completion of the said Undertaking, or otherwise on the Credit of the Bonds or Debentures of the said last-named Commissioners, and so as no Part thereof shall consist of Monies raised by means of any Charge on the said Sum of Thirty-nine thousand Pounds and Interest so to be advanced to the said *Westminster* Improvement Commissioners as aforesaid, or on the Monies by the said Act passed in the present Session of Parliament authorized to be paid to the said Improvement Commissioners out of or in respect of the increased Rates therein mentioned.

Such Monies not to be paid till the Westminster Improvement Commissioners have expended 75,000*l.*

III. And be it enacted, That before any Part of the said Sum of Fifty thousand Pounds shall be paid to the *Westminster* Improvement Commissioners the said *Westminster* Improvement Commissioners shall deposit with the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being the Conveyances of all the Lands and Hereditaments which shall have been purchased by the said *Westminster* Improvement Commissioners under the Provisions of the said Acts with the before-mentioned Sum of Seventy-five thousand Pounds, and all the Title Deeds relating thereto which shall be in their Possession, and also shall be bound from Time to Time, until the said Street shall have been formed and paved or macadamized throughout, and opened as a public Thoroughfare, and the necessary Vaults and Sewers completed, to the Satisfaction of Her Majesty's said Commissioners, to deposit in like Manner the Conveyances of any other Lands or Hereditaments which shall be acquired by them under the Powers or in the Execution of the said *Westminster* Improvement Act, 1845, and the *Westminster* Improvement Act, 1847, and all the Title Deeds relating thereto which shall be in their Possession; and such Deeds shall remain with the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being until the said Street, Vaults, and

Deeds to be deposited with the Commissioners of Woods, &c. as Security for Completion of Thoroughfare.

and Sewers shall have been completed and opened as aforesaid, and as a Security for the Completion and opening thereof within Four Years from the passing of this Act; and on the Completion and opening of the said Street, and Completion of the Vaults and Sewers, within such Period as aforesaid, the same shall be delivered up to the said *Westminster* Improvement Commissioners freed and discharged from such Security; but in case the said Street, Vaults, and Sewers shall not have been so opened and completed as aforesaid within such Time as aforesaid, then it shall be lawful for the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being, at any Time thereafter, at their sole Discretion, to levy and raise the Sum of Fifty thousand Pounds, or so much thereof as shall have been advanced by them as aforesaid to the *Westminster* Improvement Commissioners, together with Interest on the Amount of the Monies advanced after the Rate of Five Pounds *per Centum per Annum* from the Time of advancing the same, by Sale or Mortgage of all or any Part of the Lands and Hereditaments which shall have been purchased by the said *Westminster* Improvement Commissioners, and the Conveyances whereof shall have been so deposited as aforesaid; and for the Purpose of such Security the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being shall be taken to have the first Charge on the Lands and Hereditaments so conveyed to the *Westminster* Improvement Commissioners, and the Title Deeds relating to which shall have been deposited as aforesaid, and shall hold the same freed from all Estate or Interest or Claim of the *Westminster* Improvement Commissioners, and all Persons claiming under them; and, subject to the raising and paying the said Monies so advanced as aforesaid, and such Interest as aforesaid, and to the Payment of the Costs and Expences relating to the raising the same, the said Lands and Hereditaments, or the unsold Part thereof, shall (subject nevertheless to any Mortgage which may have been made under the aforesaid Power) be freed and discharged from such Charge or Lien as aforesaid in all respects as if such Deposit had not been made; and any Surplus to arise on any Sale, after answering the Purposes aforesaid, shall be paid to the said *Westminster* Improvement Commissioners.

Receipts of Commissioners of Woods, &c. to be good Discharges.

IV. And be it enacted, That the Receipts in Writing of the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being shall be sufficient Discharges to any Purchaser or Mortgagee on any Sale or Mortgage by the Commissioners last mentioned under the aforesaid Power; and no Purchaser or Mortgagee shall be bound to inquire whether any such Default had been made as aforesaid, or as to the Necessity or Expediency of any Sale or Mortgage to be made as aforesaid, or as to the Amount of Money necessary to be raised under the aforesaid Power of Sale.

Commissioners of Woods, &c. empowered to release Deeds.

V. And be it enacted, That notwithstanding any thing herein-before contained it shall be lawful for the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being, from Time to Time, and before the Completion of the said Street and Works, by any Writing under their Hands to release all or any Part of the Lands and Hereditaments of which the Title Deeds shall be so deposited as aforesaid, and to deliver up all or any of such Title Deeds and Conveyances to the *Westminster* Improvement Commissioners, and to be held by the said last-mentioned Commissioners, and so that the Lands and Hereditaments to which the same shall relate, or any Part thereof, to be designated by the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, shall be freed and discharged from the Security intended to be made by the Means of such Deposit as aforesaid.

Monies recovered in case of Default to complete Thoroughfare to be applied as directed by the Act 4 & 5 Vict. c. 12.

VI. And be it enacted, That the said Sum of Fifty thousand Pounds, or so much thereof as shall have been advanced, and which shall be recovered or raised by virtue of any Sale or Mortgage as aforesaid, and the Interest thereon, shall be held and applied as is provided by the said recited Act passed in the Fourth Year of Her present Majesty's Reign with respect to the Monies which the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings are by the said Act authorized to advance for the making, forming, and completing a Communication between the Neighbourhood of the Houses of Parliament and that of *Buckingham Palace*, or to advance to Trustees or other Persons for that Purpose, as in the said Act is mentioned.

Two of the Commissioners of Woods, &c. may act.

VII. And be it enacted, That the Acts, Matters, and Things hereby authorized to be done or executed by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being may be executed or done by any Two of such Commissioners for the Time being.

If Commissioners of Woods, &c. are unable to pay the 50,000*l.* as soon as the Westminster Improvement Commissioners have expended 75,000*l.*, Interest to run on the 50,000*l.* till Payment.

VIII. And be it enacted, That if and when the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall have been satisfied that the full Sum of Seventy-five thousand Pounds has been expended as aforesaid towards purchasing the Area of and forming the said Street and Works, the said last-named Commissioners shall not have at their Disposal Monies sufficient to pay to the said *Westminster* Improvement Commissioners the said Sum of Fifty thousand Pounds so hereby authorized to be paid to them as aforesaid, then and thenceforth Interest after the Rate of Five Pounds *per Centum per Annum* shall be paid by the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings to the *Westminster* Improvement Commissioners, on the said Sum of Fifty thousand Pounds, or on so much as shall remain unpaid, from the Time at which the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings were satisfied that the said Sum of Seventy-five thousand Pounds had been expended as aforesaid up to the Time at which the said Sum of Fifty thousand Pounds, or the unpaid Part thereof, shall be paid, and such Interest shall be raised and paid in all respects as the said Sum of Fifty thousand Pounds is authorized to be raised and paid by this Act; but in case the said *Westminster* Improvement Commissioners

sioners shall borrow the Sum of Fifty thousand Pounds, or any Part thereof, on the Security or Credit of the said Sum of Fifty thousand Pounds hereby directed to be paid to them, and shall pay for the Monies borrowed a Rate of Interest lower than the Rate of Five Pounds *per Centum per Annum*, then only the Rate of Interest which shall be paid by the *Westminster* Improvement Commissioners in respect of the Principal Monies so borrowed shall be paid by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings in respect of the said Sum of Fifty thousand Pounds, or so much thereof as shall remain unpaid.

Receipts of Commissioners to be good Discharges.

IX. And be it enacted, That the Receipt in Writing of the *Westminster* Improvement Commissioners, sealed with their Common Seal, shall be sufficient Discharges for all Monies authorized to be paid to them under or by virtue of this Act.

Act may be amended, &c.

X. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED.

N.B.—*The Continuance of such of the following Acts as are temporary will be known (where it is not expressly stated) by referring to the following List, according to the corresponding Letter at the End of the Title.*

(*a*) *For* 31 *Years, &c.* [i.e. *to the End of the next Session*] *from a Day named in the Act.*
(*b*) *For* 31 *Years, &c. from the passing of the Act.*

The following are all PUBLIC ACTS; *to each of which is annexed a Clause in the Form following:*

" And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall " be judicially noticed as such."

Cap. i.

An Act to change the Name of the Protestant Dissenters and General Life and Fire Insurance Company to the General Life and Fire Assurance Company, and to extend to the Company, by its new Name, the Powers of the Act enabling the Company to sue and be sued in the Name of the Chairman, Deputy Chairman, or any One of the Directors or of the Secretary of the Company. [18th *March* 1847.]

Cap. ii.

An Act for regulating Proceedings by or against "The *Llynvi* Iron Company," and for granting certain Powers thereto. [30th *March* 1847.]

Cap. iii.

An Act for the continued Repair and Maintenance of the Road from or near *Whiteburn* in the County of *Berwick* to the Town of *Kelso* in the County of *Roxburgh;* and to authorize the Transfer of a Portion of the said Road to the Trustees of the Road from *Lauder*, to and through *Kelso*, to the *Marchburn*. (*b*) [30th *March* 1847.]

[39 *G.* 3. *c.* iii. *and* 1 *G.* 4. *c.* xxix *repealed*, § 1. *No Person passing with the same Horse, &c. liable to pay Toll more than once a Day*, § 7.]

Cap. iv.

An Act for incorporating the District Fire Insurance Company of *Birmingham*, by the Name of "The District Fire Insurance Company;" for enabling the said Company to sue and be sued; and for other Purposes relating to the said Company. [30th *March* 1847.]

Cap. v.

An Act for lighting with Gas the Township of *Shipley*, the Village of *Windhill*, and the Neighbourhood thereof, in the West Riding of the County of *York*. [27th *April* 1847.]

Cap. vi.

An Act for extending and enlarging a certain Pier in *Pile* Harbour in the Parish of *Dalton-in-Furness* in the County Palatine of *Lancaster*, and to alter the Act relating thereto. [11th *May* 1847.]

Cap. vii.

An Act to alter, amend, and enlarge the Powers and Provisions of an Act passed in the Second Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for lighting with Gas the Town and Borough of* Ipswich *in the County of* Suffolk. [11th *May* 1847.]

Cap. viii.

An Act for authorizing the *Cheltenham* Waterworks Company to raise a further Sum of Money.* [11th *May* 1847.]

* £25,000.

Cap. ix.

An Act for more effectually maintaining the Harbour of *Newhaven* and the Navigation of the River *Ouse* between *Newhaven* and *Lewes*, and for draining the Low Lands lying in *Lewes* and *Laughton* Levels, all in the County of *Sussex*. [8th *June* 1847.]

Cap. x.

An Act for making a Railway from *Smithstown* to *Dalmellington* in the County of *Ayr*. [8th *June* 1847.]

Cap. xi.

An Act to enable the *Colchester, Stour Valley, Sudbury, and Halstead* Railway Company to make an Extension of their Railway from *Sudbury* to *Melford, Lavenham*, and *Clare*, in the County of *Suffolk*. [8th *June* 1847.]

Cap. xii.

An Act to enable the *Newmarket and Chesterford* Railway Company to extend their Line of Railway to *Bury Saint Edmunds*, with a Branch to the City of *Ely*. [8th *June* 1847.]

Cap. xiii.

An Act for repealing certain Provisions of the *Newmarket and Chesterford* Railway Act, 1846. [8th *June* 1847.]

Cap. xiv.

An Act to amend some of the Provisions of the *Manchester* Markets Act, 1846. [8th *June* 1847.]

Cap. xv.

An Act to enlarge the Powers of "The *Wolverhampton* Gaslight Company," and to authorize the Union of such Company with "The *Wolverhampton* New Gas Company." [8th *June* 1847.]

Cap. xvi.

An Act to enable the *Hartlepool* West Harbour and Dock Company to construct additional Docks; and for repealing an Act passed in the Seventh Year of the Reign of Her present Majesty, relating to the said *Hartlepool* West Harbour and Dock Company, and for granting new Powers and Provisions in lieu thereof. [8th *June* 1847.]

[7 & 8 *Vict. c.* xxviii. *repealed*, § 1. *Saving the Rights of the Trinity House of Newcastle-on-Tyne*, § 58.; *of the Fishermen of Hartlepool*, § 59.; *of the Mayor and Burgesses of Hartlepool*, § 60.; *of the Hartlepool Dock and Railway Company*, § 61. *Act not to affect Persons claiming under the late Duke of Cleveland's Will*, § 62.]

Cap. xvii.

An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Bolton* in the County of *Lancaster* to improve such Borough, and to take a Lease of and to purchase the Works of the *Bolton* Waterworks Company. [8th *June* 1847.]

Cap. xviii.

An Act to enable the *Colchester, Stour Valley, Sudbury, and Halstead* Railway Company to make an Extension Railway from *Lavenham* to *Bury Saint Edmunds* in the County of *Suffolk*. [8th *June* 1847.]

Cap. xix.

An Act for authorizing the Sale of the *Eastern Union and Hadleigh Junction* Railway to the *Eastern Union* Railway Company. [8th *June* 1847.]

Cap. xx.

An Act to enable the *Newmarket and Chesterford* Railway Company to extend their Line of Railway to *Thetford* in the County of *Norfolk*. [8th *June* 1847.]

Cap. xxi.

An Act to enable the *Colchester, Stour Valley, Sudbury, and Halstead* Railway Company to grant a Lease of their Undertaking to the *Ipswich and Bury Saint Edmunds* Railway Company. [8th *June* 1847.]

Cap. xxii.

An Act to enable the *Caledonian* Railway Company to make an Extension of the *Motherwell* Branch of the *Clydesdale Junction* Railway to *Auchinheath* Mineral Field, with Branches therefrom. [8th *June* 1847.]

Cap. xxiii.

An Act to enable the *Caledonian* Railway Company to make Branch Railways to *Wilsontown*, to *Fauldhouse*, and to *Biggar* and *Broughton*. [8th *June* 1847.]

Cap. xxiv.

An Act to enable the *Caledonian* Railway Company to make Branches from the *Clydesdale Junction* Railway to the *Douglas* and *Lesmahagow* Mineral Fields, and to *Strathavon.* [8th *June* 1847.]

Cap. xxv.

An Act to abolish, reduce, equalize, and consolidate the Rates and Duties leviable at the Harbour and Docks of *Leith.* [8th *June* 1847.]

Cap. xxvi.

An Act for better supplying with Water the Inhabitants of the Town and Borough of *Rochdale*, and of several Townships and Places, all in the Parish of *Rochdale* in the County of *Lancaster.* [8th *June* 1847.]

Cap. xxvii.

An Act for granting further Powers to the *Bristol and Clifton* Oil Gas Company. [8th *June* 1847.]

Cap. xxviii.

An Act for better supplying with Gas and Water the Royal Burgh of *Inverness*, Suburbs and Places adjacent. [8th *June* 1847.]

Cap. xxix.

An Act for amending the *Ryde* Improvement Act. [8th *June* 1847.]

Cap. xxx.

An Act for better assessing the Poor Rates, Highway Rates, County and Police Rates, and other Parochial and Local Rates, on small Tenements in the several Townships of *Wolverhampton, Bilston, Willenhall,* and *Wednesfield,* in the County of *Stafford.* [8th *June* 1847.]

Cap. xxxi.

An Act to enable the Shipowners Towing Company to sue and be sued. [8th *June* 1847.]

Cap. xxxii.

An Act to alter and amend an Act, intituled *An Act for providing in or near the Burgh of* Cupar *more extensive Accommodation for holding the Courts and Meetings of the Sheriff, Justices of the Peace, and Commissioners of Supply of the County of* Fife; *and for the Custody of the Records of the said County;* and to authorize the Commissioners acting under the Authority of that Act to provide a Court House at *Dunfermline* for the Accommodation of the Courts of the Sheriff and Justices of the Peace in the Western District of the said County. [8th *June* 1847.]

Cap. xxxiii.

An Act for better assessing and collecting the Poor, Church, and Highway Rates within the Parish of *Kingston-upon-Thames* in the County of *Surrey.* [8*th June* 1847.]

Cap. xxxiv.

An Act to enable the *Scottish Union* Insurance Company to purchase Annuities and invest Money on Securities in *England* and *Ireland;* and for other Purposes relating thereto. [8th *June* 1847.]

Cap. xxxv.

An Act for incorporating the *Scottish Equitable* Life Assurance Society, for confirming the Rules and Regulations thereof, for enabling the said Society to sue and be sued, to take and to hold Property; and for other Purposes relating thereto. [8th *June* 1847.]

Cap. xxxvi.

An Act for regulating legal Proceedings by or against "*Claridge*'s Patent Asphalte Company," and for granting certain Powers thereto. [8th *June* 1847.]

Cap. xxxvii.

An Act to enable the Mayor and Commonalty and Citizens of the City of *London* to raise a Sum of Money for paying off the Monies now charged on the Bridge House Estates by Authority of Parliament, and to raise further Monies upon the Credit of the said Estates, and of their own Estates and Revenues, for effecting Public Works and Improvements in and near the said City. [21st *June* 1847.]

Cap. xxxviii.

An Act for enabling the Metropolitan Sewage Manure Company to alter the Line of their Works; and for other Purposes. [21st *June* 1847.]

Cap. xxxix.

An Act to authorize the Purchase by the *Aberdeen* Railway Company of a Piece of Ground at the upper Part of the Inches and upper Part of the Harbour of *Aberdeen* now vested in the *Aberdeen* Harbour Commissioners, and to enable such Commissioners to make certain Alterations and new Works connected with such Harbour. [21st *June* 1847.]

Cap. xl.

An Act for better lighting with Gas the Town of *Runcorn* otherwise called *Higher Runcorn* and *Lower Runcorn*, and also certain Townships and Hamlets in the Vicinity. [21st *June* 1847.]

Cap. xli.

An Act for lighting with Gas the Town and Neighbourhood of *Bingley* in the West Riding of the County of *York*. [21st *June* 1847.]

Cap. xlii.

An Act for rendering more efficient the *Dublin* Consumers Gas Company. [21st *June* 1847.]

Cap. xliii.

An Act for extending the Powers of the Imperial Continental Gas Association. [21st *June* 1847.]

Cap. xliv.

An Act to amend and extend the Provisions of an Act passed in the Third Year of the Reign of King *George* the Fourth, intituled *An Act for incorporating the* Warrington *Gaslight Company*. [21st *June* 1847.]

Cap. xlv.

An Act for removing the Market between *King Street* and *Castle Street* in the Town of *Sheffield*, and for providing a new Market Place in lieu thereof, and for regulating and maintaining the Markets and Fairs of the said Town. [21st *June* 1847.]

Cap. xlvi.

An Act for better and more effectually ascertaining, assessing, collecting, and levying the Poor Rate and all other Rates and Assessments in the Parish of *Ewell* in the County of *Surrey*; and for the better Management of the Business and Affairs of the said Parish; and for other Purposes relating thereto. [21st *June* 1847.]

Cap. xlvii.

An Act for repealing the Acts relating to the Roads leading from the Lower Market House in *Tavistock* to *Old Town* Gate in the Borough of *Plymouth*, and from *Manadon* Gate to the *Old Pound* near *Devonport* in the County of *Devon*, and making other Provisions in lieu thereof. [21st *June* 1847.]

[44 *G.* 3. *c.* xvi. *and* 53 *G.* 3. *c.* xxvi. *repealed*, § 1. *Only Two Tolls to be taken on the present Roads, and only One on the new Road*, § 20. *Persons having paid Toll to return free*, § 21. *Double Toll for extra Weight between* 1*st November and* 1*st April*, § 24. *Act to commence on* 1*st July* 1847, *and to continue in force for Twenty-one Years, and, if Parliament be then sitting, until the End of the next Session*, § 32.]

Cap. xlviii.

An Act to enlarge and improve the Meal, Corn, and Grain Markets of the City of *Edinburgh*; and for other Purposes in relation thereto. [21st *June* 1847.]

Cap. xlix.

An Act for establishing a Market and Market Place in the Town and Borough of *Wakefield*. [21st *June* 1847.]

Cap. l.

An Act to repeal the *Waterford* Road Act. [21st *June* 1847.]

[11 *G.* 4. *&* 1 *W.* 4. *c.* cvii. *repealed*, § 1.]

Cap. li.

An Act for the better Maintenance, Improvement, and Repair of the *Glasgow and Shotts* Turnpike Roads. (*b*) [21st *June* 1847.]

Cap. lii.

An Act for the Amendment of the Port and Harbour Acts of *Belfast*, for making further Improvements and new Works there, and for the Amendment of the *Belfast and Cavehill* Railway, and *Belfast* Town Improvement Acts. [21st *June* 1847.]

Cap. liii.

An Act for incorporating the Commercial Gaslight and Coke Company. [21st *June* 1847.]

Cap. liv.

An Act for better supplying with Water the Town and Neighbourhood of *Over Darwen* in the County of *Lancaster*, and for affording a more regular and constant Supply of Water to the Mill Owners and others on the River *Darwen*. [21st *June* 1847.]

Cap. lv.

An Act to incorporate a Company by the Name of "The *London* Sewage Chemical Manure Company." [21st *June* 1847.]

Cap. lvi.

An Act for amending an Act passed in the Fourth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for granting certain Powers to the* British American *Land Company*, and for granting further Powers to the said Company. [25th *June* 1847.]

Cap. lvii.

An Act for making a Railway from *Staines* to join the *London and South-western* Railway near *Farnborough*, with a Branch to *Chertsey*. [25th *June* 1847.]

Cap. lviii.

An Act for making a Railway from *Richmond* to *Windsor*, with a Loop Line through *Brentford* and *Hounslow*. [25th *June* 1847.]

Cap. lix.

An Act to authorize an Extension of the *Cork, Blackrock, and Passage* Railway to *Monkstown*, and to amend the Act relating thereto. [25th *June* 1847.]

Cap. lx.

An Act to authorize certain Alterations of the Line of the *Wilts, Somerset, and Weymouth* Railway. [25th *June* 1847.]

Cap. lxi.

An Act to authorize certain Alterations of the Line of the *Waterford, Wexford, and Wicklow* Railway, and to amend the Act relating thereto. [25th *June* 1847.]

Cap. lxii.

An Act to enable the *Liskeard and Caradon* Railway Company to raise a further Sum of Money. [25th *June* 1847.]

Cap. lxiii.

An Act for making a Railway from the Town of *Killarney* in the County of *Kerry* to the Harbour of *Valencia* in the same County. [25th *June* 1847.]

Cap. lxiv.

An Act to empower the *Norfolk* Railway Company to make a Railway from the *Lowestoft* Railway near *Reedham* to join the *Norwich* Extension of the *Ipswich and Bury Saint Edmunds* Railway near *Diss*, with a Branch therefrom to *Halesworth*. [25th *June* 1847.]

Cap. lxv.

An Act to alter and amend several of the Powers and Provisions of the Act relating to the *Dundalk and Enniskillen* Railway. [25th *June* 1847.]

Cap. lxvi.

An Act for rating to the Relief of the Poor and other Parochial and Local Rates the Owners of certain Property within the Parishes of *King's Norton, Northfield*, and *Beoley* in the County of *Worcester, Edgbaston* in the County of *Warwick*, and *Harborne* in the County of *Stafford*, in lieu of the Occupiers thereof. [25th *June* 1847.]

Cap. lxvii.

An Act to repeal Two several Acts relating to the *Liverpool* Gaslight Company, and to substitute other Provisions in lieu thereof, and to enable the said Company to raise a further Sum of Money. [25th *June* 1847.]

Cap. lxviii.

An Act for reducing the Dues of the Harbour of the Borough and Town of *Weymouth* and *Melcombe Regis* in the County of *Dorset*, and consolidating the Trusts created by the Acts relating to such Harbour and the Bridge of the said Borough; and for other Purposes. [25th *June* 1847.]

Cap. lxix.

An Act to amend certain Acts for making and maintaining Roads and converting the Statute Labour in the Counties of *Ross* and *Cromarty*, and Part of *Nairn* locally situate in the County of *Ross*. [25th *June* 1847.]

[6 *G.* 4. *c.* cx. *and* 9 *G.* 4. *c.* cii. *repealed*, § 1.]

Cap. lxx.

An Act to explain and amend the Laws of Sewers relating to the City and Liberty of *Westminster* and Part of *Middlesex*. [2d *July* 1847.]

[*Saving the Rights of the Crown and Admiralty*, § 36; *and of the Mayor and Corporation of London*, § 37.]

Cap. lxxi.

An Act for the more easy Recovery of Small Debts and Demands within the City of *London* and the Liberties thereof. [2d *July* 1847.]

[*Actions to be hereafter commenced in the Sheriff's Court for Sums not above* 20*l. to be heard and determined under the Provisions of this Act*, § 1. *The existing Court of Requests abolished*, *and* 5 & 6 *W.* 4. *c.* xciv. *repealed*, § 5.]

Cap. lxxii.

An Act to authorize an Alteration in the Line of the *Cornwall* Railway, and to amend the Act relating thereto; and for other Purposes. [2d *July* 1847.]

Cap. lxxiii.

An Act to authorize the Right Honourable *Francis Egerton* Earl of *Ellesmere* to sell, and the *London and North-western* Railway Company to purchase, the Estate and Interest of the said Earl in the *Manchester South Junction and Altrincham* Railway. [2d *July* 1847.]

Cap. lxxiv.

An Act for enabling the *Vale of Neath* Railway Company to construct certain new Lines of Railway in connexion with the *Vale of Neath* Railway; and for other Purposes. [2d *July* 1847.]

Cap. lxxv.

An Act to enable the *General Terminus and Glasgow Harbour* Railway Company to make Branch Railways to the *Caledonian* and other adjoining Railways, and to amend the Act relating to such Railway. [2d *July* 1847.]

Cap. lxxvi.

An Act to authorize the *Gloucester and Dean Forest* Railway Company to construct a Dock or Basin at *Gloucester* in connexion with the said Railway. [2d *July* 1847.]

Cap. lxxvii.

An Act for the better supplying the Town of *Dunfermline* and Places adjacent thereto with Water. [2d *July* 1847.]

Cap. lxxviii.

An Act to enable the *Ambergate, Nottingham, and Boston and Eastern Junction* Railway Company to alter the Line of their Railway, and to construct a Branch Railway therefrom into the Town of *Nottingham*. [2d *July* 1847.]

Cap. lxxix.

An Act to enable the *Llynvi Valley* Railway Company to make an Extension of their Railway to *Newcastle* in the County of *Glamorgan*, and to amend the Act relating to their said Railway, to be called "The *Llynvi Valley* Railway Extension." [2d *July* 1847.]

Cap. lxxx.

An Act to enable the *Shrewsbury and Birmingham* Railway Company to make Branch Railways to *Madeley* and *Ironbridge*; and for other Purposes. [2d *July* 1847.]

Cap. lxxxi.

An Act to enable the *Bristol and South Wales Junction* Railway Company to improve and maintain the *Aust* or *Old Passage Ferry* across the River *Severn*. [2d *July* 1847.]

Cap. lxxxii.

An Act to enable the *Caledonian* Railway Company to make a Branch Railway from the *Glasgow, Garnkirk, and Coatbridge* Railway to *Glasgow*, and to enlarge the Station in that City. [2d *July* 1847.]

Cap. lxxxiii.

An Act to enable the *Caledonian and Dumbartonshire Junction* Railway Company to make certain Deviations and Branches. [2d *July* 1847.]

Cap. lxxxiv.

An Act to repeal an Act of the Second Year of His late Majesty King *William* the Fourth, intituled *An Act to enable the* British *Commercial Insurance Company to sue and be sued in the Name of One of the Directors or of the Secretary for the Time being of the Company*, and to enable the said Company to sue and be sued in the Name of One of their Directors or of their Secretary for the Time being. [2d *July* 1847.]

[2 & 3 *W.* 4. *c.* xxxviii. *repealed*, § 1.]

Cap. lxxxv.

An Act to alter and amend the *Newry and Enniskillen* Railway Act, 1845. [2d *July* 1847.]

Cap. lxxxvi.

An Act for amending the *Newport, Abergavenny, and Hereford* Railway Act, 1846, and to authorize Deviations from the Line of the said Railway, and for making Branches and Extensions therefrom. [2d *July* 1847.]

Cap. lxxxvii.

An Act for making a Railway from *Herne Bay* to a Junction with the *Canterbury and Whitstable* Railway, to be called "The *Herne Bay and Canterbury Junction* Railway." [2d *July* 1847.]

Cap. lxxxviii.

An Act to enable the *London and South-western* Railway Company to widen and improve the *London and South-western* Railway from the Junction thereof with the *Richmond* Railway to the Terminus at *Nine Elms*, and to enable them to enlarge their intended Station at the *York Road, Lambeth.* [2d *July* 1847.]

Cap. lxxxix.

An Act to enable the *Dundee and Perth* Railway Company to alter and extend their Line near to *Perth*, and to make Branches therefrom to *Inchture, Polgavie*, and *Inchmichael.* [2d *July* 1847.]

Cap. xc.

An Act to enable the *Glasgow, Barrhead, and Neilston Direct* Railway Company to alter a Portion of their Line; and for other Purposes relating thereto. [2d *July* 1847.]

Cap. xci.

An Act for making Branch Railways from the *Great Western* Railway and from *Hammersmith* to join the *West London* Railway, for widening a Portion of the *West London* Railway, and for extending the same so as to join the *London and South-western* Railway in the Parish of *Saint Mary Lambeth* in the County of *Surrey.* [2d *July* 1847.]

Cap. xcii.

An Act to authorize the Purchase by the *Eastern Counties* Railway Company of the *Maldon, Witham, and Braintree* Railway [2d *July* 1847.]

Cap. xciii.

An Act to enable the *Great Southern and Western* Railway Company to make a Railway from *Portarlington* to *Tullamore.* [2d *July* 1847.]

Cap. xciv.

An Act to empower the *Norfolk* Railway Company to make a Railway from *Wymondham* to *Diss.* [2d *July* 1847.]

Cap. xcv.

An Act to authorize the Purchase of the *Glasgow Southern Terminal* Railway by the *Glasgow, Barrhead, and Neilston Direct* Railway Company, and to amend the Acts relating to the said Company. [2d *July* 1847.]

Cap. xcvi.

An Act for making an Alteration in the Line of the *Southampton and Dorchester* Railway, and Branches therefrom to *Lymington* and *Eling*; and for other Purposes. [2d *July* 1847.]

Cap. xcvii.

An Act for making a Branch Railway from the *Southampton and Dorchester* Railway at *Moreton* to *Weymouth*, and for other Purposes. [2d *July* 1847.]

Cap. xcviii.

An Act to authorize an Alteration in the Line of the *Lowestoft* Railway, and to amend the Act relating to the *Lowestoft* Railway and Harbour Company. [2d *July* 1847.]

Cap. xcix.

An Act to enable the *Norfolk* Railway Company to extend their Railway to the Town of *Great Yarmouth*; and for other Purposes. [2d *July* 1847.]

Cap. c.

An Act to enable the *Dublin and Drogheda* Railway Company to make a Railway from the *Navan* Branch of the *Dublin and Belfast Junction* Railway in the County of *Meath* to the Town of *Kells* in the same County. [2d *July* 1847.]

Cap. ci.

An Act for making a Railway from *Abercrave* Farm in the Parish of *Ystradgunlais* in the County of *Brecon* to *Swansea* in the County of *Glamorgan*, with Branches, to be called "The *Swansea Valley* Railway." [2d *July* 1847.]

Cap. cii.

An Act to authorize a Deviation in the Line of the *Manchester and Lincoln Union* Railway. [2d *July* 1847.]

Cap. ciii.

An Act to enable the *Manchester and Leeds* Railway Company to make an Extension of the *Holmfirth* Branch of the *Huddersfield and Sheffield Junction* Railway. [2d *July* 1847.]

Cap. civ.

An Act to enable the *South-eastern* Railway Company to make a Railway to connect the *London and Greenwich* Railway and the *North Kent* Line of the *South-eastern* Railway with the *Bricklayers Arms* Branch Railway. [2d *July* 1847.]

Cap. cv.

An Act for making a Railway from the *Liverpool and Bury* Railway near *Liverpool*, through *Crosby*, to the Town of *Southport*, to be called "The *Liverpool, Crosby, and Southport* Railway." [2d *July* 1847.]

Cap. cvi.

An Act for widening, altering, and improving the *Dundee and Newtyle* Railway. [2d *July* 1847.]

Cap. cvii.

An Act to empower the *London and North-western* Railway Company to make a Railway from the *London and North-western* Railway near *Bletchley* to *Newport Pagnel*, *Olney*, and *Wellingborough*. [2d *July* 1847.]

Cap. cviii.

An Act to consolidate and amend the Acts relating to the *North Staffordshire* Railway Company, and to authorize certain Alterations of and the Formation of certain Branches and additional Works in connexion with their Undertaking. [2d *July* 1847.]

Cap. cix.

An Act for making certain new Lines of Railway in connexion with the *South Wales* Railway, and certain Alterations in the Line of the said Railway; and for other Purposes. [2d *July* 1847.]

Cap. cx.

An Act to authorize the Construction of a Railway from *Cannock* in the County of *Stafford* to *Uttoxeter* in the same County, to join the *North Staffordshire* Railway Potteries Line, by a Company to be called "The *Derbyshire, Staffordshire, and Worcestershire Junction* Railway Company." [2d *July* 1847.]

Cap. cxi.

An Act to authorize the Sale to the *Dublin and Drogheda* Railway Company of the *Navan* Branch of the *Dublin and Belfast Junction* Railway, and to enable the *Dublin and Drogheda*, the *Dublin and Belfast Junction* Railway Company with a Branch from *Drogheda* to *Navan*, the *Ulster*, and the *Dundalk and Enniskillen* Railway Companies, or any of them, to amalgamate with one another. [2d *July* 1847.]

Cap. cxii.

An Act to empower the *Boston, Stamford, and Birmingham* Railway Company to make a Railway from the *Syston and Peterborough* Railway at or near *Peterborough* to the *Stamford and Wisbech* Line of the *Boston, Stamford, and Birmingham* Railway in the Parish of *Thorney* and *Isle* of *Ely*. [2d *July* 1847.]

Cap. cxiii.

An Act to authorize the *East Lincolnshire* Railway Company to purchase an existing Lease of the *Louth* Navigation. [2d *July* 1847.]

Cap. cxiv.

An Act to empower the *London and North-western* Railway Company to admit certain Parties as Shareholders in their Undertaking for making a Railway from *Coventry* to *Nuneaton* in the County of *Warwick*; and for other Purposes. [2d *July* 1847.]

Cap. cxv.

An Act to enable the *London and South-western* Railway Company to make Railways from *Andover* to join their *Salisbury* Branch Railway at *Michaelmarsh*, and from the same Branch at *Romsey* to join the *Southampton and Dorchester* Railway at *Redbridge*, all in the County of *Southampton*, to be called "The *Andover and Southampton Junction* Railway." [2d *July* 1847.]

Cap. cxvi.

An Act for enabling the *Manchester, Sheffield, and Lincolnshire* Railway Company to make a Railway at *Bugsworth*, and for amending the Acts relating thereto. [2d *July* 1847.]

Cap. cxvii.

An Act for the Enlargement of the *Wearmouth* Dock, and the Construction of new Works in connexion therewith; and for other Purposes relating thereto. [2d *July* 1847.]

Cap. cxviii.

An Act to empower the *London and North-western* Railway Company to make a Branch Railway from the *London and North-western* Railway near *Atherstone* to the *Midland* Railway at *Whitacre* in the County of *Warwick*. [2d *July* 1847.]

Cap. cxix.

An Act to enable the *Glasgow, Kilmarnock, and Ardrossan* Railway Company to make certain Branch Railways, and to make certain Deviations from the Line and Levels of the said Railway; and to amend the Act relating to the said Railway. [2d *July* 1847.]

Cap. cxx.

An Act to authorize a certain Alteration in the Line of the *Birmingham, Wolverhampton, and Stour Valley* Railway, and to amend the Act relating thereto; and for other Purposes. [2d *July* 1847.]

Cap. cxxi.

An Act to authorize a Lease of the Undertaking of the *Shropshire Union* Railways and Canal Company to the *London and North-western* Railway Company. [2d *July* 1847.]

Cap. cxxii.

An Act to enable the *Midland* Railway Company to alter the Line of the *Leicester and Swannington* Railway, and to make certain Branches therefrom; and for other Purposes. [2d *July* 1847.]

Cap. cxxiii.

An Act for constructing and maintaining Docks and other Works at or near the South Side of the Town of *Swansea* in the Town and Franchise of *Swansea* in the County of *Glamorgan*. [2d *July* 1847.]

[*Saving the Rights of the Traders of Port Tennant*, § 45; *of Duke of Beaufort*, § 46 & 50; *and of the Water Bailiff and Layer Keeper of Swansea Harbour*, § 49.]

Cap. cxxiv.

An Act for lighting with Gas the Town of *Croydon* and its Vicinity in the County of *Surrey*. [2d *July* 1847.]

Cap. cxxv.

An Act to amend the *East Lincolnshire* Railway Act, 1846, and to authorize the Construction of a Branch Railway to join the *Great Grimsby and Sheffield Junction* Railway near *Grimsby*. [2d *July* 1847.]

Cap. cxxvi.

An Act to construct Waterworks for supplying with Water the Town of *Falmouth* and certain Parishes adjacent thereto in the County of *Cornwall*. [2d *July* 1847.]

[*Saving the Rights of the Corporation of Falmouth*, § 21.]

Cap. cxxvii.

An Act for improving and maintaining the Harbour of *Macduff* in the County of *Banff*. [2d *July* 1847.]

[*Saving the Rights of the Crown*, § 21.]

Cap. cxxviii.

An Act to repeal the Acts relating to *Warkworth* Harbour in the County of *Northumberland*, and to make other Provisions in lieu thereof. [2d *July* 1847.]

[7 *W.* 4. & 1 *Vict. c.* lxxvii. *and* 5 & 6 *Vict. c.* lvii. *repealed*, § 1. *Saving the Rights of the Trinity House of Newcastle-upon-Tyne*, § 41; *of the Duke of Northumberland*, § 42, 43, & 44; *of the Countess of Newburgh*, § 45; *and of Thomas George Smith, Esq.*, § 46.]

Cap. cxxix.

An Act for extending and enlarging the Provisions of the Act for regulating Buildings and Party Walls within the City and County of *Bristol**, and for forming certain Streets, and for widening other Streets within the same. [2d *July* 1847.]

*3 & 4 *Vict. c.* lxxvii.

Cap. cxxx.

An Act to enable the *Midland Great Western* Railway of *Ireland* Company to make certain Deviations in the authorized Line of the said Railway; and to amend the Acts relating thereto. [2d *July* 1847.]

Cap. cxxxi.

An Act to amend and enlarge the Powers and Provisions of the *Westminster* Improvement Act, 1845*, and to authorize the Application of certain Rates in aid of the Improvements. [9th *July* 1847.]

*8 & 9 *Vict. c.* clxxviii.

Cap. cxxxii.

An Act to empower the *London and North-western* Railway Company to make a Railway from the *London and North-western* Railway near *Watford* to *St. Alban's*, *Luton*, and *Dunstable*. [9th *July* 1847.]

Cap. cxxxiii.

An Act to authorize the Consolidation into One Undertaking of the *York and Newcastle* and the *Newcastle and Berwick* Railways. [9th *July* 1847.]

Cap. cxxxiv.

An Act for enabling the *York and Newcastle* Railway Company to make certain Branch Railways in the Counties of *Durham* and *York*; and for other Purposes. [9th *July* 1847.]

Cap. cxxxv.

An Act to enable the *Midland* Railway Company to make a Railway from near *Leicester* viâ *Bedford*, to *Hitchin* and to *Northampton* and *Huntingdon*, with Branches; to enlarge the *Leicester* Station of the *Midland* Railway; and for other Purposes. [9th *July* 1847.]

Cap. cxxxvi.

An Act to empower the *North British* Railway Company to extend the *Haddington* Branch of the *North British* Railway, to make certain Alterations in the *Hawick* and *Kelso* Branches of the same Railway, and for other Purposes. [9th *July* 1847.]

Cap. cxxxvii.

An Act to amend the Acts relating to the *Ipswich and Bury Saint Edmunds* Railway Company, and to enable the Company to construct a Railway from the *Ipswich and Bury Saint Edmunds* Railway near *Ipswich* to *Woodbridge*. [9th *July* 1847.]

Cap. cxxxviii.

An Act to enable the *Manchester, Sheffield, and Lincolnshire* Railway Company to make a Branch Railway from the *Market Rasen and Lincoln* Line of their Railway in the Parish of *Stainton-by-Langworth* to the Town of *Wragby* in the County of *Lincoln*. [9th *July* 1847.]

Cap. cxxxix.

An Act for enabling the *London and North-western* Railway Company to make a Railway from *Birmingham* to *Lichfield*, and for amending the former Acts relating to the said Company. [9th *July* 1847.]

Cap. cxl.

An Act for enabling the *York and North Midland* Railway Company to extend the Line of their *Harrogate* Branch Railway, and make a Station at *Harrogate*. [9th *July* 1847.]

Cap. cxli.

An Act for enabling the *York and North Midland* Railway Company to make a Railway from their Line at *Burton Salmon* to *Knottingley*, with a Branch therefrom; and for other Purposes. [9th *July* 1847.]

Cap. cxlii.

An Act to enable the *Aberdeen* Railway Company in part to alter their Branch Railway to *Brechin*. [9th *July* 1847.]

Cap. cxliii.

An Act to enable the *Great Northern* Railway Company to alter the Line of their Railway near *Doncaster*. [9th *July* 1847.]

Cap. cxliv.

An Act to authorize the *Shrewsbury and Chester* Railway Company to make certain Branches, and to provide Station Room and other Conveniences in the City of *Chester*, and to raise additional Capital for these Purposes; and for amending the former Acts relating to the said Company. [9th *July* 1847.]

Cap. cxlv.

An Act for enabling the *London and South-western* Railway Company to make Extensions of the *Guildford Extension and Portsmouth and Fareham* Railway near *Portsmouth*, and a Deviation in the authorized Line thereof near *Godalming*. [9th *July* 1847.]

Cap. cxlvi.

An Act to enable the *Great Northern* Railway Company to make certain Alterations in the Line of their Railway as already authorized between *Grantham* and *York*. [9th *July* 1847.]

Cap. cxlvii.

An Act to authorize an Extension of and the Construction of a Station in connexion with the *Chester and Holyhead* Railway at *Chester;* and for other Purposes. [9th *July* 1847.]

Cap. cxlviii.

An Act to enable the *Great Northern* Railway Company to take a Lease of or to purchase the *East Lincolnshire* Railway, and the *Boston, Stamford, and Birmingham* Railway. [9th *July* 1847.]

Cap. cxlix.

An Act for enabling the *Birmingham, Wolverhampton, and Dudley* Railway Company to purchase Lands for additional Station Room at *Birmingham*, and for authorizing the Sale of the Undertaking of the said Company to the *Great Western* Railway Company. [9th *July* 1847.]

Cap. cl.

An Act to enable the *Midland* Railway Company to enlarge their Stations at *Masbrough* and *Normanton* respectively, and to construct additional Sidings or Branch Railways. [9th *July* 1847.]

Cap. cli.

An Act to enable the *Edinburgh, Leith, and Granton* Railway Company to make a Branch Railway to the *Upper Drawbridge* in the Town of *Leith*. [9th *July* 1847.]

Cap. clii.

An Act to enable the *Edinburgh, Leith, and Granton* Railway Company to make a Branch Railway from *Bonnington* to *Trinity Villa;* to acquire certain Pieces of Land; and to shut up and use certain Roads or Streets for the Purposes of the said Railway. [9th *July* 1847.]

Cap. cliii.

An Act for making a Railway from *Portadown* in the County of *Armagh* to *Dungannon* in the County of *Tyrone*, to be called "The *Portadown and Dungannon* Railway." [9th *July* 1847.]

Cap. cliv.

An Act for making a Railway from the *Great Western* Railway at *Cheltenham* to join the *Oxford and Rugby* Railway near *Oxford*, with a Branch therefrom; and for other Purposes. [9th *July* 1847.]

Cap. clv.

An Act to empower the *Boston, Stamford, and Birmingham* Railway Company to make a Railway from *Wisbech* to *Sutton Bridge*, with a Branch to *Sutton Saint Mary*, and to improve the Harbour at *Sutton Bridge*. [9th *July* 1847.]

Cap. clvi.

An Act to authorize the Purchase by the *Eastern Counties* Railway Company of the *North Woolwich* Railway, and the Lease of the Pepper Warehouses and Wharfs of the *East* and *West India* Dock Company. [9th *July* 1847.]

Cap. clvii.

An Act to enable the *Eastern Counties* Railway Company to enlarge their *London* and *Stratford* Stations; and to amend some of the Provisions of the Acts relating to the *Eastern Counties* Railway Company. [9th *July* 1847.]

Cap. clviii.

An Act to enable the *Eastern Counties* Railway Company to make a Railway from the *Eastern Counties* Railway near *Cambridge* to the *Bedford and Bletchley* Railway at or near *Bedford*, with Branches. [9th *July* 1847.]

Cap. clix.

An Act to incorporate the *Huddersfield and Manchester* Railway and Canal Company and the *Leeds, Dewsbury, and Manchester* Railway Company with the *London and North-western* Railway Company. [9th *July* 1847.]

Cap. clx.

An Act to enlarge the Powers of the *Dublin, Dundrum, and Rathfarnham* Railway Act, 1846, and to enable the Company to make an Extension to *Stephen's Green.* [9th *July* 1847.]

Cap. clxi.

An Act for enabling the *Huddersfield and Manchester* Railway and Canal Company to alter a Portion of the Line of their *Oldham* Branch; and for other Purposes. [9th *July* 1847.]

Cap. clxii.

An Act for making a Railway from *Mold* in the County of *Flint* to join the *Chester and Holyhead* Railway in the Parish of *Hawarden* in the same County, with Branches, to be called "The *Mold* Railway." [9th *July* 1847.]

Cap. clxiii.

An Act to enable the *Manchester and Leeds* Railway Company to make certain Branches, Extensions, and other Works, and to alter the Name of the Company. [9th *July* 1847.]

[*Name of the Company changed to the Lancashire and Yorkshire Railway Company,* § 1.]

Cap. clxiv.

An Act for enabling the *Blackburn, Darwen, and Bolton* Railway Company to make certain Alterations in the Line of their Railway in the Parishes of *Blackburn* and *Bolton-in-the-Moors;* and for amending the Acts relating thereto. [9th *July* 1847.]

Cap. clxv.

An Act for enabling the *Manchester, Sheffield, and Lincolnshire* Railway Company to make a Coal Branch from their *Thurgoland* Station to the Township of *Stainborough.* [9th *July* 1847.]

Cap. clxvi.

An Act to enable the *Manchester and Leeds* Railway Company to alter the Line and Levels of the *Brighouse* Branch of the *West Riding Union* Railways, and to make a new Line into *Leeds.* [9th *July* 1847.]

Cap. clxvii.

An Act to enable the *Direct London and Portsmouth* Railway Company to make an Approach to the Town of *Dorking,* and a Deviation in the Line and certain Alterations in the Levels of their Railway and in the *Croydon and Epsom* Railway. [9th *July* 1847.]

Cap. clxviii.

An Act to enable the *Glasgow, Paisley, and Greenock* Railway Company to make a certain Branch Railway to the *Caledonian* Railway at *Glasgow,* and to divert Part of the *Glasgow, Paisley, and Ardrossan* Canal. [9th *July* 1847.]

Cap. clxix.

An Act to amalgamate the *Glasgow, Paisley, and Greenock* Railway with the *Caledonian* Railway, and to authorize the raising of additional Money by the said last-mentioned Company. [9th *July* 1847.]

Cap. clxx.

An Act for making a Deviation in the Line of the *Lynn and Ely* Railway, and for forming Docks within the Borough of *King's Lynn.* [9th *July* 1847.]

Cap. clxxi.

An Act to enable the *Lynn and Ely* Railway Company to make a Navigation from *Lynn* to *Wormegay,* all in the County of *Norfolk.* [9th *July* 1847.]

Cap. clxxii.

An Act to enable the *Caledonian* Railway Company to make certain Branch Railways in the Counties of *Dumfries* and *Cumberland.* [9th *July* 1847.]

Cap. clxxiii.

An Act for making a Railway from the *North British* Railway at *East Linton* to *Ormiston,* to be called "The *East Lothian Central* Railway." [9th *July* 1847.]

Cap. clxxiv.

An Act to amalgamate the *Eastern Union* and *Ipswich and Bury Saint Edmunds* Railway Companies. [9th *July* 1847.]

Cap. clxxv.

An Act to enable the *Chard* Canal and Railway Company to extend their Railway from *Ilminster* to *Chard*, all in the County of *Somerset*. [9th *July* 1847.]

Cap. clxxvi.

An Act to enable the *Midland Great Western* Railway of *Ireland* Company to make a Railway from *Athlone* to *Galway*. [9th *July* 1847.]

Cap. clxxvii.

An Act to enable the *Newport, Abergavenny, and Hereford* Railway Company to extend their Railway from the Neighbourhood of *Pontipool* to the *Taff Vale* Railway. [9th *July* 1847.]

Cap. clxxviii.

An Act for making a Railway from the *Northampton and Peterborough* Branch of the *London and North-western* Railway to the Town of *Banbury*, to be called "The *Northampton and Banbury* Railway;" and for other Purposes. [9th *July* 1847.]

Cap. clxxix.

An Act for making a Railway from the *Swansea Vale* Railway at *Ynisymond* in the Parish of *Cadoxton* to *Nantmelyn* in the Parish of *Llangefelach*, both in the County of *Glamorgan*, with Branches. [9th *July* 1847.]

Cap. clxxx.

An Act to authorize the Purchase by the *Dublin and Drogheda* Railway Company of the *Navan* Branch of the *Dublin and Belfast Junction* Railway, and to authorize the *Dublin and Drogheda*, the *Dublin and Belfast Junction* Railway with a Branch from *Drogheda* to *Navan*, the *Ulster*, and the *Dundalk and Enniskillen* Railway Companies, or any of them, to amalgamate with one another. [9th *July* 1847.]

Cap. clxxxi.

An Act to amend some of the Provisions of the *Glasgow, Dumfries, and Carlisle* Railway Act, 1846. [9th *July* 1847.]

Cap. clxxxii.

An Act to amend the Act relating to the *Glasgow, Dumfries, and Carlisle* Railway Company, and to authorize the Company to make a Branch Railway to *Kirkcudbright*, with diverging Lines therefrom; and for other Purposes. [9th *July* 1847.]

Cap. clxxxiii.

An Act to amend the Acts and alter the Terms of Amalgamation of the *Glasgow, Dumfries, and Carlisle* Railway Company, and of the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company. [9th *July* 1847.]

Cap. clxxxiv.

An Act to enable the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company to make certain Branch Railways in the County of *Ayr*, and to alter the Line of the *Glasgow and Belfast Union* Railway; and for other Purposes. [9th *July* 1847.]

Cap. clxxxv.

An Act to authorize the Construction of certain Branch Railways in the County of *Ayr* in connexion with the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway; and for other Purposes. [9th *July* 1847.]

Cap. clxxxvi.

An Act to amend the Acts relating to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, and to provide additional Station Accommodation; and for other Purposes. [9th *July* 1847.]

Cap. clxxxvii.

An Act for making a Railway from *Parkgate* in the Parish of *Great Neston* in the County of *Chester* to join the *Chester and Birkenhead* Railway in the Parish of *Bebbington* in the same County. [9th *July* 1847.]

Cap. clxxxviii.

An Act for enabling the *London and North-western* Railway Company to make a Branch Line of Railway from *Portobello* to *Wolverhampton*; and for other Purposes. [9th *July* 1847.]

Cap. clxxxix.

An Act to empower the *South Staffordshire* Railway Company to make divers Branch Railways; and for other Purposes. [9th *July* 1847.]

Cap. cxc.

An Act to incorporate the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company with the *Manchester, Sheffield, and Lincolnshire* Railway Company. [9th *July* 1847.]

Cap. cxci.

An Act to enable the *Midland* Railway Company to purchase the *Mansfield and Pinxton* Railway, and to alter the same, and to make a Railway from the *Erewash Valley* Railway to the *Nottingham and Mansfield* Railway, with Branches to *Mansfield*, and also to the *Alfreton* Ironworks. [9th *July* 1847.]

Cap. cxcii.

An Act to vest in the *Edinburgh and Northern* Railway Company the Undertaking of the Low-water Pier at *Burntisland*, and of the Ferry between the same and *Granton*, and to enable the said Company to extend and improve the said Pier. [9th *July* 1847.]

Cap. cxciii.

An Act to empower the *Boston, Stamford, and Birmingham* Railway Company to make a Branch Railway from the *Stamford and Wisbech* Line of the *Boston, Stamford, and Birmingham* Railway at *Wisbech* to *Wisbech* Harbour, and to construct certain Works at *Wisbech* Harbour. [9th *July* 1847.]

Cap. cxciv.

An Act to authorize an Alteration in the Line of the *Cork and Bandon* Railway, and an Extension thereof into the City of *Cork*, and to amend the Act relating to the said Railway. [9th *July* 1847.]

Cap. cxcv.

An Act to consolidate the *Aberdeen* and *Great North of Scotland* Railway Companies. [9th *July* 1847.]

Cap. cxcvi.

An Act for improving, regulating, and maintaining the Haven of *Sandwich* in the County of *Kent.* [9th *July* 1847.]

[*Saving the Rights of the Commissioners of Sewers of East Kent*, § 50; *of the Trinity House*, § 51; *of the Lord Warden of the Cinque Ports, and of the Corporation of Sandwich*, § 52; *and of the Crown*, § 53.]

Cap. cxcvii.

An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Wisbech*, as Guardians of the Port and Harbour of *Wisbech*, to raise a Sum of Money; and for other Purposes. [9th *July* 1847.]

[*Corporation of Wisbech empowered to borrow* £15,000, § 1. *Saving the Rights of the Corporation of Bedford Level*, § 20; *of the Nene Outfall Commissioners*, § 21; *of Commissioners of Sewers or for draining the Fens*, § 22.]

Cap. cxcviii.

An Act for amending Two Acts of Parliament, passed respectively in the Fourth Year of the Reign of His late Majesty King *George* the Fourth and the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, for erecting a Bridge across the River *Shannon*, and a Floating Dock and other Works for the Improvement of the Port of *Limerick.* [9th *July* 1847.]

Cap. cxcix.

An Act for better supplying with Gas the Parish and Neighbourhood of *Wakefield* in the West Riding of the County of *York.* [9th *July* 1847.]

Cap. cc.

An Act for making perpetual the Provisions of an Act passed in the last Session of Parliament, intituled *An Act for the Regulation of the Legal Quays within the Port of* London. [9th *July* 1847.]

[9 & 10 *Vict.* c. cccxcix. *made perpetual*, § 1.]

Cap. cci.

An Act for better supplying with Gas the Town of *Ashton-under-Lyne* in the County Palatine of *Lancaster*, and the Neighbourhood thereof. [9th *July* 1847.]

Cap. ccii.

An Act for better supplying with Water the City of *Edinburgh* and Places adjacent. [9th *July* 1847.]

Cap. cciii.

An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Manchester* in the County of *Lancaster* to construct Waterworks for supplying the said Borough and several Places on the Line of the said intended Works with Water; and for other Purposes. [9th *July* 1847.]

Cap. cciv.

An Act for supplying with Water certain Parts of the *Staffordshire Potteries* and the Town of *Newcastle-under-Lyme*, and several Townships and Places adjoining or near thereto. [9th *July* 1847.]

Cap. ccv.

An Act for building a Bridge across the River *Ouse* in the City of *York*, with Approaches thereto, and for widening, altering, and improving certain Streets or Thoroughfares within the said City; and for other Purposes. [9th *July* 1847.]

Cap. ccvi.

An Act for the more effectually assessing, collecting, and levying the Poor and other Rates in the City and County of the City of *Norwich*, and Liberties of the same. [9th *July* 1847.]

Cap. ccvii.

An Act for amending the Acts relating to the Police and Improvement of the Burgh of *Kilmarnock*; and for other Purposes in relation thereto. [9th *July* 1847.]

[*Act not to affect the Rights of the Town Council*, § 136; *nor Railway or Water Companies*, § 137.]

Cap. ccviii.

An Act for extending the Municipal Boundaries of the Burgh of *Inverness*; establishing a general System of Police therein, and regulating the Petty Customs; and for other Purposes relating to the said Burgh. [9th *July* 1847.]

[*Powers of the Town Council reserved*, § 137. *Exemption in favour of Freemen Burgesses abolished*, § 148.]

Cap. ccix.

An Act for deepening, enlarging, improving, and maintaining the Port and Harbour of *Inverness*, and the Navigation of the River *Ness*, and the Quays and Piers and other Works connected therewith; for regulating the Anchorage and Shore Dues of the said Port and Harbour; and for other Purposes relating thereto. [9th *July* 1847.]

[*Vessels in the Service of Her Majesty and of public Boards exempted from Dues*, § 59. *Exemption in favour of Freemen Burgesses abolished*, § 100. *Saving the Rights of the Proprietor of Kessock Ferry*, § 101.]

Cap. ccx.

An Act for enabling the *Leeds and Thirsk* Railway Company to deviate the Main Line of their Railway in *Crimple Valley*, to alter the proposed Junction with the *York and Newcastle* Railway, and to divert the *Leeds, Wortley, and Stanningley* Turnpike Road. [9th *July* 1847.]

Cap. ccxi.

An Act to confirm an Agreement between the Treasurer and Masters of the Bench of the Honourable Society of *Lincoln's Inn* in the County of *Middlesex* and the joint Vestry of the joint Parishes of *Saint Giles-in-the-Fields* and *Saint George Bloomsbury* in the same County and the Rector and Vestry of the separate Parish of *Saint Giles-in-the-Fields*. [9th *July* 1847.]

Cap. ccxii.

An Act for incorporating the Landowners Drainage and Inclosure Company, and for enabling the Owners of settled Estates, drained, irrigated, inclosed, and improved by the said Company, to charge the same for the Purposes of such Drainage, Inclosure, and Improvement. (*b*) [9th *July* 1847.]

Cap. ccxiii.

An Act for repairing and keeping in repair the Turnpike Roads in the County of *Ayr*; for making and maintaining new Roads, and altering and improving existing Roads; for rendering Turnpike certain Parish Roads; and for regulating the Statute Labour and Bridge Money in the said County. (*b*) [9th *July* 1847.]

[*Tolls not payable for returning on the same Day*, § 36.]

Cap. ccxiv.

An Act to empower the *Midland* Railway Company to extend the Line of their *Nottingham and Lincoln* Railway at *Lincoln*, and to make a Branch Railway to their *Lincoln* Station. [22d *July* 1847.]

Cap. ccxv.

An Act to authorize certain Deviations in the Line of the *Syston and Peterborough* Branch of the *Midland* Railway, and the Formation of a Road or Approach to the intended *Manton* Station thereof. [22d *July* 1847.]

Cap. ccxvi.

An Act to authorize the Purchase by the *York and North Midland* Railway Company of the Interests of the Shareholders in the *Market Weighton* Canal, and the Purchase of the Canal communicating therewith called Sir *Edward Vavasour*'s Canal, of the *Pocklington* Canal, and of the *Leven* Canal, all in the East Riding of the County of *York*. [22d *July* 1847.]

Cap. ccxvii.

An Act to facilitate the effectual Drainage of certain Districts within the Commission of Sewers for the Limits extending from *East Moulsey* in *Surrey* to *Ravensbourne* in *Kent*. [22d *July* 1847.]

Cap. ccxviii.

An Act for enabling the *York and North Midland* Railway Company to make a Station at *Hull*, and certain Branch Railways connected with their Railways and the said Station; and for other Purposes. [22d *July* 1847.]

Cap. ccxix.

An Act for enabling the *York and North Midland* Railway Company to make a Railway from their *Church Fenton and Harrogate* Branch to *Knaresborough* and *Boroughbridge*. [22d *July* 1847.]

Cap. ccxx.

An Act to enable the *Edinburgh and Northern* Railway Company to make a Deviation and Extension of their Branch Railway to *Dunfermline*, to make another Railway from their *Strathearn* Deviation Railway to the *Scottish Central* Railway, and to make an Alteration in the Manner of constructing the said Branch and *Strathearn* Deviation across certain Roads. [22d *July* 1847.]

Cap. ccxxi.

An Act for making a Railway from *Southport* through *Wigan* to *Pendleton* near *Manchester*, with several Branches, to be called "The *Manchester and Southport* Railway." [22d *July* 1847.]

Cap. ccxxii.

An Act to incorporate the *Chester and Birkenhead* Railway with the *Birkenhead, Lancashire, and Cheshire Junction* Railway. [22d *July* 1847.]

Cap. ccxxiii.

An Act for enabling the *Birkenhead, Lancashire, and Cheshire Junction* Railway Company to make a Deviation in the *Chester* Branch of their Railway; and for other Purposes. [22d *July* 1847.]

Cap. ccxxiv.

An Act to enable the *East of Fife* Railway Company to make a Deviation in their Main Line, and to improve the Junction with the *Edinburgh and Northern* Railway near *Markinch*. [22d *July* 1847.]

Cap. ccxxv.

An Act to empower the *Eastern Union* Railway Company to make a Railway from the *Eastern Union* Railway at *Manningtree* to *Harwich*, with Branches thereout; and for other Purposes. [22d *July* 1847.]

Cap. ccxxvi.

An Act for making Branch Railways from the *Great Western* Railway to *Henby* and to *Radstock*; to widen certain Portions of the *Great Western* Railway; to enable the *Great Western* Railway Company to purchase or amalgamate with the *Birmingham, Wolverhampton, and Dudley* Railway, and to purchase the *Wycombe* and *Great Western and Uxbridge* Railways; and for other Purposes. [22d *July* 1847.]

Cap. ccxxvii.

An Act to authorize certain Alterations in the Line of the *Liverpool, Manchester, and Newcastle-upon-Tyne Junction* Railway; and for other Purposes. [22d *July* 1847.]

Cap. ccxxviii.

An Act to empower the *London and North-western* Railway Company to enlarge their Stations at *Liverpool* and *Crewe*; and for other Purposes. [22d *July* 1847.]

Cap. ccxxix.

An Act to authorize the Sale of the *Paisley and Renfrew* Railway to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, and the Improvement of the said Railway by that Company. [22d *July* 1847.]

Cap. ccxxx.

An Act to enable the *South-eastern* Railway Company further to widen the *London and Greenwich* Railway, and to enlarge their *London Bridge* Station. [22d *July* 1847.]

Cap. ccxxxi.

An Act to authorize certain Alterations in the Line of the *Waterford and Limerick* Railway; and to amend the Act relating thereto; and for other Purposes. [22d *July* 1847.]

Cap. ccxxxii.

An Act for making certain Lines of Railway in the County of *Lancaster*, to be called "The *Oldham Alliance* Railway." [22d *July* 1847.]

Cap. ccxxxiii.

An Act for making a Railway and Branch Railways in the County of *Chester*, to be called "The *Manchester and Birmingham and North Staffordshire Junction* Railway." [22d *July* 1847.]

Cap. ccxxxiv.

An Act to enable the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company to make certain Branch Railways in the County of *Renfrew*; and for other Purposes. [22d *July* 1847.]

Cap. ccxxxv.

An Act to enable the *Eastern Counties* Railway Company to make a Railway from *Wisbech* to *Spalding*. [22d *July* 1847.]

Cap. ccxxxvi.

An Act to authorize the Consolidation into One Undertaking of the *Oxford and Bletchley Junction* Railway Company and the *Buckingham and Brackley Junction* Railway Company, and to enable the Company so to be consolidated to make Extension Lines to *Banbury* and *Aylesbury*, and an Alteration of the Line into the City of *Oxford*. [22d *July* 1847.]

Cap. ccxxxvii.

An Act to enable the *Caledonian* Railway Company to extend their Station in *Edinburgh*, and to make Branch Railways to *Granton* and to the *Edinburgh and Glasgow* Railway. [22d *July* 1847.]

Cap. ccxxxviii.

An Act to enable the *Chester and Holyhead* Railway Company to extend their Line of Railway to the proposed new Harbour at *Holyhead*, and to contribute towards the Expence of constructing the said Harbour. [22d *July* 1847.]

Cap. ccxxxix.

An Act to incorporate the *Edinburgh, Leith, and Granton* Railway Company with the *Edinburgh and Northern* Railway Company. [22d *July* 1847.]

Cap. ccxl.

An Act to enable the *Liverpool, Manchester, and Newcastle-upon-Tyne Junction* Railway Company to make a Railway from the *Burnley* Branch of the *Manchester and Leeds* Railway in the Township of *Habergham Eaves* in the Parish of *Whalley* in the County of *Lancaster* to the *East Lancashire* Railway in the same Township; and for other Purposes. [22d *July* 1847.]

Cap. ccxli.

An Act to authorize a certain Alteration in the Line of the *Reading, Guildford, and Reigate* Railway, and to amend the Act relating thereto. [22d *July* 1847.]

Cap. ccxlii.

An Act to enable the *South Devon* Railway Company to extend the Line of the *South Devon* Railway to *Torquay* and to *Brixham*; and for other Purposes. [22d *July* 1847.]

Cap. ccxliii.

An Act to amend the *Exeter and Exmouth* Railway Act, 1846, and to enable the *London and South-western* Railway Company to subscribe towards, lease, or purchase the said Railway. [22d *July* 1847.]

Cap. ccxliv.

An Act for authorizing the Sale of Part of the *Brighton and Chichester* (*Portsmouth* Extension) Railway to the *London and South-western* and the *London, Brighton, and South Coast* Railway Companies, and the Use by the last-mentioned Company of Part (*Wandsworth* to *London*) of the *London and South-western* Railway. [22d *July* 1847.]

Cap. ccxlv.

An Act for making a Branch Railway from the *Glasgow, Airdrie, and Monklands Junction* Railway at or near *Whitevale Street, Glasgow*, to the *Edinburgh and Glasgow* Railway at or near *Cowlairs*; and to amend the Acts relating to such Railways. [22d *July* 1847.]

Cap. ccxlvi.

An Act to enable the *Edinburgh and Bathgate* Railway Company to deviate a Portion of their Main Line, and for other Purposes. [22d *July* 1847.]

Cap. ccxlvii.

An Act to make certain Deviations in the authorized Line of the "*Manchester, Buxton, Matlock, and Midlands Junction* Railway," and to amend the Act relating thereto. [22d *July* 1847.]

Cap. ccxlviii.

An Act to enable the *Royston and Hitchin* Railway Company to lease or sell their Line, and to authorize the said Company to enter into Contracts and complete Arrangements with the *Great Northern* Railway Company. [22d *July* 1847.]

Cap. ccxlix.

An Act to amend the Acts relating to the *London and South-western* Railway. [22d *July* 1847.]

Cap. ccl.

An Act to repeal an Act passed in the Fifty-fifth Year of His late Majesty King *George* the Third, for building a new Church and also a Workhouse in the Parish of *Bathwick* in the County of *Somerset*, and another Act passed in the Fifty-seventh Year of His said late Majesty to amend the said Act, and to provide for the future Administration and Exercise of the Trusts and Powers thereby respectively created. [22d *July* 1847.]

Cap. ccli.

An Act for paving, lighting, watching, draining, cleansing, regulating, and otherwise improving the Town of *Lytham* in the County Palatine of *Lancaster*, for supplying the Inhabitants thereof with Water, and for establishing and regulating a Market and Market Places therein. [22d *July* 1847.]

Cap. cclii.

An Act for paving, lighting, watching, cleansing, and otherwise improving the Town and Neighbourhood of *Tunstall* in the County of *Stafford*, and for improving and regulating the Market Place and Markets therein. [22d *July* 1847.]

[*Rights of the Lord of the Manor of Tunstall Court, reserved*, § 45.]

Cap. ccliii.

An Act for better paving, cleansing, draining, regulating, lighting, and improving the District of *Rathmines, Mount Pleasant, Ranelagh, Cullenswood, Milltown, Rathgar*, and *Haroldscross*, and such other Portions of the Parish of *Saint Peter* within the Barony of *Uppercross* in the County of *Dublin*, and for otherwise promoting the Health and Convenience of the Inhabitants. [22d *July* 1847.]

Cap. ccliv.

An Act for the further Improvement of the Borough of *Belfast*. [22d *July* 1847.]

[*Saving the Rights of the Corporation of Belfast Harbour*, § 44.]

Cap. cclv.

An Act for improving the Streets and public Places, and erecting a Town Hall, and improving the Markets, in the Township of *Blackburn* in the County Palatine of *Lancaster*. [22d *July* 1847.]

Cap. cclvi.

An Act for paving, lighting, watching, draining, cleansing, and improving the Town of *Saint Ives* and the Neighbourhood thereof in the County of *Huntingdon*. [22d *July* 1847.]

[*Rights and Duties of Surveyors of Highways not to be affected*, § 35. *Saving the Rights of the Lord of the Manor of St. Ives*, § 36.]

Cap. cclvii.

An Act for paving, lighting, cleansing, watering, regulating, and otherwise improving the Town of *Portsmouth* in the County of *Southampton*, and for removing and preventing Nuisances and Annoyances therein. [22d *July* 1847.]

[*Saving Rights of the Portsmouth and Salvington Waterworks Company*, § 54; *of the Portsea Gas Light Company*, § 55; *of the Floating Bridge Company*, § 56; *and of the Crown and Admiralty*, § 57.]

Cap. cclviii.

An Act for lighting, paving, cleansing, sewering, draining, regulating, and improving the Town and Neighbourhood of *Bingley* in the West Riding of the County of *York*, and for other Purposes connected therewith. [22d *July* 1847.]

[*Saving the Rights of the Owner of Bingley Waterworks*, § 41; *and of the Lord of the Manor of Bingley*, § 42.]

Cap. cclix.

An Act for constructing and maintaining a Bridge across the River *Slaney* near the Town of *Wexford*, with Approaches, and for taking down the present Bridge there. [22d *July* 1847.]

[*Saving the Rights of the Waterford, Wexford, Wicklow, and Dublin Railway Company, and of the Wexford, Carlow, and Dublin Junction Railway Company*, § 124. *Saving the Rights of the Crown*, § 125.]

Cap. cclx.

An Act to amend the several Acts relating to *Swansea* Harbour. [22d *July* 1847.]

[31 *G.* 3. *c.* lxxxiii., 36 *G.* 3. *c.* xciii., 44 *G.* 3. *c.* lvi., 6 & 7 *W.* 4. *c.* cxxvi., *and* 7 & 8 *Vict. c.* xliv. *recited*, § 1. *Provisions of* 44 *G.* 3. *c.* lvi. *as to Notice of Meetings for electing new Trustees repealed*, § 18. *Act not to affect the Rights of the Duke of Beaufort and his Trustees*, § 19; *nor the Right to make the Channel of Port Tennant*, § 20.]

Cap. cclxi.

An Act for better supplying with Water the Borough of *Liverpool* and the Neighbourhood thereof, and for authorizing the Mayor, Aldermen, and Burgesses of the said Borough to purchase the *Liverpool and Harrington* Waterworks and *Liverpool* Waterworks. [22d *July* 1847.]

Cap. cclxii.

An Act for better supplying with Water the Inhabitants of the Town and Neighbourhood of *Leeds* in the County of *York*. [22d *July* 1847.]

Cap. cclxiii.

An Act for making Docks at *Jarrow Slake* in the River *Tyne*. [22d *July* 1847.]

[*Saving the Rights of the Corporation of Newcastle-upon-Tyne as Conservators of the Tyne*, § 40. *Port Dues reserved to the Corporation*, § 41. *Saving the Rights of the Trinity House of Newcastle-upon-Tyne*, § 42.]

Cap. cclxiv.

An Act to authorize the *Birkenhead* Dock Commissioners to construct an additional Dock and other Works at *Birkenhead* in the County of *Chester*, and for other Purposes. [22d *July* 1847.]

[7 & 8 *Vict. c.* lxxix. *and* 8 & 9 *Vict. c.* iv. *recited*, § 1.]

Cap. cclxv.

An Act to alter and amend the Acts relating to the *Birkenhead* Commissioners Docks, and to make further Provision with respect to the Construction of the Sea or Wharf Walls along *Wallasey Pool*; and for other Purposes. [22d *July* 1847.]

Cap. cclxvi.

An Act for authorizing the Sale of the *Leominster* Canal, and other Property of the Company of Proprietors of the *Leominster* Canal Navigation, and for winding up and adjusting the Concerns of the same Company. [22d *July* 1847.]

Cap. cclxvii.

An Act for the better Drainage of Lands called *Crowland Washes* and *Fodder Lots, Cowbit Wash*, and *Deeping Fen Wash*, in the several Parishes of *Crowland, Spalding*, and *Pinchbeck*, the Hamlets of *Cowbit* and *Peakhill*, and the extra-parochial Place or Lands called *Deeping Fen* or *Deeping Fen Welland Washes*, all in the County of *Lincoln*. [22d *July* 1847.]

[*Saving of Manorial Rights*, § 76; *of the Adventurers of Deeping Fen, and the Trustees of the River Welland*, § 77; *and of the Committee-men and Trustees of the South Holland Drainage*, § 78; *and of the Commissioners of Sewers*, § 79; *and of the Trustees under* 41 *G.* 3. *c.* cxxviii., § 80.]

Cap. cclxviii.

An Act to change the Name of the *Liverpool* Fire and Life Insurance Company, and for other Purposes relating thereto. [22d *July* 1847.]

[*Name of the Company changed to the Liverpool and London Fire and Life Insurance Company*, § 1.]

Cap. cclxix.

An Act to enable the National Mercantile Life Assurance Society to sue and be sued in the Name of a nominal Party, and for other Purposes relating to the said Company. [22d *July* 1847.]

[*Company may sue and be sued in the Name of the Secretary or of One of the Directors of the Company*, § 1.]

Cap. cclxx.

An Act to enable the *Coventry, Nuneaton, Birmingham, and Leicester* Railway Company to sell and transfer their Railway, Works, and Interests to the *London and North-western Midland* Railway Companies, or either of them; and for other Purposes. [22d *July* 1847.]

Cap. cclxxi.

An Act to enable the *Saint Helen's* Canal and Railway Company to make Branch Railways to *Warrington* and to *Blackbrook*, and to make certain Alterations in their Railway, and also to take a Lease of the *Rainford* Branch of the *London and North-western* Railway. [22d *July* 1847.]

Cap. cclxxii.

An Act to enable the *Great Northern* Railway Company to make a Railway from *Saint Alban's* to the *Great Northern* Railway at *Hatfield*, and thence to the Town of *Hertford*. [22d *July* 1847.]

Cap. cclxxiii.

An Act for making a Deviation in the Line of the *Taw Vale* Railway, for making Branches therefrom to the Towns of *Bideford* and *South Molton*, for enlarging the Dock, and for amending the Acts relating thereto. [22d *July* 1847.]

Cap. cclxxiv.

An Act to enable the *Edinburgh and Northern* Railway Company to improve the Ferry between *Ferry-Port-on-Craig* and the North Shore of the River *Tay*. [22d *July* 1847.]

Cap. cclxxv.

An Act for consolidating the *Lynn and Ely*, the *Ely and Huntingdon*, and the *Lynn and Dereham* Railway Companies into One Company, to be called "The *East Anglian* Railways Company." [22d *July* 1847.]

Cap. cclxxvi.

An Act for enlarging the present Station of the *London, Brighton, and South Coast* Railway Company at or near *London Bridge*, and for the Division of the present Station between the *London, Brighton, and South Coast* and the *South-eastern* Railway Companies, for the separate Accommodation of the Traffic of such Two Railway Companies. [22d *July* 1847.]

Cap. cclxxvii.

An Act to enable the *Edinburgh and Northern* Railway Company to construct Branch Railways to *Saint Andrew's and Newburgh* Harbour, and to divert and alter the Levels of certain Turnpike Roads in the Line of the *Newport* Railway Extension. [22d *July* 1847.]

Cap. cclxxviii.

An Act to empower the *London and North-western* Railway Company to make a certain Branch Railway from *Kenilworth* to *Berkswell*, and to widen the Line from *Leamington* to *Coventry*, all in the County of *Warwick*; and for other Purposes. [22d *July* 1847.]

Cap. cclxxix.

An Act to enable the *Manchester, Sheffield, and Lincolnshire* Railway Company to sell the Water not required for their Canals called the *Peak Forest* Canal and *Macclesfield* Canal, and to make additional Works in connexion with such Canals. [22d *July* 1847.]

Cap. cclxxx.

An Act for widening and improving *Cannon Street*, and for making a new Street from the West End of *Cannon Street* to *Queen Street*, and for widening and improving *Queen Street*, and for effecting other Improvements in the City of *London*. [22d *July* 1847.]

[*Act not to prejudice the Rights of Her Majesty, or of the Corporation of London*, § 64; *or of the Commissioners of Sewers*, § 65.]

Cap. cclxxxi.

An Act to amend an Act for improving the Navigation from the *Hythe* at *Colchester* to *Wivenhoe* in the County of *Essex*, and for better paving, lighting, and improving the Town of *Colchester*; and for making a new Channel and deepening the River *Colne* from *Wivenhoe* to *Rams Hard* leading towards the Sea. [22d *July* 1847.]

[*Saving the Rights of the Corporation of Colchester*, § 148.]

Cap. cclxxxii.

An Act for better supplying with Water the Inhabitants of the Borough of *Leicester*, and certain Parishes and Places adjacent thereto, in the County of *Leicester*. [22d *July* 1847.]

Cap. cclxxxiii.

An Act for removing Doubts as to the Purchase of Lands by the Dock Company at *Kingston-upon-Hull* in certain Cases. [22d *July* 1847.]

Cap. cclxxxiv.

An Act to purchase and define the Manorial and Market Rights of *Stockport*, to establish public Parks, to purchase or lease Waterworks, to build Bridges, and to make other Communications within the Borough of *Stockport*. [22d *July* 1847.]

Cap. cclxxxv.

An Act for establishing a general Cemetery at *Wolverhampton* in the County of *Stafford*, and for making certain direct Roads and Approaches to the said Cemetery from the Town of *Wolverhampton* and the Neighbourhood thereof. [22d *July* 1847.]

[*Fees to be paid to Incumbents of Parishes from which Bodies are brought*, § 35.]

Cap. cclxxxvi.

An Act to enable the *Great Northern* Railway Company to make a Branch Railway near *Sutton* in *Lincolnshire*. [22d *July* 1847.]

Cap. cclxxxvii.

An Act to enable the *Great Northern* Railway Company to make certain Alterations in the Line and Levels of their Railway between *London* and the Neighbourhood of *Grantham*. [22d *July* 1847.]

Cap. cclxxxviii.

An Act to enable the *East Lancashire* Railway Company to alter the Line and Levels of their Railway, and to make a Branch Railway therefrom; and for other Purposes relating thereto. [22d *July* 1847.]

Cap. cclxxxix.

An Act to enable the *East Lancashire* Railway Company to extend the *Liverpool, Ormskirk, and Preston*, and the *Blackburn and Preston* Lines of their Railway, into *Preston;* and for other Purposes relating thereto. [22d *July* 1847.]

Cap. ccxc.

An Act to enable the *Northern Counties Union* Railway Company to make certain Alterations in their Railway in the Parishes of *Aysgarth* and *Wensley* in the North Riding of the County of *York*. [22d *July* 1847.]

Cap. ccxci.

An Act for making several Lines of Railway between *Penistone, Barnsley, Elsecar*, and *Doncaster*, in the West Riding of *Yorkshire*, to be called "The *South Yorkshire, Doncaster, and Goole* Railway;" and for authorizing the Purchase of Part of the *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway, and of the *Dun* Navigation and *Dearne and Dove* Canal. [22d *July* 1847.]

Cap. ccxcii.

An Act for enabling the *Wear Valley* Railway Company to purchase or lease the *Bishop Auckland and Weardale* Railway, the *Wear and Derwent* Railway, the *Weardale Extension* Railway, and the *Shildon* Tunnel, and to raise an additional Sum of Money; and for other Purposes. [22d *July* 1847.]

Cap. ccxciii.

An Act for establishing a general Cemetery for the Interment of the Dead in the Parish of *Newbury* near the Town of *Newbury* in the County of *Berks*. [22d *July* 1847.]

[*Fees to be paid to Incumbents of Parishes from which Bodies are brought*, § 37.]

Cap. ccxciv.

An Act to empower the *London and North-western* Railway Company to make divers Branch Railways in the County of *Lancaster;* and for other Purposes. [22d *July* 1847.]

Cap. ccxcv.

An Act for the Consolidation of the *Duffryn Llynvi and Porth Cawl* Railway Company with the *Llynvi Valley* Railway Company. [22d *July* 1847.]

Cap. ccxcvi.

An Act for forming and regulating "The Timber Preserving Company;" and to enable the said Company to purchase and work certain Letters Patent. [22d *July* 1847.]

Cap. ccxcvii.

An Act for improving and regulating the Harbour of *Sutton Pool* within the Port of *Plymouth* in the County of *Devon*. [23d *July* 1847.]

[*Saving the Rights of the Crown*, § 101; *and of the Duchy of Cornwall*, § 102. *General Saving of Rights*, § 103.]

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

N.B.—*To each of these Acts is annexed a Clause in the Form following:*

" And be it further enacted, That this Act shall be printed by the several Printers to the Queen's " most Excellent Majesty duly authorized to print the Statutes of the United Kingdom; and a Copy " thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, " and others."

Cap. 1.

AN Act to enable the Minister of the Parish of *Dalkeith* in the County of *Edinburgh* to feu his Glebe Lands lying in the said Parish. [8th *June* 1847.]

Cap. 2.

An Act to empower the Devisees of the Most Noble *Francis* Duke of *Bridgewater* deceased to appropriate to Building Purposes a Portion of *Cleveland Square* in the Parish of *Saint James Westminster*, and to improve the Approaches thereto. [8th *June* 1847.]

Cap. 3.

An Act to divide the Parish and Rectory of *Doddington* otherwise *Dornington* into Three separate and distinct Parishes and Rectories, and to endow the same out of the Revenues of that Rectory, and to make Provision for the further Division of such Rectories and Parishes; and for other Purposes connected therewith. [8th *June* 1847.]

Cap. 4.

An Act for dividing, allotting, and inclosing certain Open Marshes and Waste Lands in the Township of *Terrington* in the County of *Norfolk*. [21st *June* 1847.]

[*Allotments to be made to Lords of Manors in Right of Soil*, § 52. *Saving the Rights of Bedford Level Corporation*, § 82; *of Nene Outfall Commissioners*, § 83; *of Lords of Manors*, § 84. *General Saving*, § 85.]

Cap. 5.

An Act for facilitating the Proof of the Will of the Right Honourable *George Obrien*, late Earl of *Egremont* and Baron of *Cockermouth*, in certain Actions in *Ireland*. [2d *July* 1847.]

Cap. 6.

An Act for exchanging Freehold Estates belonging to *Robert Kellett Long* Esquire for Freehold Estates settled by the Will of *Robert Churchman Long* deceased, and for authorizing the leasing of the settled Estates. [2d *July* 1847.]

Cap. 7.

An Act for exchanging certain detached Portions situate in the County of *Sutherland* of the entailed Estate of *Poyntzfield*, belonging to Sir *George Gun Munro* Knight, for the Lands of *Udale*, situate in the County of *Cromarty*, belonging to *James Matheson* Esquire, contiguous to the said Estate of *Poyntzfield*, and for securing the Purchase of other Lands, to be entailed, and to form, along with the said Lands of *Udale*, Parts of the said entailed Estate of *Poyntzfield*. [2d *July* 1847.]

Cap. 8.

An Act to rectify an Error in an Act of the last Session, intituled *An Act to enable the Trustees appointed by Mrs.* Jane Ferguson *deceased to sell the Lands of* Laverocklaw, *and also certain Subjects situate in the Village of* Ormiston, *vested in them in trust, and to apply the Price to be obtained, and certain Trust Monies in their Hands, in the Purchase of other Lands, for the Purposes of the said Trust.* [2d *July* 1847.]

Cap. 9.

An Act for exchanging Hereditaments subject to Uses declared by the Will of *Anthony Compton* Esquire, deceased, for Hereditaments belonging to the Right Honourable *Henry* Earl *Grey*, for selling and exchanging other Hereditaments subject to the same Uses, and for investing the net Proceeds to arise from such Sales and Exchanges in the Purchase of other Hereditaments, to be settled to the same Uses; and to authorize the granting of Leases of Part of the Hereditaments subject to the Uses of the said Will. [2d *July* 1847.]

Cap. 10.

An Act to enable *Edward Legh* and *Mary Anne* his Wife, and others, to make and authorize Sales, Exchanges, and also Building and other Leases, of Estates at *Newington* otherwise *Newington Lucies* and *Lewisham* respectively in the County of *Kent;* and for other Purposes. [2d *July* 1847.]

Cap. 11.

An Act to enable *Charles Gordon* Duke of *Richmond* and *Lennox* to borrow a certain Sum of Money upon the Security of his entailed Estates, for Repayment to him of a Portion of the Monies laid out by him in the Improvement of these Estates. [22d *July* 1847.]

Cap. 12.

An Act for enabling certain Estates in *Ireland* of the Right Honourable *William* Earl of *Devon* deceased to be sold, and the Proceeds arising therefrom, after Payment of certain Charges and Incumbrances, to be applied in Payment or towards Reduction of the Charges and Incumbrances affecting the Family and other Estates in *England* late of the said Earl of *Devon;* and for authorizing the raising by Mortgage of the Estates in *Ireland*, until sold, of a limited Sum of Money, to be applied, under the Direction of the High Court of Chancery in *England*, in or towards permanently improving the said Estates in *Ireland;* and for making Provision for the Liquidation and Payment of the Principal Monies and Interest; and for other Purposes. [22d *July* 1847.]

Cap. 13.

An Act for enabling the Sale and Conveyance of certain Cottages, Gardens, and other improved Lands comprised in the Will of the Right Honourable *John William* Earl of *Dudley* deceased, and for laying out the Sale Monies in the Purchase of Estates, to be settled to the Uses of the said Will; and for other Purposes. [22d *July* 1847.]

Cap. 14.

An Act for authorizing the Sale and Exchange of certain Lands, Collieries, Hereditaments, and Mining Stock, forming Part of the Estate of *John Bowes* late Earl of *Strathmore*, and for enabling the Trustees to shift the Charges affecting the Inheritance of the same Lands and Hereditaments; and for other Purposes. [22d *July* 1847.]

Cap. 15.

An Act to incorporate the President and Trustees of *Huggens*'s College at *Northfleet* in the County of *Kent*, and to enable them the better to carry on the charitable Designs of the said College. [22d *July* 1847.]

Cap. 16.

An Act to increase the Number of Trustees for the Management of the *Dollar* Institution or *John M'Nabb*'s School, and to incorporate the Trustees. [22d *July* 1847.]

Cap. 17.

An Act for enabling Conveyances to be made of the Estate and Interest of *Elizabeth Goddard* (who is of unsound Mind) in Lands and Tenements a Partition or Division whereof is directed by a Decree of the High Court of Chancery made in a Cause "*Whitmore* v. *Goddard*." [22d *July* 1847.]

Cap. 18.

An Act to authorize the Sale of an Estate called *Morrant's Court* otherwise *Morant's Court* otherwise *Madam's Court* in the County of *Kent*, late the Property of *John Fry* Esquire, deceased, and for applying the Monies to arise by such Sale in Payment of Incumbrances affecting the said Estate, and for investing the Residue of such Monies for the Benefit of the Parties beneficially interested in the said Estate. [22d *July* 1847.]

Cap. 19.

An Act for exonerating the Trustees of the deceased *George Paterson* of *Castle Huntly*, Esquire, the elder, of their Expenditure in making Improvements upon the entailed Estates left by him; for enabling them to acquire certain Lands contiguous thereto, and to grant Feus; and for certain other Purposes. [22d *July* 1847.]

Cap. 20.

An Act for authorizing the Sale of so much of the entailed Lands and Estates of *Dundas* in the County of *Linlithgow* belonging to *James Dundas* Esquire as may be required to pay the Debts affecting or that may be made to affect the said Estates; and for enabling the said *James Dundas* to borrow Money upon the Security of the said Lands and Estates, for Repayment of a Portion of the Monies laid out in the Improvement of the said Lands and Estates, and in building a Mansion House and Offices for the same. [22d *July* 1847.]

Cap. 21.

An Act for authorizing the granting of a new Lease of certain Coal Mines and Hereditaments in the County of *Durham* late the Estate of *John Lyon* Esquire, deceased. [22d *July* 1847.]

Cap. 22.

An Act to vest in Trustees certain Lands in the Vicinity of *Glasgow* which belonged to the late *Colin Gillespie*, for the Purpose of selling a Portion thereof to pay off the Debt affecting the same, and of partitioning and feuing out the Remainder for the Benefit of his Heirs. [22d *July* 1847.]

Cap. 23.

An Act for extending the Time for enrolling (pursuant to the Statute Third and Fourth of *William* the Fourth, Cap. Seventy-four,) a Deed executed in the Colony of *New South Wales* for the Purpose of enlarging a Base Fee in Hereditaments at *Messingham* in the County of *Lincoln* into an Estate in Fee Simple. [22d *July* 1847.]

Cap. 24.

An Act for vesting in the Company of Proprietors of *Northam Bridge* and Roads certain Lands in the Town and County of *Southampton* and in the County of *Southampton*, and for empowering them to sell the same. [22d *July* 1847.]

Cap. 25.

An Act for enabling the Trustees of the Will of *George Charles Rooke* Esquire, deceased, to carry into effect a Contract for the Purchase of the Life Estate and Interest of *Hannah Rooke* Widow in the Real and Personal Estates of the said *George Charles Rooke*, respectively devised and bequeathed by his Will, and for raising Money for that Purpose; and for Payment of the Debts of the said *George Charles Rooke*, and of the Legacies and Arrears of Annuities bequeathed by his said Will; and for other Purposes incidental thereto. [22d *July* 1847.]

Cap. 26.

An Act for enabling Leases, Sales, and Partitions to be made of certain Estates in the County Palatine of *Lancaster* heretofore belonging to *John Penson* and *Molly* his Wife. [22d *July* 1847.]

Cap. 27.

An Act to enable the Trustees of a Charity called the *Leeds* Free Grammar School to sell Parts of the Trust Estates belonging to the said Charity, and to purchase other Lands, for the Uses and Purposes of the said Charity; and for other Purposes. [22d *July* 1847.]

Cap. 28.

An Act to empower the Dean and Chapter of *Westminster* to sell and exchange certain Lands and Hereditaments in the Parishes of *Paddington* and *Saint George Hanover Square* in the County of *Middlesex*, and to lay out the Monies to arise from such Sale in the Purchase of other Lands and Hereditaments; and for other Purposes. [22d *July* 1847.]

Cap. 29.

An Act to vest certain Estates in the County of *York* in *England* in *Alexander William Robert Bosville* and *Godfrey Wentworth Bayard Bosville*, and in *Skye* and *North Uist* in *Scotland* in the Right Honourable *Godfrey William Wentworth* Lord *Macdonald*, and to enable the said Lord *Macdonald* to sell Parts of the said Estates in *Scotland*, for the Payment of Debts; and for other Purposes. [22d *July* 1847.]

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An Act for authorizing the Sale to the Right Honourable *William* Baron *Ward* of certain Freehold and Copyhold Hereditaments in the County of *Worcester* devised by the Will of *Thomas Pickernell* Esquire, deceased, and for directing the Investment of the Purchase Money in other Hereditaments, to be settled in like Manner. [22d *July* 1847.]

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An Act for authorizing Leases to be granted for Quarrying and Mining Purposes of certain Estates in the *Isle of Purbeck* in the County of *Dorset*, subject to the Uses of the Will of *Maria Sophia Richards* Spinster, deceased. [22d *July* 1847.]

Cap. 32.

An Act for enabling the *Tunstall* Market Company to sell their Estate and wind up their Concerns, and for dissolving the Company. [22d *July* 1847.]

Cap. 33.

An Act to enable the Trustees and Executors of the Will and Codicil of Sir *John Saint Aubyn* Baronet, deceased, to raise a Sum of Money towards the Liquidation of his Debts, by Mortgage of his devised Estates in the County of *Devon*, instead of selling certain Leasehold Hereditaments in the County of *Cornwall*; and to enable the said Trustees to convey the Reversion in Fee Simple in the same Hereditaments, vested in them for that Purpose under the Will of the Reverend *John Molesworth Saint Aubyn* deceased, to the Uses of the said Will and Codicil of the said Sir *John Saint Aubyn*, so as to convert such Leaseholds into a Fee Simple Estate in possession; and for other Purposes. [22d *July* 1847.]

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An Act for the better Support and better Regulation of the Hospital of the Holy *Jesus*, founded in the *Manors* in the Town and County of *Newcastle-upon-Tyne* at the Costs and Charges of the Mayor and Burgesses of the Town of *Newcastle-upon-Tyne* in the County of the Town of *Newcastle-upon-Tyne* aforesaid, and for confirming Sales and other Dispositions made of Estates formerly Part of the Possessions of the said Hospital; and for other Purposes; and for repealing an Act of the last Session of Parliament for the same Purposes. [23d *July* 1847.]

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An Act to authorize the Construction of a Canal on the Estates devised by the Will of the late Mr. *Jonathan Passingham*, for the Transport of Bricks manufactured on such Estates, and to enable the Trustees of the Will to complete the Purchase of an adjoining Estate contracted for by them; and for other Purposes. [23d *July* 1847.]

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AN

INDEX TO THE STATUTES

OF

THE UNITED KINGDOM,

VOLUME THE EIGHTEENTH,

Containing the Acts passed 9 & 10 Vict. and 10 & 11 Vict. (1846, 1847.)

☞ In this Index the Acts which relate to Ireland or Scotland exclusively are classed under those General Heads; but arranged in Subdivisions according to the several Subjects, with References to and from other Parts of the Index.

Acts relating to Bridges, Canals, Docks, Ferries, Harbours, Piers, Ports, and other Works of the like Nature, to the draining and inclosing of Lands, to Railways and Turnpike Roads, and to the watching, paving, lighting, &c. of Towns, are classed, according to their Subjects, under the general Title *Local Acts.*

The Acts commonly called Estate Acts will be found under the Title *Private Acts.*

The Public Local and Personal Acts are referred to in the Roman Numerals, by which their Series is distinguished in the respective Sessions.

Minute References are also made from one Head to another; and from the various Heads under which the Subject may be looked for, to the Head under which the Statute is actually entered.

(*Pr.*) denotes Private Acts printed by the Queen's Printer, the printed Copies whereof may be given in Evidence.

A.

Accidents, See Persons killed by Accidents.

Actions (*Personal*), See Persons killed by Accidents.

Accounts.

1. An Act to provide for the Preparation, Audit, and Presentation to Parliament of annual Accounts of the Receipt and Expenditure of the Naval and Military Departments, 9 & 10 *Vict. c.* 92.
2. So much of 2 & 3 *W.* 4. *c.* 40. as relates to Account of Naval Receipts, &c., repealed. Proviso, § 1.
3. Accounts of Receipt and Expenditure for Navy, Army, Commissariat, and Ordnance Services to be annually audited by Commissioners for auditing Public Accounts, and transmitted to the Treasury. If Errors discovered, Accounts to be returned to the respective Offices for Correction, § 2.
4. No Imprests to be charged in the said Accounts, § 3.
5. Commissioners of Audit to have Access to Books, Orders, and Papers, § 4.
6. Objections made to Items of Account from Time to Time, when not satisfactorily answered, to be referred by Commissioners of Audit to the Treasury, § 5.
7. Auditors to append to each Account a Report, to be transmitted to the Treasury, § 6.
8. Accounts, and Auditors Reports thereon, to be laid before the House of Commons by the Treasury, § 7.
9. Commencement of Act, § 8.

Administration of Justice.

1. An Act for removing some Defects in the Administration of Criminal Justice, 9 & 10 *Vict. c.* 24.
2. Power of Criminal Courts as to Terms of Transportation and Imprisonment, § 1.
3. Repeal of Provision in 4 & 5 *W.* 4. *c.* 36. as to Indictments before Grand Jury of Central Criminal Court. Indictments may now be preferred before the said Court, § 2.
4. Writs for removing Indictments from Central Criminal Court to specify County, &c. in which same shall be tried, § 3.
5. Certificate of Recognizance filed to prosecute Writ of Error to be made out by the Clerk of the Crown, Master or Assistant Master on the Crown Side of the Court of Queen's Bench, and to be a sufficient Warrant for Defendant's Discharge, § 4.

Aliens.

1. An Act for the Naturalization of Aliens, 10 & 11 *Vict. c.* 83.
2. All Acts, &c. of Colonial Legislatures imparting Privileges of Naturalization valid, § 1.

3. All Laws, &c. hereafter made imparting Privileges of Naturalization valid, but subject to Confirmation or Disallowance by Her Majesty, § 2.
4. 7 & 8 *Vict. c.* 66. not to extend to Colonies or Possessions abroad, § 3.

Art Unions.

1. An Act for legalizing Art Unions, 9 & 10 *Vict. c.* 48.
2. Voluntary Associations constituted for the Distribution of Works of Art by Lot deemed legal, provided a Royal Charter shall have been first obtained, &c., § 1.
3. Indemnity granted by 8 & 9 *Vict. c.* 57. till 1st *August* 1846 further extended to 1st *November* 1846, § 2.

Assessed Taxes.

1. An Act to provide Forms of Proceedings under the Acts relating to the Duties of Assessed Taxes, and the Duties on Profits arising from Property, Professions, Trades, and Offices in *England*, 9 & 10 *Vict. c.* 56.
2. 43 *G.* 3. *c.* 99. recited. The Forms contained in the Schedule to this Act to be used in all Proceedings under the Acts relating to the Assessed Taxes and the Property and Income Tax, § 1.
3. Proceedings not to be void or voidable for Want of Form, or affected by any Mistake, &c. therein, § 2.
4. Construction of Terms in this Act or in Schedule annexed:—"Duties of Assessed Taxes," &c; "Commissioners of Assessed Taxes;" "Commissioners of the Property and Income Tax;" "Additional Commissioners of the Property and Income Tax;" "Special Commissioners of the Property and Income Tax;" "Commissioners for Offices;" "Oath;" "England;" "Parish," § 3.

Australia.

1. An Act to continue until the Thirty-first Day of *December* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, an Act of the Tenth Year of King *George* the Fourth, for providing for the Government of His Majesty's Settlements in *Western Australia* on the Western Coast of *New Holland*, 9 & 10 *Vict. c.* 35.
2. 10 *G.* 4. *c.* 22. continued to 31st *December* 1848, § 1.
3. An Act to amend an Act for regulating the Sale of Waste Land belonging to the Crown in the *Australian* Colonies, and to make further Provision for the Management thereof, 9 & 10 *Vict. c.* 104.
4. 5 & 6 *Vict. c.* 36. recited. Her Majesty may demise for a Term of Years, or grant Licences for Occupation of Waste Lands in *New South Wales*, &c., § 1.
5. Appropriation of Proceeds, § 2.
6. Justices may dispossess Persons unlawfully occupying Waste Lands. Not to extend to Occupiers of a certain Time, § 3.
7. Penalties for the unauthorized Occupation and Use of Crown Lands, § 4.
8. Mode of recovering Penalties, § 5.
9. Her Majesty in Council may make Rules and Regulations respecting the Occupation of Waste Lands, or preventing Abuses incident thereto, § 6.
10. Protection of Persons acting in execution of the Act, § 7.
11. Proceedings not to be quashed or removed by Certiorari, § 8.
12. Definition of the Words "Governor," and "Waste Lands," § 9.
13. Her Majesty may by Order in Council delegate certain Powers to the Governor, § 10.
14. Recited Act not to apply to Land situate in *New Zealand*, § 11.
15. Recited Act repealed where repugnant to this Act, § 12.
16. Commencement of Act, § 13.

B.

Bankruptcy Court.

1. An Act to abolish the Court of Review in Bankruptcy, and to make Alterations in the Jurisdiction of the Courts of Bankruptcy and Court for Relief of Insolvent Debtors, 10 & 11 *Vict.* c. 102.
2. Court of Review abolished, § 1.
3. Jurisdiction of Court of Review transferred to One of the Vice Chancellors, § 2.
4. Laws and Orders to apply to Vice Chancellor so sitting, § 3.
5. Jurisdiction of Courts of Bankruptcy under 5 & 6 *Vict. c.* 116., 7 & 8 *Vict. c.* 96., and 8 & 9 *Vict. c.* 127. transferred to Court for the Relief of Insolvent Debtors and to the County Courts, § 4.
6. In Insolvent Debtors Court the Provisional Assignee, and in County Courts the Clerk, to act as Official Assignee. Clerks of County Courts to act as Registrars; Bailiffs of County Courts to act as Messengers, § 5.
7. Jurisdiction of Insolvent Debtors Court and County Courts, § 6.
8. Recited Acts to apply to Persons petitioning who have been in Prison, § 7.
9. If Insolvent shall not have resided Six Months, Jurisdiction vested in Insolvent Court or County Court, § 8.
10. Petitions now pending under recited Acts, &c. to be disposed of notwithstanding the passing of this Act, § 9.
11. Jurisdiction of the Court for Relief of Insolvent Debtors on Circuit transferred to County Courts, § 10.
12. Recognizances of Sureties entered into under 1 & 2 *Vict. c.* 110. for enforcing Attendance of Insolvents to bind Persons to appear before County Courts, § 11.
13. Fees in Insolvent Debtors Court to go in reduction of certain Compensations to its Officers, § 12.
14. Power to Secretary of State to order what Fees are to be paid to Officers under 9 & 10 *Vict. c.* 95., and this Act. Until such Order made Clerks and Bailiffs to receive all Fees as heretofore, § 13
15. Lord Chancellor may give Directions for Sittings of Court of Bankruptcy elsewhere than in *London*, § 14.
16. Lord Chancellor may order Payment of travelling and other Expences, § 15.
17. Forms may be altered, § 16.
18. Vacancies not to be filled up till after the Termination of the next Session of Parliament, § 17.
19. Judges of County Courts incapable of being Members of Parliament, § 18.
20. Interpretation of "Lord Chancellor," § 19.
21. Commencement of this Act, § 20.

Baths and Wash-houses.

1. An Act to encourage the Establishment of public Baths and Wash-houses, 9 & 10 *Vict. c.* 74.
2. Act may be adopted in certain Boroughs and Parishes, § 1.
3. Interpretation of Act, § 2.

4. Council of any Borough may adopt the Provisions contained in this Act, if they think fit, § 3.
5. Expences of carrying this Act into execution shall be charged upon the Borough Fund, and Income arising carried to same, § 4.
6. On the Requisition of Ten Rate-payers, Churchwardens, &c. to convene Vestry Meeting to determine whether this Act shall be adopted. If Vestry resolve to adopt the Act, a Copy of Resolutions to be sent to Secretary of State, &c. No Resolution deemed to be carried unless Two Thirds vote for it, § 5.
7. Where Act adopted, Vestry Clerk to appoint Commissioners for carrying the same into execution, § 6.
8. Resignation of Commissioners, § 7.
9. Vacancies to be filled up by Vestry, § 8.
10. Meetings of the Commissioners, § 9.
11. Special Meetings of Commissioners, § 10.
12. Quorum of Meetings of Commissioners, § 11.
13. Commissioners may appoint and remove Officers, &c., § 12.
14. Minutes of Proceedings of Commissioners to be entered in a Book, § 13.
15. Commissioners to keep Accounts, which shall be open to Inspection. Penalty for refusing to allow Inspection, § 14.
16. Auditors to be appointed yearly, who shall examine the Accounts, and report to Vestries, § 15.
17. Expences of executing Act in any Parish to be paid out of the Poor's Rate, § 16.
18. Overseers to levy, as Part of the Poor's Rate, such Sums as Vestry shall deem necessary to pay Expences, § 17.
19. Monies raised, and the Income arising from Baths, &c. in the Parish, to be applied towards defraying the Expences, § 18.
20. Vestries of Two or more Parishes may concur in carrying this Act into execution, subject to the Approval of Secretary of State, § 19.
21. Incorporation of Commissioners, § 20.
22. Councils, &c. may borrow Money for the Purposes of the Act, with the Approval of the Treasury, § 21.
23. The Public Works Loan Commissioners may advance Money for the Purposes of this Act, § 22.
24. 8 & 9 *Vict.* c. 16. incorporated with this Act for certain Purposes, § 23.
25. Council may appropriate, with Consent of the Treasury, Lands vested in the Mayor, &c. Commissioners may, with Approval of Vestry, &c. appropriate Lands belonging to Parish; or contract for Purchase of the same, § 24.
26. Councils and Commissioners may erect, &c. public Baths and Wash-houses and open Bathing Places, § 25.
27. Councils and Commissioners may enter into Contracts for the Purposes of this Act. No Contract above 100*l.* to be entered into without Notice, § 26.
28. Council or Commissioners may purchase existing Baths, &c., § 27.
29. Power to Water and Gas Companies to supply Water and Gas to Baths, &c., § 28.
30. Councillors and Commissioners not to be personally liable, § 29.
31. Persons may appeal against Orders of Councils and Commissioners, § 30.
32. Council, &c. empowered to make Sale and Exchange of Lands, with Consent, § 31.
33. When Baths, &c. are considered too expensive they may, with Approval of Treasury, be sold, and Proceeds of Sale carried to Borough Fund or Poor's Rate, § 32.
34. Management to be vested in Councils and Parish Commissioners, § 33.
35. Council, &c. may make Bye Laws for regulating the Use of Baths and Wash-houses, &c., and Charges thereat. Bye Laws to be approved by the Secretary of State, § 34.
36. Copies or Abstracts of Bye Laws to be hung up in every Bath Room, &c., § 35.
37. Proportion of Baths for the labouring Classes, § 36.
38. Charges to be fixed by Councils and Commissioners, not exceeding those in Schedule (B.), § 37.
39. As to Recovery of Charges at Wash-houses, § 38.
40. Penalty for Council, Commissioners, or Officers taking Fees beyond Salaries, or being interested in Contracts, § 39.
41. Application of Penalties, § 40.
42. An Act to amend the Act for the Establishment of public Baths and Wash-houses, 10 & 11 *Vict.* c. 61.
43. 9 & 10 *Vict.* c. 74. and this Act to be construed as One, § 1.
44. Interpretation of Expressions in recited Act and this Act, § 2.
45. Acts of Commissioners of Public Baths, &c. to be valid, notwithstanding Informalities, § 3.
46. Incorporation of 8 & 9 *Vict.* c. 18. Purchase of Lands, § 4.
47. Proportion of Washing Accommodation for Labouring Classes, § 5.
48. So much of recited Act as regulates Charges for Baths, &c. repealed, § 6.
49. Charges for Use of Baths, &c. not to exceed those in the Schedule, § 7.

Battersea Park.

An Act to empower the Commissioners of Her Majesty's Woods to form a Royal Park in *Battersea Fields* in the County of *Surrey*, 9 & 10 *Vict.* c. 38.

Bishoprick of Manchester.

1. An Act for establishing the Bishoprick of *Manchester*, and amending certain Acts relating to the Ecclesiastical Commissioners for *England*, 10 & 11 *Vict.* c. 108.
2. 6 & 7 *W.* 4. c. 77., 3 & 4 *Vict.* c. 113., 4 & 5 *Vict.* c. 39., 6 & 7 *Vict.* c. 77. recited. Repeal of repugnant Enactments in recited Acts, and certain Powers and Provisions in them extended to this Act, § 1.
3. Number of Lords Spiritual not to be increased, § 2.

Books and Engravings.

1. An Act to amend an Act of the Seventh and Eighth Years of Her present Majesty, for reducing, under certain Circumstances, the Duties payable upon Books and Engravings, 9 & 10 *Vict.* c. 58.
2. 7 & 8 *Vict.* c. 73. repealed, § 1.
3. Her Majesty may, by Order in Council, reduce Duties on Books and Prints published in Countries to which Copyright is allowed, § 2.
4. Her Majesty may, by Order in Council, reduce Duties on Books, &c. of Countries under Treaty of Reciprocity, § 3.
5. Her Majesty may, by Order in Council, reduce Duties in favour of Countries not under Treaty, § 4.
6. Her Majesty may, by Order in Council, revoke previous Orders, § 5.
7. Orders to be published in the Gazette, § 6.
8. And to be laid before Parliament, § 7.

Buck Wheat, &c.

1. An Act to suspend, until the First Day of *September* One thousand eight hundred and forty-seven, the Duties on the Importation of Buck Wheat, Buck Wheat Meal, Maize or *Indian* Corn, *Indian* Corn Meal, and Rice, 10 & 11 *Vict. c.* 3.
2. 9 & 10 *Vict. c.* 23. recited. From the passing of this Act until 1st of *September* no Duties of Customs chargeable on Buck Wheat, &c., § 1.

Burial Grounds.

1. An Act for better enabling the Burial Service to be performed in One Chapel where contiguous Burial Grounds shall have been provided for Two or more Parishes or Places, 9 & 10 *Vict. c.* 68.
2. Church Building Commissioners may direct that One Chapel shall be used by the different Parishes or Places for which Burial Grounds contiguous to each other shall have been provided. Ministers of each Parish may use the Chapel. Same Fees payable as are due in Parishes for which Ground has been purchased, § 1.
3. Bishop of the Diocese may declare in the Sentence of Consecration that such Chapel is intended for the Use of such respective Parishes or Places, § 2.
4. One Boundary Fence sufficient, unless Bishop direct Bound Stones to be put down for marking Boundaries of each Parish, § 3.
5. This Act not to authorize any Church Rate for the Repair of the Chapel, &c. A sufficient Fund for such Repair or Sustentation shall be set apart, and invested in the Names of Trustees. Vacancies amongst Trustees to be filled up, § 4.

C.

Canada.

1. An Act to authorize Her Majesty to assent to a certain Bill of the Legislative Council and Assembly of the Province of *Canada*, for granting a Civil List to Her Majesty; and to repeal certain Parts of an Act for re-uniting the Provinces of *Upper* and *Lower Canada*, and for the Government of *Canada*, 10 & 11 *Vict. c.* 71.
2. 3 & 4 *Vict. c.* 35. recited. Her Majesty empowered, with the Advice of Her Council, to assent to the reserved Bill, § 1.
3. If Her Majesty shall assent to the said reserved Bill, certain Provisions in the recited Act repealed, § 2.

Canal Companies.

1. An Act to amend an Act to enable Canal Companies to become Carriers upon their Canals, 10 & 11 *Vict. c.* 94.
2. 8 & 9 *Vict. c.* 42. recited. Recited Act incorporated with this Act, § 1.
3. Canal Companies empowered to borrow Money as prescribed by 8 & 9 *Vict. cc.* 16. and 17., and apply the same to Purposes of recited Act. Saving Rights of existing Creditors, § 2.
4. 8 & 9 *Vict. cc.* 16. and 17. incorporated with this Act, § 3.
5. Companies not exempt from Provisions of any future general Act, § 4.

Cemeteries Clauses.

1. An Act for consolidating in One Act certain Provisions usually contained in Acts authorizing the making of Cemeteries, 10 & 11 *Vict. c.* 65.
2. Extent of Act, § 1.
3. Interpretations in this Act:—"special Act;" "prescribed;" "Lands;" "Company;" § 2.
4. Interpretations in this and the special Act:—Number; Gender; "Person;" "Lands;" "the Cemetery;" "Month;" "Superior Courts;" "Oath;" "Established Church;" "County;" "Justice;" "Two Justices;" "Quarter Sessions;" § 3.
5. Short Title of this Act, § 4.
6. Form in which Portions of this Act may be incorporated in other Acts, § 5.
7. Construction to be subject to the Provisions of this and the Lands Clauses Consolidation Act, 1845, § 6.
8. Errors and Omissions in Act or Schedule to be corrected by Justices, who shall certify the same. Certificate to be deposited, § 7.
9. Copies of Plans, &c. to be Evidence, § 8.
10. Company not to dispose of consecrated Land, § 9.
11. Cemetery not to be within a certain Distance of Houses, § 10.
12. Company may build Chapels, &c., § 11.
13. Company may make or widen Roads to Cemetery, § 12.
14. No Road to be widened without Consent, § 13.
15. Agreements for improving Roads may be entered into, § 14.
16. Cemetery to be inclosed and fenced, § 15.
17. Cemetery, &c., to be kept in repair, § 16.
18. Company to make Compensation for Damages, § 17.
19. Power to make Sewers, Drains, &c. in and about the Cemetery, § 18.
20. Certain Provisions of Water-works Clauses Act, 1847, incorporated with this Act, § 19.
21. Penalty for allowing Water to be fouled, § 20.
22. Penalty to be sued for within Six Months, § 21.
23. In addition to Penalty of 50*l.*, a daily Penalty during the Continuance of the Offence, § 22.
24. Part of Cemetery to be set apart for Burial according to Established Church, § 23.
25. Such Part to be defined, § 24.
26. Chapel in connexion with Established Church to be built, § 25.
27. Bodies not to be removed after Interment, § 26.
28. Chaplain to be appointed with Consent of the Bishop, § 27.
29. Chaplain to perform Burial Service when required, § 28.
30. Other Clergymen of the Established Church may be allowed to officiate, § 29.
31. Company to pay the Chaplain a Stipend approved by the Bishop, § 30.
32. Stipend to be recovered by Action at Law, § 31.
33. Burials in the consecrated Portion to be registered by the Chaplain, § 32.
34. Registers subject to Regulations of 6 & 7 *W.* 4. *c.* 86. as to Searches, &c., § 33.
35. Clerk appointed for the consecrated Part of the Cemetery, § 34.
36. As to Burial of Persons not Members of the Church of England, § 35.
37. Company may allow any Burial Service to be performed in Dissenting Chapels, § 36.
38. Power to appoint Gravediggers, &c., § 37.

39. Regulations

39. Regulations for ensuring Decency, &c., § 38.
40. No Burials under Chapels, &c., § 39.
41. Parts of Cemetery may be set apart for exclusive Burial. Monumental Inscriptions, § 40.
42. Plan and Book of Reference to be kept, and be open to Inspection, § 41.
43. Form of Grant of Burial to be according to Schedule, § 42.
44. Register of Grants to be kept, § 43.
45. Rights of Burial, &c. assignable, § 44.
46. Form of Assignment, § 45.
47. Assignments to be registered, § 46.
48. Probate of Wills to be registered, § 47.
49. Vaults to be kept exclusively for Purchasers, § 48.
50. Such Grant not to give Right of Burial in consecrated Ground in certain Case, § 49.
51. Power to remove certain Monuments, § 50.
52. Bishop may object to monumental Inscriptions in consecrated Part of Cemetery, § 51.
53. Payments to Incumbents of Parishes, § 52.
54. Company shall keep Account of Interments, § 53.
55. Account of Payments due to Incumbents of Parishes to be rendered half-yearly, § 54.
56. Fees to be paid to Incumbents of Parishes half-yearly, § 55.
57. Payment to be made to the Incumbent for the Time being, who is to account with his Predecessor, § 56.
58. Company to pay Parish Clerks the Compensation mentioned, § 57.
59. Penalty for damaging the Cemetery, § 58.
60. Penalty on Persons committing Nuisances in the Cemetery, § 59.
61. Annual Account to be made up, and a Copy transmitted to the Clerk of the Peace, &c., and be open to Inspection, § 60.
62. Tender of Amends, § 61.
63. 8 & 9 *Vict.* c. 20. incorporated as to Damages, &c., § 62.
64. In Ireland, Part of Penalty to be paid to Guardians of Unions, § 63.
65. One Justice may in certain Cases act for Two, § 64.
66. Penalties on false Evidence, § 65.
67. Copies of special Act to be kept by Company at their Office, and deposited with the Clerk of the Peace, and be open to Inspection. 7 *W.* 4. & 1 *Vict.* c. 83.—§ 66.
68. Penalty on failing to keep or deposit such Copies, § 67.
69. Company not exempt from Provisions of any future general Act, § 68.

Chelsea and Greenwich Pensioners.

1. An Act for amending the Act for rendering effective the Services of the *Chelsea* Out-Pensioners, and extending it to the Out-Pensioners of *Greenwich* Hospital. 9 & 10 *Vict.* c. 9.
2. Provisions of 6 & 7 *Vict.* c. 95. extended to Greenwich Pensioners, and amended, § 1.
3. Lord Lieutenant of Ireland may call out Irish Pensioners, § 2.
4. An Act for regulating the Payment of the Out-Pensioners of *Greenwich* and *Chelsea* Hospitals, 9 & 10 *Vict.* c. 10.
5. Repeal of Part of 5 & 6 *Vict.* c. 70. and of 7 *G.* 4. c. 16. and of 10 *G.* 4. c. 26., and 11 *G.* 4. & 1 *W.* 4. c. 20., and 5 & 6 *W.* 4. c. 35., § 1.
6. Repeal of Part of 2 & 3 *Vict.* c. 51. as to Repayment of Relief granted to *Chelsea* and *Greenwich* Out-Pensioners, § 2.
7. Secretary at War to regulate Payment of Out-Pensioners, § 3.
8. Accounts to be audited as Army Effective Services, § 4.
9. Saving of Powers of Commissioners of the Admiralty and *Chelsea* Hospital, § 5.
10. Penalty for Frauds respecting Pensions, § 6.
11. *Greenwich* Pensioners convicted of Felony may be restored to Pension, § 7.
12. Pensions may be paid to the Wives and Children of Pensioners out of the United Kingdom, § 8.
13. Repayment to Parishes of Relief given to Out-Pensioners, § 9.
14. Care of Lunatic Pensioners, § 10.
15. Arrears of Pensions under 50*l.* may be paid to personal Representatives without Probate or Letters of Administration, § 11.
16. Bills on account of Pensions paid to be presented to the Paymaster General, and all Vouchers, &c. to be transmitted to the Secretary at War, § 12.
17. An Act to amend the Acts for rendering effective the Service of the *Chelsea* and *Greenwich* Out-Pensioners, 10 & 11 *Vict.* c. 54.
18. Provisions of 5 & 6 *Vict.* c. 70., 6 & 7 *Vict.* c. 95., and 9 & 10 *Vict.* cc. 9. & 10. to apply to all Out-Pensioners of *Chelsea* and *Greenwich* Hospitals who may reside in the Colonies, &c. Only *Greenwich* Pensioners as have served in the Marines liable. Her Majesty may by Warrant fix the Number of Men to be enrolled, § 1.
19. Persons registered for prospective Pensions liable to be enrolled, § 2.
20. Secretary of State, &c. empowered to issue Warrants calling out Pensioners or Persons enrolled, &c. for a limited Period. Enrolled Persons called out only by Authority of a Magistrate, &c., to be employed for Twelve Days only, unless in certain Cases, § 3.
21. In case of actual Invasion or Riot, Pensioners may be sent to any Part of the United Kingdom, § 4.

Chelsea Pensions.

1. An Act for abolishing Poundage on *Chelsea* Pensions, 10 & 11 *Vict.* c. 4.
2. So much of recited Acts as authorizes the Treasurer of *Chelsea* Hospital to make Deductions from Pensions repealed. All Out-Pensions to be paid free from Deduction. Nothing to give Claim to Deductions made before the passing of this Act, § 1.

Cheshire (Elections for).

1. An Act to remove Doubts as to the Election of Members to serve in Parliament for the County of *Chester*, the Boroughs situate therein, and for the County of the City of *Chester*, 9 & 10 *Vict.* c. 44.
2. 11 *G.* 4. & 1 *W.* 4. c. 70. recited. Writs for Election of Members to serve for the County of Chester, or Boroughs therein, to be directed to the Sheriff of the County; and for the City, to the Sheriff of the County of the City, § 1.
3. All Elections since passing of recited Act deemed valid, § 2.

Coals and Coalwhippers.

1. An Act to continue until the First Day of *January* One thousand eight hundred and fifty-one, and to the End of the then next Session of Parliament, and to amend, an Act for establishing an Office for the Benefit of Coalwhippers of the Port of *London*, 9 & 10 *Vict.* c. 36.

2. 1 & 2 *W.* 4. *c.* 76., 1 & 2 *Vict. c.* 101., 8 & 9 *Vict. c.* 101., and 6 & 7 *Vict. c.* ci. recited. Board of Trade may appoint Four Commissioners, and may remove them, and fill up Vacancies, § 1.
3. The Corporation of London may appoint Four Commissioners, and may remove them, and supply Vacancies, § 2.
4. Chairman of Committee of the General Shipowners Society of London to be a Commissioner. Style of Commissioners, § 3.
5. Commissioners appointed under 6 & 7 *Vict. c.* ci. to remain in Office until removed, § 4.
6. Existing Contracts to remain in force, § 5.
7. Meetings of Commissioners. Quorum, § 6.
8. Chairman and Vice Chairman to be appointed every Year. Presiding Chairman to have a Casting Vote, § 7.
9. Powers of Commissioners vested in the Board, § 8.
10. Proceedings of Board to be entered in a Book, § 9.
11. Commissioners to sue and be sued in the Name of the Registrar, § 10.
12. Commissioners to keep a Register, and appoint a Registrar, § 11.
13. Registrar to enter Names, &c. of Coalwhippers; and to deliver Certificates, and renew the same, and to keep the Register according to the Act. Where a Person has been duly registered he need not be again registered, § 12.
14. Register to be Evidence. Entry and Certificate not subject to Stamp Duty. Penalty on Persons making Misrepresentations, § 13.
15. No Person to follow the Employment of a Coalwhipper unless he be registered, and have a Certificate. Exception in favour of the Crews of Colliers, and of the actual Servants or Labourers of the Owners or Purchaser of the Cargo, § 14.
16. Corporation of *London* may hire Lands and Buildings for Offices and Stations, and remove the same at Request of the Commissioners, § 15.
17. Commissioners to provide Tackle for the Use of Vessels discharging their Cargoes. Penalty on other Persons letting out Tackle or other Implements. Nothing to prevent Owners, &c. from using their own Tackle, § 16.
18. Commissioners to appoint Officers, and award such Salaries as Board of Trade shall approve of, § 17.
19. Where Cargo to be discharged by Coalwhippers, Shipmaster to apply to the Coalwhippers Office, § 18.
20. Duties of Clerks, &c., as to the Employment of Coalwhippers in unloading Vessels, § 19.
21. Clerk to send a proper Gang with Tackle to the Vessel to be unladen, § 20.
22. Penalty on Master not permitting Vessels to be discharged, § 21.
23. Penalty on Shipmaster employing non-registered Persons as Coalwhippers. Shipmaster may employ Crews of Colliers to discharge the Coals by the Process of whipping. Shipmaster may employ non-registered Coalwhippers in certain Cases. Proviso, § 22.
24. After Discharge of Cargo, Shipmaster to pay Wages to the Person authorized from Coalwhippers Office to receive the same. So much of 1 & 2 *Vict. c.* 101. as relates to Payment of Wages repealed, § 23.
25. Recovery of Wages, &c., § 24.
26. Person authorized by Commissioners shall pay the Coalwhippers the Wages due to them, after making the requisite Deductions, § 25.
27. Applications of Fractions, § 26.
28. Commissioners to make Bye Laws for the Government of the Coalwhippers, and Management of the Offices. Proposed Bye Laws to be submitted to the Board of Trade. Publication of Bye Laws as sanctioned by the Board o Trade, § 27.
29. Board of Trade to notify Sanction, Disapproval, or Amendment within Four Weeks, § 28.
30. Time when Bye Laws to come in force, § 29.
31. Penalty on Commissioners being interested in any Contract, § 30.
32. Recovery and Application of Fines and Penalties not exceeding 25*l.* If Penalties not paid the same may be levied by Distress. If Distress not sufficient Offender may be committed, § 31.
33. Justices may proceed by Summons in the Recovery of Penalties, § 32.
34. Power to the Justice to give Part of Penalties to Informers, § 33.
35. Power to Justices to order Expences of Witnesses, &c. to be paid, § 34.
36. Persons convicted may appeal to the Quarter Sessions, upon giving Security, § 35.
37. Justices may summons Witnesses. Penalty on Persons refusing to attend when summoned, § 36.
38. Persons giving false Evidence liable to Punishment for Perjury, § 37.
39. Penalties above 25*l.* may be recovered by Action in Superior Courts, § 38.
40. Distress not to be unlawful for Want of Form, nor the Parties to be deemed Trespassers *ab initio*, § 39.
41. Form of Conviction, § 40.
42. Plaintiff not to recover after Tender of Amends, § 41.
43. Limitation of Actions, § 42.
44. Pecuniary Forfeitures to go to the Fund of the Act unless otherwise applied, § 43.
45. Monies received under the Act to be paid into the Chamber of the City, and to constitute a Fund. Appropriation of the Fund, § 44.
46. Account to be kept, and Statement laid before Parliament, § 45.
47. Limits of the Port of *London*, § 46.
48. For staying certain Actions, § 47.
49. Public Act, § 48.
50. Commencement and Continuance of Act, § 49.

Colonies, See Patent Commissions.

Commissioners Clauses.

1. An Act for consolidating in One Act certain Provisions usually contained in Acts with respect to the Constitution and Regulation of Bodies of Commissioners appointed for carrying on Undertakings of a public Nature, 10 & 11 *Vict.* c. 16.
2. Extent of Act, § 1.
3. Interpretations in this Act:—"the special Act;" "prescribed;" "the Undertaking;" "the Commissioners;" § 2.
4. Interpretations in this and the special Act:—Number; Gender; "Person;" "Lands;" "Month;" "Superior Courts;" "Oath;" "County;" "Justice;" "Two Justices" "Sheriff;" "Quarter Sessions;" "Clerk;" "the Town;" § 3.
5. Short Title of this Act, § 4.
6. Form in which Portions of this Act may be incorporated with other Acts, § 5.
7. Joint Owners or Occupiers when qualified eligible as Commissioners, § 6.
8. Same Property not to give Two Qualifications, § 7.
9. No Bankrupt, &c. to be Commissioner, § 8.

10. No

10. No Person holding Office or concerned in a Contract to be a Commissioner, § 9.
11. Shareholders in Companies not disqualified by reason of Contracts, § 10.
12. Commissioner may act as a Justice, § 11.
13. Declaration to be made by Commissioners before acting, § 12.
14. False Declaration a Misdemeanor, § 13.
15. Declaration to be taken at the First Meeting, § 14.
16. Penalty on Commissioner, not being qualified, acting, § 15.
17. Commissioner neglecting to act to cease to be One. Election and Rotation of Commissioners, § 16.
18. One Third of Commissioners elected by Rate-payers and Owners to go out of Office every Three Years, § 17.
19. Commissioners eligible to be re-elected, § 18.
20. Mode of supplying occasional Vacancies, § 19.
21. Manner of making the Rotation List, § 20.
22. Annual Meeting for Election of Commissioners, § 21.
23. Returning Officer at Election, § 22.
24. Returning Officer to appoint Poll Clerks, § 23.
25. Scale of Votes of Owners and Occupiers, § 24.
26. Electors to vote in Ward where their Property Qualification is situate, but not to vote for more than One Ward, § 25.
27. Commissioners may cause alphabetical List of Voters to be made, and may defray the Expence out of the Rates, § 26.
28. Returning Officer may summon Rate Collector, &c. to attend the Election. Penalty on Rate Collector, &c. for Neglect, § 27.
29. Mode of voting at Elections, § 28.
30. Close of Poll if no Voting Paper tendered for an Hour, § 29.
31. Returning Officer to examine Poll Books and declare the Poll, § 30.
32. Voting Papers to be open to Inspection for Six Months after each Election, § 31.
33. Manner of proceeding if any Person is elected a Commissioner in more than One Ward, § 32.
34. If no Election on Day appointed, it may be made on a subsequent Day, § 33.
35. Election not to be void for want of Title in presiding Officer, § 34.
36. Expences of presiding Officer to be paid out of Rates levied, § 35.
37. First Meeting of Commissioners, § 36.
38. Election of Chairman of Meetings, § 37.
39. Manner of voting, § 38.
40. Quorum of Commissioners, § 39.
41. Commissioners to hold annual and monthly Meetings, § 40.
42. Meetings of Commissioners may be adjourned from Time to Time, § 41.
43. Monthly Meetings shall be held for transacting the ordinary Business, § 42.
44. If extraordinary Business be transacted at monthly Meetings Notice to be given, § 43.
45. No Resolution of Commissioners to be revoked at a subsequent Meeting unless under certain Circumstances, § 44.
46. As to holding special Meetings, § 45.
47. Notice to be given of Things to be done by the Commissioners by special Order only, § 46.
48. How Notices of Meetings of Commissioners are to be given, § 47.
49. Expences of Meetings, § 48.
50. Power to Commissioners to appoint Committees, § 49.
51. Quorum of Committee, § 50.
52. Acts of Commissioners not invalidated by Vacancies, § 51.
53. Informalities in Appointment of Commissioners not to invalidate Proceedings, § 52.
54. Commissioners may provide public Offices, &c., § 53.
55. Commissioners to provide daily Attendance at their Office to receive Notices, &c., § 54.
56. Proceedings to be entered in a Book, and, when signed, shall be received in Evidence. Such Books to be open to Inspection, § 55.
57. Power to Commissioners to enter into Contracts, § 56.
58. Notice to be given of Contracts to the Amount of 100*l.* or upwards, § 57.
59. Commissioners may compound for Breach of Contract, § 58.
60. As to the Conveyance of Lands by the Commissioners. Receipt under Seal to be a sufficient Discharge, § 59.
61. Commissioners not to be personally liable. Commissioners to be indemnified for Acts done in Execution of Office, § 60.
62. Actions to be brought in Name of Two Commissioners or their Clerk, § 61.
63. Executions to be levied on Goods of Commissioners as such, § 62.
64. Commissioners and Clerk to be reimbursed all Damages, &c., § 63.
65. How Indictments to be preferred, § 64.
66. Power to Commissioners to appoint Clerk and other Officers, § 65.
67. Offices of Clerk and Treasurer not to be held by the same Person, § 66.
68. Officer taking Fees other than those allowed to lose his Office, and forfeit 50*l.*, § 67.
69. Security to be taken from Officers intrusted with Money, § 68.
70. Collectors to pay over Monies within Seven Days to the Treasurer, § 69.
71. Officers to account, § 70.
72. Summary Recovery against Parties failing to account, § 71.
73. Officers refusing to make out Account and deliver up Documents, &c. may be committed to Prison, § 72.
74. Where Officer about to abscond, a Warrant may be issued in the first instance, § 73.
75. Proceedings against Officers not to discharge Sureties, § 74.
76. Form of Mortgage, § 75.
77. Register of Mortgages to be kept and to be open to Inspection, § 76.
78. Transfers of Mortgages, § 77.
79. Register of Transfers to be kept, § 78.
80. Interest to be paid half-yearly, § 79.
81. Power to borrow Money at a lower Rate of Interest to pay off Securities at a higher Rate, § 80.
82. Repayment of Money borrowed at a Time and Place agreed upon, § 81.
83. Repayment of Money borrowed when no Time or Place has been agreed upon, § 82.
84. Interest to cease on Expiration of Notice to pay off a Mortgage Debt, § 83.
85. Monies borrowed on Security of Rates to be paid off in a limited Period, § 84.
86. Mode of paying off Mortgages, § 85.
87. Arrears of Interest, when to be enforced by Appointment of a Receiver. Arrears of Principal and Interest, § 86.

88. As

88. As to the Appointment of Receiver, § 87.
89. Account Books to be open to the Inspection of Magistrates, § 88.
90. Accounts to be kept of Receipts and Disbursements, which shall be open for Inspection. Penalty for Refusal, § 89.
91. Statement of Accounts to be prepared and to be open for Inspection. Copies of such Statement to be furnished, § 90.
92. Accounts to be examined and settled at the annual Meeting, § 91.
93. Auditors to be appointed. Qualifications of Auditors, § 92.
94. Auditors to inspect Accounts, and may appeal against Part of the same, if they think fit, § 93.
95. Court may order Payment of Costs of Appeal, § 94.
96. Annual Account to be made up and transmitted to the Clerk of the Peace in *England* or *Ireland*, or to the Sheriff Clerk in *Scotland*, and to be open to Inspection, § 95.
97. Power to make Bye Laws for regulating the Conduct of the Officers, &c. of the Commissioners, § 96.
98. Fines for Breach of such Bye Laws, § 97.
99. Bye Laws to be framed that Penalties may be mitigated, § 98.
100. Service of Notices upon Commissioners, § 99.
101. Notices by Advertisement, § 100.
102. Authentication of Notices and Orders, § 101.
103. Proof of Debts in Bankruptcy, § 102.
104. Tender of Amends, § 103.
105. Railways Clauses Consolidation Acts, 1845, as to Damages, &c. to be incorporated with this and the special Act, § 104.
106. One Magistrate in *England* or *Ireland*, and the Sheriff in *Scotland*, may act for Two Justices, § 105.
107. Penalties, &c. imposed in respect of any Offence committed within the Metropolitan Police District to be paid to the Receiver, and applied under 2 & 3 *Vict. c.* 71.—§ 106.
108. In *Ireland* Part of Penalties to be paid to Guardians, § 107.
109. Penalties on false Evidence, § 108.
110. Nothing in this or the special Act to affect the Rights of the Crown, § 109.
111. Copies of special Act to be kept by Commissioners at their Office, and deposited with the Clerks of the Peace, &c. and be open to Inspection. 7 *W.* 4. & 1 *Vict. c.* 83. —§ 110.
112. Penalty on Failure to keep or deposit such Copies, § 111.

Common Pleas.

1. An Act to extend to all Barristers practising in the Superior Courts at *Westminster* the Privileges of Serjeants at Law in the Court of Common Pleas, 9 & 10 *Vict. c.* 54.
2. Barristers at Law to have and exercise equal Rights and Privileges in the Court of Common Pleas as Serjeants at Law, § 1.

Commons, See Inclosure.

Contagious and Epidemic Diseases, See Health of Towns.

Convicts, See Custody of Offenders.

Copyhold Commission.

1. An Act to continue the Copyhold Commission until the Thirty-first Day of *July* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament, 9 & 10 *Vict. c.* 53.
2. Copyhold Commission continued till 31st *July* 1847, § 1.
3. An Act to continue the Copyhold Commission until the First Day of *October* One thousand eight hundred and fifty, and to the End of the then next Session of Parliament. 4 & 5 *Vict. c.* 35. continued, 10 & 11 *Vict. c.* 101.

Copyright.

1. An Act to amend the Law relating to the Protection in the Colonies of Works entitled to Copyright in the United Kingdom, 10 & 11 *Vict. c.* 95.
2. 5 & 6 *Vict. c.* 45. and 8 & 9 *Vict. c.* 93. recited. Her Majesty may suspend in certain Cases the Prohibitions against the Admission of pirated Books into the Colonies, § 1.
3. Orders in Council to be published in Gazette. Orders in Council and the Colonial Acts or Ordinances to be laid before Parliament, § 2.

Corn.

1. An Act to suspend, until the First Day of *September* One thousand eight hundred and forty-seven, the Duties on the Importation of Corn, 10 & 11 *Vict. c.* 1.
2. 9 & 10 *Vict. c.* 22. recited. Duties on Corn, &c. suspended from the passing of this Act until 1st of *September*, § 1.
3. An Act to allow, until the First Day of *September* One thousand eight hundred and forty-seven, the Importation of Corn from any Country in Foreign Ships, 10 & 11 *Vict. c.* 2.
4. From the passing of this Act until the 1st of *September* Corn, &c. may be imported for Home Use in Vessels of any Country, § 1.
5. From the passing of this Act until the 1st of *September* Corn, &c. warehoused for Exportation may be entered for Home Consumption, § 2.

See *Importation and Exportation.*

Corn, &c.

1. An Act to suspend until the First Day of *March* One thousand eight hundred and forty-eight the Duties on the Importation of Corn, Maize, Rice, Grain, Meal, Flour, Biscuit, and certain other similar Articles, 10 & 11 *Vict. c.* 64.
2. 10 & 11 *Vict. cc.* 1. and 3. recited. Duties on Corn, &c. suspended till 1st *March* 1848, § 1.
3. An Act to allow until the First Day of *March* One thousand eight hundred and forty-eight the Importation of Corn, Maize, Rice, Grain, Potatoes, Meal, Flour, Biscuit, and certain other similar Articles, from any Country, in any Ships, 10 & 11 *Vict. c.* 86.
4. 10 & 11 *Vict. c.* 2. recited. Time for importing Corn, &c. in Vessels not *British* owned and navigated extended to 1st *March* 1848, § 1.

Corresponding Societies.

1. An Act to amend the Laws relating to Corresponding Societies and the licensing of Lecture Rooms, 9 & 10 *Vict.* c. 33.
2. Proceedings under 39 *G.* 3. *c.* 79. and 57 *G.* 3. *c.* 19. shall not be commenced unless in the Name of the Law Officers of the Crown, § 1.

County Courts, See Small Debts.

County Buildings.

1. An Act to amend the Acts relating to County Buildings, 10 & 11 *Vict.* *c.* 28.
2. Powers of 7 *G.* 4. *c.* 63. and 7 *W.* 4. & 1 *Vict.* *c.* 24. relative to the building of any new Shire Hall, &c. deemed to apply to the building, &c. although Assizes, &c. have heretofore been held in some Place not being the Property of the County, § 1.

Courts-martial, See Naval Courts-martial.

Crimes and Misdemeanors, See Administration of Criminal Justice. Injuries by Fire.

Criminal Justice, See Administration of Justice.

Custody of Offenders.

1. An Act to amend the Law as to the Custody of Offenders, 10 & 11 *Vict.* *c.* 67.
2. So much of 5 *G.* 4. *c.* 84. as enacts that Male Offenders sentenced to Transportation may be kept to hard Labour out of England extended to Offenders convicted in Ireland, § 1.
3. Offenders under Sentence or Order of Transportation may be removed to any Prison in Great Britain, § 2.

Customs.

1. An Act to alter certain Duties of Customs, 9 & 10 *Vict.* *c.* 23.
2. 8 & 9 *Vict.* *c.* 90. recited. Table of new Duties, § 1.
3. Duties on Timber, § 2.
4. Duties on Seeds, § 3.
5. Goods exempted from Duty, § 4.
6. Duties to be under Management of Commissioners of Customs, § 5.
7. An Act to enable the Legislatures of certain *British* Possessions to reduce or repeal certain Duties of Customs, 9 & 10 *Vict.* *c.* 94.
8. Colonial Legislatures may reduce or repeal all or any of the Duties of Customs imposed by 8 & 9 *Vict.* *c.* 93.—§ 1.
9. All Acts and Ordinances to be laid before Parliament, § 2.
10. An Act to amend the Laws relating to the Customs, 9 & 10 *Vict.* *c.* 102.
11. Commencement of Act, § 1.
12. Tobacco from *Porto Rico*, *Trinidad*, &c. to be imported in Packages of Eighty Pounds, § 2.
13. Correction of an Error in the Restrictions on the Importation of Negrohead Tobacco, § 3.
14. Geneva may be imported in Glass Bottles containing not more than Three Pints or Twelve Gills, § 4.
15. Goods subject to Restrictions as to Packages to be subject to the same Restrictions where brought for Exportation in the same Ship, § 5.
16. If Goods removed prior to Examination, Penalty upon Parties concerned in the Removal, § 6.
17. So much of the General Regulation Act as prohibits the Importation of Foreign Manufactures bearing *British* Marks, and of Clocks and Watches, repealed. § 7.
18. Articles of Foreign Manufacture bearing *British* Marks prohibited to be imported into the United Kingdom or into the *British* Possessions abroad, § 8.
19. Foreign Clocks and Watches not having the Maker's Name marked upon them to be forfeited, § 9.
20. Masters of Vessels arriving from any Place whatever to report the general Denomination of Packages containing Cambrics and certain other Articles, § 10.
21. Account of Foreign Goods formerly charged with Duty, intended for Shipment, to be delivered to the Searcher, together with a Declaration. Penalty on false Declaration. If exported, &c. shall make a Declaration that Value cannot be ascertained. Time to be allowed, § 11.
22. Further Allowances of Wine Duty-free, to Masters, &c. of Her Majesty's Ships in actual Service, § 12.
23. So much of recited Act 8 & 9 *Vict.* *c.* 86. as relates to legal Quays repealed, § 13.
24. Treasury may by Warrant appoint Ports and Quays, and declare the Limits and Bounds, § 14.
25. Power to annul the Limits of Ports and Quays, and alter the Names, &c., § 15.
26. Appointment of any Port, &c. to be published in the Gazette, § 16.
27. Ports, Havens, &c. existing at the passing of this Act to remain in force until altered, &c., § 17.
28. Act to be registered in Royal Courts of *Guernsey* and *Jersey*, § 18.
29. Importation of obscene Articles prohibited, and shall be seized and destroyed as Commissioners shall direct. § 19.
30. Clerks and Officers of Customs to prosecute Matters before Justices relating to Customs as if admitted and enrolled Attornies, § 20.
31. New Rates of Duty on certain Articles, § 21.
32. Certain Articles to be free of Duty, § 22.
33. Manufactures of Silk, &c. from *British* Possessions charged with the same Duty as Ribbons, § 23.
34. Goods in Warehouse to be liable to the Duties imposed by this Act, § 24.
35. Duties to be under the Management of the Commissioners of Customs, § 25.
36. Bounties on Refined Sugar to be under the Management of the Commissioners of Her Majesty's Customs, § 26.
37. An Act to alter certain Duties of Customs, 10 & 11 *Vict.* *c.* 23.
38. 9 & 10 *Vict.* *c.* 102. recited. After the passing of this Act the Duties named in Schedule shall be levied instead of those previously paid, § 1.
39. Duties to be under the Management of the Commissioners of Customs, § 2.
40. No Spirits imported shall be removed from *Ireland* to *Scotland* or *England*, or from *Scotland* to *England*, or *vice versâ*, except duly warehoused, &c., § 3.
41. As to Removal from *Scotland*, &c., § 4.
42. Such Spirits not to be removed except in Vessels of Sixty Tons Burden, &c., § 5.
43. Spirits removed contrary to Act forfeited. Penalty on Persons concerned in Removal, § 6.

44. No Spirits which have paid Duty in *Ireland* shall be brought into *Scotland* or *England*, nor shall Spirits which have paid Duty in *Scotland* be brought into *England*. Penalty on Persons concerned in Removal, § 7.

D.

Deaths by Accidents, See Persons killed by Accidents.

Deodands.

1. An Act to abolish Deodands, 9 & 10 *Vict. c.* 62.
2. Deodands and Forfeiture of Chattels moving to or causing Death abolished from and after 1st *Sept.* 1846, § 1.

See *Persons killed by Accidents.*

Deposits (Parliamentary).

1. An Act to amend an Act of the Second Year of Her present Majesty, for providing for the Custody of certain Monies paid, in pursuance of the Standing Orders of either House of Parliament, by Subscribers to Works or Undertakings to be effected under the Authority of Parliament, 9 & 10 *Vict. c.* 20.
2. 1 & 2 *Vict. c.* 117. repealed. Monies already paid in to be dealt with as directed by former Act, § 1.
3. Authority to deposit, § 2.
4. Payment of Deposit, § 3.
5. Investment of Deposit, § 4.
6. Repayment of Deposit. Granting Certificate, &c. not to make the Chairman or Speaker signing the same liable, § 5.

Dissenters, See Religious Opinions.

Docks, See Harbours.

Drainage.

1. An Act to authorize the Advance of Public Money to a limited Amount, to promote the Improvement of Land in *Great Britain* and *Ireland* by Works of Drainage, 9 & 10 *Vict. c.* 101.
2. Treasury may make Advances not exceeding 2,000,000*l.* for *Great Britain*, and 1,000,000*l.* for *Ireland*, out of the Consolidated Fund, § 1.
3. Exchequer Bills issued under this Act to be in the Form prescribed by 48 *G.* 3. *c.* 1., 4 & 5 *W.* 4. *c.* 15., and 5 & 6 *Vict. c.* 66.—§ 2.
4. Powers of 48 *G.* 3. *c.* 1., 4 & 5 *W.* 4. *c.* 15., and 5 & 6 *Vict. c.* 66. to extend to Exchequer Bills to be made out under this Act, § 3.
5. Exchequer Bills to bear Interest not exceeding Three and a Half *per Cent.*, § 4.
6. Treasury to fix Periods at which Exchequer Bills shall be payable, § 5.
7. Exchequer Bills to be current to all Receivers, &c. and at the Bank, § 6.
8. Treasury to order Payment of Exchequer Bills out of Consolidated Fund, § 7.
9. Works to be sanctioned by the Treasury before Advances made, § 8.
10. Inclosure Commissioners to be the Commissioners for executing this Act in *Great Britain*, who may appoint and remove Assistant Commissioners and Surveyors. Allowances and Expences to be regulated as provided by 8 & 9 *Vict. c.* 118.—§ 9.
11. Commissioners of Public Works to have Power to appoint Officers for the Execution of this Act in *Ireland*, § 10.
12. Certain Provisions of 8 & 9 *Vict. c.* 118. to extend to Proceedings, &c. under this Act, &c. Not to compel Attendance of Witnesses, § 11.
13. Provisions of certain Acts as to Drainage of Lands, &c. in *Ireland* extended to this Act, § 12.
14. Assistant Commissioners, &c. may take Declarations, and examine voluntary Witnesses upon Declaration, § 13.
15. Landowners desirous of obtaining Advances may make Applications to Commissioners, stating Particulars, § 14.
16. Commissioners may require Security for Payment of Expences of Investigation, &c., § 15.
17. Inspection of Land, &c. to be made by an Assistant Commissioner or Surveyor, &c. who shall report his Opinion upon the same, § 16.
18. If Commissioners think an Advance expedient they may issue a Provisional Certificate, with the Sanction of the Treasury. Part of Expences of Investigation may be charged upon the Land, if Commissioners think fit, § 17.
19. Provisional Certificate not to be issued till Notice of Application has been given by Advertisement, § 18.
20. Consent of Patron and Ordinary to be had in case of Glebe Land, § 19.
21. In case of Dissent Landowners in *England* and *Ireland* may apply to the Courts of Chancery in *England* and *Ireland*, and to the Court of Exchequer in *Ireland*, § 20.
22. Landowners in *Scotland* may make Application to the Court of Session, § 21.
23. Copy of every Petition under this Act to be served upon Persons dissenting, Fourteen Days previous to hearing, § 22.
24. Order of Courts unnecessary, except where Dissent shall have been signified after Advertisement, § 23.
25. Saving Rights of Guardians, &c., § 24.
26. Commissioners may cause Works to be inspected by an Assistant Commissioner or Surveyor, &c., § 25.
27. Separate Account to be kept by the Bank of *England*, § 26.
28. And by the Bank of *Ireland*, § 27.
29. Commissioners, when satisfied of the Execution of the Works, may forward Certificate to the Treasury for an Advance under this Act. Comptroller General upon Receipt of Certificate, &c. may issue Exchequer Bills accordingly, § 28.
30. Commissioners to deliver Duplicate of Certificate to Owner of the Land, § 29.
31. In *Ireland* the Report and the Certificate shall specify the Denomination and Situation of the Lands, § 30.
32. As regards Lands in *Ireland*, Memorial of the Certificate shall be registered in the Register Office in *Dublin*, § 31.
33. Commissioners may sell Exchequer Bills, and place them to the Account at the Bank, § 32.
34. Accounts of Advances to be kept, § 33.
35. A Rent-charge of 6*l.* 10*s.* for Twenty-two Years to be charged for every 100*l.* advanced by Exchequer Bills or Money, § 34.
36. Rent-charge in *England* how recoverable. 6 & 7 *W.* 4. *c.* 71. Rent-charge in *Ireland* how recoverable. 1 & 2 *Vict. c.* 109. Rent-charge in *Scotland* how recoverable, § 35.
37. Advances under this Act not to be deemed a Contravention of Conditions of Entail, § 36.

38. Rent-

38. Rent-charge not to preclude Trustees from investing Money in the Purchase or Mortgage of Land charged, § 37.
39. Tenants for Life, &c. to keep down Rent-charges, § 38.
40. Drains and Outfalls to be maintained, § 39.
41. Tenant may deduct Rent-charge, except where he may have agreed to pay the same, § 40.
42. Proportion of Rent-charge payable by Tenant or Occupier concurring in an Application for an Advance in *Ireland* to be settled by Commissioners, if the Tenant or Occupier shall so desire, § 41.
43. Rent-charges to be collected of Land and Assessed Taxes in *Great Britain*, § 42.
44. Rent-charges to be collected by Collectors of Excise in *Ireland*, § 43.
45. Rent-charges may be apportioned, § 44.
46. Landowners may redeem Rent-charges. Treasury to cause Tables of Rates of Redemption to be framed, § 45.
47. Commissioners may make Order for the Repayment of the Expences of Investigation, &c., § 46.
48. Bonds, &c. under the Act exempt from Stamp Duty, § 47.
49. Annual Account to be made up, § 48.
50. Interpretation of Act, § 49.
51. An Act to explain and amend the Act authorizing the Advance of Money for the Improvement of Land by Drainage in *Great Britain*, 10 & 11 *Vict. c.* 11.
52. 9 & 10 *Vict. c.* 101. recited. Certain Expences deemed to be included as Expences of Works of Drainage, § 1.
53. Plans, &c. may be dispensed with in certain Cases, § 2.
54. Applicants for Advances may withdraw or reduce the Amount of their Applications, § 3.
55. Applicants may substitute Applications (in respect of other Lands) for the Applications withdrawn or reduced in Amount, § 4.
56. Where separate Applications have been made by the same Owner for several Advances, the same may be consolidated, § 5.
57. Advances may be made on account in certain Cases, § 6.
58. Time for Completion of Works, § 7.
59. Form of Certificates, and their Effect, § 8.
60. Provisional Certificate may be assigned, § 9.
61. As to the Words "Owner of Lands," § 10.
62. This Act to be deemed Part of the recited Act, § 11.
63. An Act to facilitate the Drainage of Lands in *England* and *Wales*, 10 & 11 *Vict. c.* 38.
64. Inclosure Commissioners to be the Commissioners to carry this Act into execution, and Officers, &c. appointed under 8 & 9 *Vict. c.* 118. to assist in the same, § 1.
65. Powers of recited Act to extend to this Act, § 2.
66. Commissioners to make Reports to Secretary of State, and to both Houses of Parliament, § 3.
67. Persons desirous of draining Land may memorialize Commissioners for Authority to effect the same under Provisions of this Act. Map or Plan, Schedules, and Estimates to be annexed to Memorial. Memorial, &c. to be deposited, and open to Inspection, § 4.
68. Notices to be given that Memorial, &c. has been deposited. Notices of Objections to be sent to Commissioners in Writing, § 5.
69. Commissioners may require Security for Payment of Costs of Inquiries, § 6.
70. Commissioners to appoint an Assistant Commissioner to examine and hear Objections, § 7.
71. Assistant Commissioner to report to Commissioners who shall consider proposed Drainage. Commissioners may, by Order under their Seal, authorize the Execution of the proposed Works, as allowed by them, § 8.
72. Persons authorized to execute Works may enter upon Lands for that Purpose. No Entry to be made on Land without Consent until Compensation is made, § 9.
73. Power to purchase Lands for Sites of Engine Houses, &c., § 10.
74. The Lands Clauses Consolidation Act, 1845, (8 & 9 *Vict. c.* 18.,) incorporated with this Act, § 11.
75. Streams supplying ornamental Waters not to be interfered with without Consent, § 12.
76. Copies of Orders of Commissioners authorizing Execution of Works to be deposited. Copies of Orders to be open to Inspection, &c., § 13.
77. Where, by Neglect of Parties to join in maintaining, &c. Banks lying near certain Lands, Occupiers may, after giving Notice, maintain the same, and recover the Expences, § 14.
78. No Entry to be made on the Lands of Occupier neglecting to maintain Banks, &c. without Warrant of Two Justices, § 15.
79. Expences and Costs of Adjudication of Justices may be levied by Distress, § 16.
80. Distress not unlawful for Want of Form, § 17.
81. Nothing to affect Rights of Commissioners, &c. of Sewers or Drainage. Persons interested in Lands authorized to be drained under any local Act may have the same drained under the Provisions of this Act, § 18.
82. No Person acting under this Act to construct Works, &c. on the Sea-shore without Consent of the Admiralty, § 19.
83. Definition of Term, § 20.
84. An Act to continue for a limited Time the Provisions for summary Proceedings contained in an Act of the last Session to amend the Acts for promoting the Drainage of Lands, and for other Purposes; and to amend the said Act, 10 & 11 *Vict. c.* 79.
85. 5 & 6 *Vict. c.* 89., 8 & 9 *Vict. c.* 69., and 9 & 10 *Vict. c.* 4. recited. Provisions for summary Proceedings continued for One Year, &c., § 1.
86. Assent of Proprietors valid without the Concurrence of Occupiers, § 2.
87. Where under recited Acts a free Grant of a Moiety or more of the Cost of any Navigation shall be made, the Residue of the Cost to be charged upon the Districts benefited, without previous Presentment, § 3.
88. Publication in *Dublin Gazette* Evidence of Publication of final Notice, § 4.
89. Recited Acts and this Act construed as One Act, § 5.

Duties on Stage Carriages, &c.

1. An Act to transfer the Collection and Management of the Duties in respect of Stage Carriages, Hackney Carriages, and Railway Passengers from the Commissioners of Stamps and Taxes to the Commissioners of Excise, 10 & 11 *Vict. c.* 42.
2. Duties in respect of Stage and Hackney Carriages, and Licences for the same respectively, and in respect of Railway Passengers, transferred to the Commissioners of Excise, § 1.
3. Powers and Provisions of the said Acts to be executed by Commissioners and Officers of Excise, § 2.
4. Bonds and Securities given by Railway Companies to account for Duties to be applicable to the Duties when transferred to the Commissioners of Excise, § 3.
5. Act not to affect existing Licences, § 4.
6. Act not to extend to Arrears of Duty or Penalties incurred, &c. on or before 5th *Sept.* 1847, § 5.

E.

East Indies.

1. An Act to continue until the First Day of *March* One thousand eight hundred and forty-seven, and from thence to the End of the then next Session of Parliament, the several Acts relating to Insolvent Debtors in *India*, 9 & 10 *Vict. c.* 14.
2. 9 *G.* 4. *c.* 73. and 4 & 5 *W.* 4. *c.* 79. continued until 1st *March* 1847, § 1.

Ecclesiastical Jurisdiction.

1. An Act to amend the Law as to Ecclesiastical Jurisdiction in *England*, 10 & 11 *Vict. c.* 98.
2. 6 & 7 *W.* 4. *c.* 77. recited, Bishop to exercise Jurisdiction throughout his Diocese, save in Causes testamentary, § 1.
3. Officers of Diocesan Courts to account for all Fees, &c. received by them, § 2.
4. Jurisdiction in Causes testamentary to continue unaltered by Change of Province, &c., § 3.
5. Law of Bona notabilia to continue unaltered by Change of Province, &c., § 4.
6. Certain Authorities may continue to grant Marriage Licences as heretofore. Jurisdiction of Bishops to grant Licences not to be interfered with, § 5.
7. Temporary Provisions of 6 & 7 *W.* 4. *c.* 77. continued by 7 & 8 *Vict. c.* 68. to cease on 2d *Nov.* 1847, § 6.
8. Commencement and Continuance of Act, § 7.
9. Confirming certain Acts of Jurisdiction, § 8.
10. Officers appointed under this Act to be subject to Regulations hereafter made by Parliament, § 9.

Ecclesiastical Patronage.

1. An Act to remove Doubts as to the Legality of certain Assignments of Ecclesiastical Patronage, 9 & 10 *Vict. c.* 88.
2. Proceedings under the Augmentation Acts and Church Buildings Acts to be deemed lawful, § 1.

F.

Factories (Labour in).

1. An Act to limit the Hours of Labour of young Persons and Females in Factories, 10 & 11 *Vict. c.* 29.
2. Limiting the Hours during which Persons are to be employed in Mills and Factories, § 1.
3. Limiting the Number of Hours for which Persons under Eighteen Years of Age are to be employed, § 2.
4. Act extended to Females above Eighteen, § 3.

Fairs, See Markets and Fairs.

Fisheries, See Public Works and Fisheries.

Friendly Societies.

1. An Act to amend the Laws relating to Friendly Societies, 9 & 10 *Vict. c.* 27.
2. Purposes for which Societies may be formed under 10 *G.* 4. *c.* 56. and 4 & 5 *W.* 4. *c.* 40.—§ 1.
3. Member may withdraw from Society, the Rules of which do not prescribe the Time, &c., on giving Notice, and paying all Arrear, § 2.
4. Payments to Society shall be kept distinct for each Purpose subscribed for, or extra Payments made for Contingencies, § 3.
5. Separate Accounts to be kept for each particular Benefit subscribed for, § 4.
6. Returns of the Rates of Sickness and Mortality, Assets and Liabilities, shall be sent by every Society to the Registrar of Friendly Societies every Five Years, § 5.
7. Penalties for not making Returns to the Registrar required by Law, § 6.
8. For the establishing the Legality of certain Societies, § 7.
9. Repeal of Part of 10 *G.* 4. *c.* 56. and 4 & 5 *W.* 4. *c.* 40. Societies legally established not excluded from Benefit of said Acts, § 8.
10. Provisions of 39 *G.* 3. *c.* 79. and 57 *G.* 3. *c.* 19. not to extend to Friendly Societies, § 9.
11. Barrister appointed to certify Rules to be styled Registrar of Friendly Societies in *England*, &c., and shall be paid by a Salary instead of Fees, § 10.
12. Registrar to retain out of the Fees received by him sufficient Money to defray Salaries and Expences of Office. If Fees not sufficient, Balance to be paid out of Consolidated Fund, § 11.
13. So much of 10 *G.* 4. *c.* 56. as requires Rules to be filed with Clerks of the Peace, &c. repealed. Rules now filed, &c. to be taken off and returned to the Registrar. One Transcript of certified Rules, and all Rules returned, shall be kept by Registrar. Rules certified by Registrar to be of full Force, § 12.
14. Registrar shall not certify Rules unless Society adopt Tables certified by the Actuary of National Debt Office, &c., § 13.
15. For appointing new Trustees in certain Cases, § 14.
16. Settlement of Disputes between Managers and Members, &c. may be referred to Registrar, unless Law Officers refer the same to a Superior Court, § 15.
17. On such Reference Registrar may inspect Books and administer Oaths. False Evidence. Perjury, § 16.
18. When Trustees shall be absent, &c. Registrar may order Stock to be transferred and Dividends paid, § 17.
19. Secretary of State to fix Amount of Fees payable on Reference, and Registrar to determine who shall pay them, § 18.
20. Justices empowered to enforce Payment of Fees under Awards. If Persons do not pay Money pursuant to Order, the same, together with Costs, may be levied by Distress. Proviso as to *Scotland*, § 19.
21. Rules certified by Registrar, and Awards executed under his Hands, shall be received in Evidence, § 20.
22. Forms set forth in the Schedule to this Act may be used, § 21.
23. Act to be construed with 10 *G.* 4. *c.* 56. and 4 & 5 *W.* 4. *c.* 40.—§ 22.

G.

Gasworks Clauses.

1. An Act for consolidating in One Act certain Provisions usually contained in Acts authorizing the making of Gasworks for supplying Towns with Gas, 10 & 11 *Vict. c.* 15.
2. Extent of Act, § 1.
3. Interpretations in this Act:—"special Act;" "prescribed;" "the Lands;" "the Undertaking;" "the Undertakers;" § 2.

4. Inter-

4. Interpretations in this and the special Act:—Number; Gender; "Person;" "Lands;" "Street;" "the Gasworks;" "Gas Rate;" "Month;" "Superior Courts;" "Oath;" "County;" "Justice;" "Two Justices;" "Sheriff;" "Quarter Sessions;" § 3.
5. Short Title of the Act, § 4.
6. Form in which Portions of this Act may be incorporated in other Acts, § 5.
7. Power to break up Streets, &c. under Superintendence, and to open Drains. Laying of Pipes, § 6.
8. Not to enter on private Land without Consent, § 7.
9. Notice to be served on Persons having Control, &c. before breaking up Streets or opening Drains, § 8.
10. Streets or Drains not to be broken up except under Superintendence of Persons having Control of the same. If Persons having the Control, &c. fail to superintend, Undertakers may perform the Work without them, § 9.
11. Streets, &c. broken up to be reinstated without Delay, § 10.
12. Penalty for Delay in reinstating Streets, &c., § 11.
13. In case of Delay, other Parties may reinstate and recover the Expences, § 12.
14. Power of the Company to contract for lighting Streets, &c., § 13.
15. Power to Undertakers to let Meters. Meters not liable to Distraint for Rent, &c., § 14.
16. Undertakers may enter Buildings for ascertaining Quantities of Gas consumed, § 15.
17. Recovery of Rents due for Gas, § 16.
18. Power to take away Pipes, &c. when Supply of Gas discontinued. Undue Use of Gas, § 17.
19. Penalty for fraudulently using the Gas of the Undertakers, § 18.
20. Penalty for wilfully damaging Pipes, § 19.
21. Satisfaction for accidentally damaging Pipes, § 20.
22. Nuisance from Gas. Penalty on Undertakers for causing Water to be corrupted, § 21.
23. Penalty to be sued for in Superior Courts within Six Months, § 22.
24. Daily Penalty during the Continuance of the Offence, § 23.
25. Daily Penalty during Escape of Gas after Notice, § 24.
26. Penalty if Water contaminated by Gas, § 25.
27. Power to examine Gas Pipes to ascertain Cause of Contamination, if Notice be given of the same, § 26.
28. Expences to abide Result of Examination, § 27.
29. How Expences to be ascertained, § 28.
30. No Exemption from Indictments. Profits of the Company, § 29.
31. Profits of the Company limited, § 30.
32. If Profits exceed the Amount limited, Excess to be invested and form a reserved Fund, § 31.
33. Reserved Fund not to be resorted to unless for an extraordinary Claim, § 32.
34. Application of Interest of reserved Fund, § 33.
35. Deficiency of Profits to be supplied from reserved Fund, § 34.
36. If Profits are more than the Amount prescribed, a rateable Reduction to be made in the Price of Gas, § 35.
37. Court may order Petitioner to pay Costs of groundless Petition, § 36.
38. Penalty on Undertakers for refusing to produce Books, Vouchers, &c., § 37.
39. Annual Account to be made up by Undertakers, and sent to the Clerk of the Peace in *England* or *Ireland*, or to the Sheriff Clerk in *Scotland*, and to be open to Inspection, § 38.
40. Tender of Amends, § 39.
41. The Railways Clauses Consolidation Act, 1845, as to Damages, &c. to be incorporated with this and the special Act, § 40.
42. In *Ireland* Part of Penalties to be paid to Guardians of Unions, § 41.
43. One Magistrate in *England* or *Ireland*, and the Sheriff in *Scotland*, may act for Two Justices, § 42.
44. Penalties, &c. imposed in respect of Offences committed within the Metropolitan Police District, to be paid to the Receiver, and applied under 2 & 3 *Vict. c.* 71.—§ 43.
45. Persons giving false Evidence liable to Penalties of Perjury. Access to special Act, § 44.
46. Copies of special Act to be kept by Undertakers in their Office, and deposited with the Clerks of the Peace, &c., and be open to Inspection. 7 *W* 4. & 1 *Vict. c.* 83.—§ 45.
47. Penalty for failing to keep or deposit such Copies, § 46.
48. Undertakers not exempt from the Provisions of 57 *G.* 3. *c.* xxix. or from the Laws regulating Sewers, § 47.
49. Nothing in this or the special Act to affect the Rights of the Crown, § 48.
50. Undertakers not exempted from Provisions of any future general Act, § 49.

Gough (Lord).

1. An Act to settle an Annuity on Lord *Gough* and the Two next surviving Heirs Male of the Body of the said Lord *Gough* to whom the Title of Lord *Gough* shall descend, in consideration of his important Services, 9 & 10 *Vict. c.* 32.

Greenwich Pensioners, See Chelsea and Greenwich Pensioners.

H.

Harbours, Docks, and Piers Clauses.

1. An Act for consolidating in One Act certain Provisions usually contained in Acts authorizing the making and improving of Harbours, Docks, and Piers, 10 & 11 *Vict. c.* 27.
2. Extent of Act, § 1.
3. Interpretations in this Act:—"special Act;" "prescribed;" "the prescribed Limits;" "the Lands;" "the Harbour, Dock, or Pier;" "the Harbour Master;" "the Undertakers;" § 2.
4. Interpretations in this and the special Act:—Number; Gender; "Person;" "Lands;" "Vessel;" "Master;" "Owner;" "Goods;" "Rate;" "the Collector of Rates;" "Month;" "Superior Courts;" "Oath;" "County;" "Justice;" "Sheriff;" "Quarter Sessions;" "Lords of the Admiralty;" § 3.
5. Short Title of this Act, § 4.
6. Form in which Portions of this Act may be incorporated in other Acts, § 5.
7. Construction of Harbour, Dock, or Pier to be subject to the Provisions of this Act and One of the Lands Clauses Consolidation Acts, § 6.
8. Errors and Omissions in Plans, &c. may be corrected by Justices, &c., who shall certify the same. Certificate to be deposited, § 7.
9. Works not to be proceeded with until Plans of all Alterations authorized by Parliament have been deposited, § 8.
10. Clerks of the Peace, &c. to receive Plans of Alterations, and allow Inspection, 7 *W.* 4. & 1 *Vict. c.* 83.—§ 9.

11. Copies of Plans, &c. to be Evidence, § 10.
12. No Deviation beyond the Limits defined upon Plans, § 11.
13. Works on the Shore of the Sea, &c. not to be constructed without the Authority of the Commissioners of Woods, &c. and of the Admiralty, § 12.
14. Before Alterations in Plans are executed, to be approved of by the Admiralty, &c. Accommodation for Custom House Officers, § 13.
15. Undertakers to erect Watch-house and Boat-house for Custom House Officers, &c., § 14.
16. Penalty on Undertakers neglecting to repair Watch-house, &c., § 15.
17. Life boats, &c. to be provided by Undertakers, § 16.
18. Penalty for not providing Life boats, &c., § 17.
19. A self-registering Tide Gauge and Barometer to be provided by Undertakers, § 18.
20. Penalty for not providing Tide Gauge, &c., § 19.
21. Land for extraordinary Purposes, § 20.
22. Power to construct Warehouses and other Works, § 21.
23. Undertakers to hire Persons to work Cranes, § 22.
24. Power to lease Wharfs, Warehouses, &c., § 23.
25. Legal Quays to be approved by the Treasury, &c., § 24.
26. Rates not to be taken until Works completed, § 25.
27. Certificate of Magistrate to be Evidence that the Harbour, &c. is completed, § 26.
28. How Tonnage of Vessels to be ascertained, § 27.
29. Exemption of Vessels in Her Majesty's Service, &c., from Rates, § 28.
30. As to Vessels returning from Stress of Weather, § 29.
31. Power to vary the Rates from Time to Time, § 30.
32. As to the Rates on Foreign Vessels where Treaties of Reciprocity exist, § 31.
33. Power to compound for Tolls payable in respect of Passenger or Pleasure Vessels, § 32.
34. Harbour, &c. free to Public on Payment of Rate, § 33.
35. Collector may ascertain Rates, § 34.
36. Master to report Arrival. Penalty for Neglect, § 35.
37. Master of Vessel to produce Certificate of Registry, § 36.
38. Masters of Vessels to give Accounts of Goods intended to be unshipped within the Limits, &c., § 37.
39. Penalty on Masters giving no Account, or a false Account, &c., § 38.
40. Shippers to give an Account of Goods intended to be shipped, § 39.
41. In case of Dispute between Collector and Master, &c., § 40.
42. As to the Expences of weighing or measuring Goods, § 41.
43. Rates on Goods when payable, § 42.
44. Penalty on evading Payment of Rates, § 43.
45. Recovery of Tonnage Rates by Distraint of Ship and Tackle, § 44.
46. Recovery of Rates on Goods, § 45.
47. Disputes concerning Rates or Charges occasioned by Distress how to be settled, § 46.
48. List of Rates to be set up in large and legible Characters, § 47.
49. Collector of Customs may withhold a Clearance to any Vessel until the Rates paid, § 48.
50. Undertakers to keep Account of Rates and Vessels, &c., § 49.
51. Annual Account to be prepared and transmitted to the Clerk of the Peace in *England* or *Ireland*, or to the Sheriff in *Scotland*, § 50.
52. Appointment of Harbour Master, &c., § 51.
53. Their Powers, § 52.
54. Penalty on Shipmasters not complying with Directions of the Harbour Master, § 53.
55. Penalty on Harbour Master for Misbehaviour, § 54.
56. Penalty on offering Bribes to Dock Officers, and on Officers taking Bribes, § 55.
57. Harbour Master may remove Wrecks, &c., § 56.
58. Unserviceable Vessels to be altogether removed from Harbour, § 57.
59. Harbour Master may remove Vessels within Docks, &c., § 58.
60. Vessels entering Harbour or Dock to be dismantled, § 59.
61. Vessels to lower their Sails when entering Dock, § 60.
62. Vessels to have Hawsers, &c. fixed to Moorings, § 61.
63. Penalty for wilfully cutting Moorings, § 62.
64. Penalty on Vessels lying near the Entrance of Harbour or Dock without Permission, § 63.
65. Vessels may be removed for the Purpose of repairing Harbour or Dock, § 64.
66. Harbour Master may remove Vessels if the Master thereof neglect or refuse so to do, § 65.
67. Delivery of Cargoes and placing of discharged Vessels, § 66.
68. Penalty on Wharfingers giving undue Preference, § 67.
69. Goods may be removed from the Quays, &c. after lying there longer than allowed by Bye Laws, § 68.
70. Combustible Matter on Quays, &c. to be removed, § 69.
71. Combustibles to be guarded during the Night, § 70.
72. Penalties against Offences herein named:—boiling or heating Pitch, &c.; Fires in Vessels; Fires within Docks; loaded Guns; Gunpowder, § 71.
73. Power to enter Ship and extinguish Fires or Lights, § 72.
74. Penalty for throwing Ballast, &c. into Harbour or Dock, § 73.
75. Owner of Vessel answerable for Damage to Works, § 74.
76. As to the Recovery of Amount of Damage to Quays, &c., § 75.
77. Owner may recover Damage from his Servants, § 76.
78. Power to erect Lighthouses and lay down Buoys, &c., § 77.
79. Lights, Beacons, &c. not to be exhibited or altered without Sanction of Trinity House, § 78.
80. Justices to appoint Special Constables named by the Undertakers, § 79.
81. Dismissal of Constables, § 80.
82. Power to appoint Meters and Weighers, § 81.
83. Licensed Meters and Weighers only to be employed. Penalty on other than licensed Meters, &c. weighing Goods, § 82.
84. Bye Laws may be made for all or any of the Purposes herein named. Bye Laws may be repeated or altered from Time to Time, § 83.
85. Bye Laws may be enforced by Imposition of Penalties, § 84.
86. No Bye Laws to come into operation until allowed in the Manner prescribed, &c., § 85.
87. Notice of Allowance of Bye Laws to be given in One or more Newspapers, § 86.
88. A Copy of proposed Bye Laws to be open to Inspection, § 87.
89. Publication of Bye Laws, § 88.
90. Bye Laws to be binding on all Parties, § 89.
91. Proof of Publication of Bye Laws, § 90.

92. Tender

92. Tender of Amends, § 91.
93. Railways Clauses Consolidation Acts, 1845, as to Damages, &c. to be incorporated with this and special Act, § 92.
94. In *Ireland* Part of Penalties to be paid to Guardians of Unions, § 93.
95. One Magistrate in *England* or *Ireland*, and the Sheriff in *Scotland*, may act for Two Justices, § 94.
96. Penalties, &c. imposed in respect of any Offence committed within Metropolitan Police District to be paid to Receiver. 2 & 3 *Vict. c.* 71.—§ 95.
97. Penalty on false Evidence, § 96.
98. Copies of special Act to be kept by Undertakers at their Office, and deposited with the Clerks of the Peace, &c. 7 *W.* 4. & 1 *Vict. c.* 83.—§ 97.
99. Penalty on failing so to do, § 98.
100. Nothing in this or the special Act to affect the Rights of the Crown, § 99.
101. Nor the Rights of the Crown as to Revenue, &c., § 100.
102. Nor Rights of the City of *London*, § 101.
103. Nor Rights of Trinity House, &c., § 102.
104. Act not to exempt Undertakers from Provisions of general Act, § 103.

Hardinge (Viscount).

1. An Act to enable the Right Honourable *Henry* Viscount *Hardinge* to receive the full Benefit of an Annuity of Five thousand Pounds granted to him by the *East India* Company, 9 & 10 *Vict. c.* 21.
2. An Act to settle an Annuity on Viscount *Hardinge*, and the Two next surviving Heirs Male of the Body of the said Viscount *Hardinge* to whom the Title of Viscount *Hardinge* shall descend, in consideration of his great and brilliant Services, 9 & 10 *Vict. c.* 31.

Health of Towns.

1. An Act for the more speedy Removal of certain Nuisances, and to enable the Privy Council to make Regulations for the Prevention of contagious and epidemic Diseases until the Thirty-first Day of *August* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament, 9 & 10 *Vict. c.* 96.
2. Certain public Officers, on Receipt of the Certificate of Two Medical Men, may complain of the Existence of Nuisances. The Justices to whom the Complaint is made required to summon Parties complained against. The Order or a Copy to be served or affixed to the Premises. If the Order be not obeyed, the Parties complaining may enter on the Premises and remove the Nuisance, § 1.
3. Costs and Expences incurred by the Parties complaining may be recovered from the Owner or Occupier of the Premises on which the Nuisance existed, § 2.
4. Certain public Officers in *Scotland*, on Receipt of the Certificate of Two Medical Men, may complain of the Existence of Nuisances in *Scotland*. 8 & 9 *Vict. c.* 83. The Sheriff or Justices to whom the Complaint is made required to order the Attendance of the Parties complained against. The Order or a Copy thereof to be served or affixed to the Premises. If the Order be not obeyed the Parties complaining may enter on the Premises and remove the Nuisance, § 3.
5. Costs and Expences incurred by the Parties complaining may be recovered from the Owner or Occupier of the Premises on which the Nuisance existed, § 4.
6. Privy Council, &c. in *England* and *Ireland*, empowered to issue Orders at any Time to prevent the spreading of contagious or epidemic Diseases, § 5.
7. Orders to be certified by Clerks of the Privy Council, and when published received as Evidence, § 6.
8. Penalty for Violation of Orders, § 7.
9. Proceedings in case of Information, &c. in *England* or *Ireland*, § 8.
10. Justices empowered to levy Penalties by Distress and Sale of Goods, &c. In case Offender hath not Goods, &c. Justices may commit, § 9.
11. Recoveries of Penalties in *Scotland*. Sheriff or Justices empowered to determine Complaints, § 10.
12. Application of Penalties, § 11.
13. Orders of Council to be laid before Parliament, § 12.
14. Justices may order Payment of Monies expended for the Purposes of this Act, § 13.
15. Definition of the Word "Owner," § 14.
16. Act not to extend to certain Places, § 15.
17. Proceedings not to be quashed for Want of Form, § 16.
18. Interpretation of Act, § 17.
19. Continuance of Act, § 18.

Holyhead.

1. An Act to empower the Commissioners of Her Majesty's Woods to purchase Lands for the Purpose of a Harbour of Refuge at or near *Holyhead* in the County of *Anglesea*, 10 & 11 *Vict. c.* 76.
2. 50 *G.* 3. *c.* 93., 4 *G.* 4. *c.* 74., 3 & 4 *W.* 4. *c.* 43., 9 & 10 *Vict. c.* 116., and 10 & 11 *Vict. c.* 24. recited. Power to Commissioners of Woods, &c. to purchase the Lands mentioned in the Schedule, § 1.
3. Maps, &c. after having been authenticated to be deposited in the Offices of Woods, &c. and the Admiralty, § 2.
4. Powers of the 10 & 11 *Vict. c.* 24. extended to this Act and to the Lands mentioned in the Schedule, § 3.
5. Lands to be offered to Owner of Lands from which they were originally taken, or to adjoining Owners, § 4.

House of Commons.

1. An Act to amend the Acts relating to the Offices of the House of Commons, 9 & 10 *Vict. c.* 77.
2. 52 *G.* 3. *c.* 11., 2 & 3 *W.* 4. *c.* 105., and 4 & 5 *W.* 4. *c.* 70. recited. All Fees, &c. to be collected by the Collector appointed under first-recited Act. Money collected to be paid into Bank of *England* to the Account directed by the said Act, § 1.
3. Application of the Monies so paid to the said Account, § 2.
4. So much of the said first-recited Act as requires a Plan to be laid before the House of Commons repealed. Instead thereof an Estimate to be prepared of the probable Sums required. Estimates to be transmitted to Treasury, and laid before House of Commons with other Estimates, § 3.
5. Salaries, &c. to be paid by the Paymaster of the House of Commons. Money to be transferred by Commissioners to Account of Paymaster, § 4.
6. Speaker to act notwithstanding Dissolution of Parliament, § 5.
7. Payments may be advanced, if the Estimate be sufficient. Account to be laid before the House, § 6.

I.

Importation and Exportation.

1. An Act to amend the Laws relating to the Importation of Corn, 9 & 10 *Vict. c.* 22.
2. After the passing of this Act, till 1st *February* 1849, the Duties set forth in the Schedule shall be payable upon all Corn, &c. imported. On and after 1st *February* 1849, the Duties herein named shall be paid, § 1.
3. Duties payable in the United Kingdom shall be levied pursuant to 8 & 9 *Vict. c.* 90.—§ 2.
4. Duties payable in the *Isle of Man* shall be levied pursuant to 8 & 9 *Vict. c.* 94.—§ 3.
5. Average Prices to continue to be made up according to 5 & 6 *Vict. c.* 14., and Duties under this Act to be regulated thereby, § 4.

Inclosure.

1. An Act to authorize the Inclosure of certain Lands, in pursuance of the Recommendation of the Inclosure Commissioners for *England* and *Wales*, 9 & 10 *Vict. c.* 16.
2. Inclosures mentioned in the Schedule to be proceeded with, § 1.
3. An Act to amend the Act to facilitate the Inclosure and Improvement of Commons, 9 & 10 *Vict. c.* 70.
4. 8 & 9 *Vict. c.* 118. recited. Provisional Orders of Commissioners may be varied or amended. Copies of Supplementary Orders to be deposited for Inspection, § 1.
5. Supplemental Order not to take effect unless Consent of certain Parties be obtained, § 2.
6. If Orders do not take effect, Commissioners may suspend Proceedings, § 3.
7. As to Allotments for Exercise and Recreation, &c., § 4.
8. And Allotments to Lord of Manor for Right of Soil, &c., § 5.
9. Award may be made by Assistant Commissioners, subject to Approval of Commissioners, in certain Cases of intermixed Copyhold, Customary, or Freehold Lands, § 6.
10. Application of Provisions of recited Act as to Notices and Dissents, § 7.
11. Boundaries of Leaseholds may be declared in Award setting out Boundaries of Copyhold or Customary Lands. Proviso, § 8.
12. Copyhold and Customary Lands may be exchanged. Consent of Lord of the Manor required, § 9.
13. Steward or Deputy may consent in Writing on behalf of the Lord, § 10.
14. Shares of Land and Cattle Gates and Stints may be exchanged, § 11.
15. Accuracy of Maps to be certified, § 12.
16. An Assistant Commissioner may be appointed Assessor, § 13.
17. Act deemed Part of recited Act, § 14.
18. An Act to authorize the Inclosure of certain Lands, pursuant to a special Report of the Inclosure Commissioners for *England* and *Wales*, 9 & 10 *Vict. c.* 117.
19. Inclosures mentioned in Schedule to be proceeded with according to Provisions of 8 & 9 *Vict. c.* 118., &c., § 1.
20. An Act to authorize the Inclosure of certain Lands, in pursuance of the Second Report of the Inclosure Commissioners for *England* and *Wales*, 10 & 11 *Vict. c.* 25.
21. 8 & 9 *Vict. c.* 118. recited. Inclosures mentioned in Schedule may be proceeded with, § 1.
22. An Act to extend the Provisions of the Act for the Inclosure and Improvement of Commons, 10 & 11 *Vict. c.* 111.
23. 8 & 9 *Vict. c.* 118. recited. Where the Title to a Manor, &c. is litigated, the Consent of both Claimants to be equivalent to Consent of an actual Owner, § 1.
24. Provision for the Case of more than One Person claiming to be interested, § 2.
25. Saving Rights of the Crown and others to the Soil of Encroachments, § 3.
26. Exchanges may be made of Land, excepting or reserving Minerals and Easements, § 4.
27. Recital of Provision as to Commissioners not proceeding to amend any Award under any Local Act, &c. until Notice of Application shall have been given by Advertisement, &c. Recited Provision repealed, and if Commissioners think fit to proceed on any Application, they may refer the same to an Assistant Commissioner, &c., § 5.
28. Lands taken in exchange, &c. in respect of Copyhold or Customary Lands shall be held to be Copyhold, and shall be held of the same Lord, &c., § 6.
29. Meetings may be adjourned without the Attendance of Commissioner or Assistant Commissioner, § 7.
30. Notices may be given by the Secretary of the Commissioners, or other Person appointed for that Purpose, § 8.
31. Recited Act deemed Part of this Act, § 9.

Income Tax.

1. An Act for regulating the Deduction at the Bank of *England* of Income Tax Duty in respect of certain Offices, 9 & 10 *Vict. c.* 81.
2. Income Tax Duty to be deducted at Bank of *England* on Payment of Salaries, &c. charged upon the Suitors Funds Accounts of Court of Chancery, § 1.

See *Assessed Taxes.*

Indemnity.

1. An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively until the Twenty-fifth Day of *March* One thousand eight hundred and forty-seven, 9 & 10 *Vict. c.* 13.

See *Offices and Employments.*

Injuries by Fire, &c.

1. An Act for preventing malicious Injuries to Persons and Property by Fire, or by explosive or destructive Substances, 9 & 10 *Vict. c.* 25.
2. Persons maliciously blowing up Dwelling Houses, any one being therein, guilty of Felony, § 1.
3. Or blowing up Buildings with Intent to murder, guilty of Felony, § 2.
4. Or injuring Persons by explosive Substances guilty of Felony, § 3.
5. Or attempting to do bodily Injury by sending, &c. explosive or dangerous Substances, guilty of Felony, § 4.
6. Punishment for Felonies herein-before specified, § 5.
7. Punishment for Persons attempting to blow up Buildings, &c., § 6.
8. Punishment to Persons attempting to set fire to Buildings, § 7.
9. Punishment for Persons manufacturing, &c. explosive Substances, for the Purpose of committing Offences against this Act, § 8.

10. Male Offenders under Eighteen Years of Age convicted under this Act may be publicly or privately whipped, § 9.
11. As to the Punishment of Accessories before and after the Fact, § 10.
12. Persons convicted of Offences for which Imprisonment may be awarded, may be kept to hard Labour, and in solitary Confinement, § 11.
13. Justices may issue Warrants for searching any House, &c. in which any explosive Substance is suspected to be made or kept. Persons executing such Warrants to have same Powers as given by 12 *G.* 3. *c.* 61.—§ 12.
14. Any Person loitering at Night suspected of Felony under this Act may be taken into Custody without Warrant, § 13.
15. But not to be detained after Noon of the following Day, § 14.
16. Offences under this Act not to be tried by Justices, &c. at Sessions, § 15.
17. Nothing in this Act to affect Powers of 5 & 6 *W.* 4. *c.* 38. and 4 *G.* 4. *c.* 64.—§ 16.
18. As to Offences committed within the Admiralty Jurisdiction, § 17.
19. Not to extend to *Scotland*, § 18.

Insolvent Debtors Court. See Bankruptcy Court.

IRELAND.

Adverse Claims.

1. An Act to enable Courts of Law in *Ireland* to give Relief against adverse Claims made upon Persons having no Interest in the Subject Matter of such Claims, 9 & 10 *Vict.* *c.* 64.
2. Upon Application of a Defendant in an Action of Assumpsit, &c. stating that the Right in the Subject Matter is in some Third Party, the Court may order such Third Party to appear, &c., and in the meantime Proceedings in such Action to be stayed, § 1.
3. Judgment and Decision of the Court to be final, § 2.
4. If such Third Party shall not appear, &c. Court may bar his Claim against the original Defendant. Saving Rights of such Third Party against Plaintiff, § 3.
5. Orders made by a single Judge liable to be rescinded by Court, § 4.
6. If a Judge think fit, he may refer the Matter for the Decision of the Court, § 5.
7. For Relief and Protection of Sheriffs and other Officers employed in Execution of Process against Goods and Chattels, § 6.
8. Rules, Orders, &c. made in pursuance of this Act may be entered of Record, and made Evidence. Payment of Costs. As to the testing of Writs, and Sheriff's Fees, § 7.

See *General Index*, Joint Stock Companies.

Baths and Wash-houses.

1. An Act for promoting the voluntary Establishment in Boroughs and certain Cities and Towns in *Ireland* of public Baths and Wash-houses, 9 & 10 *Vict.* *c.* 87.
2. Act may be adopted in any incorporated Borough in *Ireland* regulated under 3 & 4 *Vict.* *c.* 108.; and also in any City or Town in which Commissioners have been elected under 9 *G.* 4. *c.* 82.—§ 1.
3. Interpretation of Act, § 2.
4. Council of any Borough, or Commissioners for any City or Town, may adopt this Act if they think fit, § 3.
5. Expences of carrying this Act into execution shall be charged upon the Borough Fund or Town Fund, and Income arising carried to the same, § 4.
6. Town Council and Commissioners to cause separate Accounts to be kept. Accounts when audited, to be transmitted to Lord Lieutenant and a Copy deposited with the Town Clerk, &c., and be open to Inspection, § 5.
7. Incorporation of Town Commissioners for the Purposes of this Act, § 6.
8. Councils and Town Commissioners may borrow Money for the Purposes of the Act, § 7.
9. The Public Works Loan Commissioners acting under 6 & 7 *Vict.* *c.* 44. may grant Loans on Security of Borough Fund, &c., § 8.
10. Provisions of 8 & 9 *Vict.* *c.* 16., respecting borrowing Money, Accountability of Officers, Bye Laws, Damages, and Penalties, incorporated with this Act, § 9.
11. Councils and Town Commissioners, with Approval of the Treasury, may purchase, &c. Lands for the Purposes of this Act, § 10.
12. Councils and Town Commissioners may erect Buildings for public Baths and Wash-houses, and open Bathing Places, § 11.
13. Councils and Town Commissioners may enter into Contracts for the Purposes of this Act. No Contract above 100*l.* to be entered into unless Fourteen Days Notice has been given, § 12.
14. Council or Town Commissioners may purchase existing Baths, &c. if they think fit, § 13.
15. Power to Water and Gas Companies to supply Water and Gas to Baths, &c., § 14.
16. Councillors and Town Commissioners not to be personally liable, § 15.
17. Persons may appeal against Orders of Councils and Town Commissioners, § 16.
18. Council or Commissioners may make Sale and Exchange of Lands, with Consent of Treasury, § 17.
19. When Baths, &c. are considered unnecessary, they may, with Approval of Treasury, be sold, and Proceeds carried to Borough or Town Fund, § 18.
20. Management to be vested in Councils and Town Commissioners, § 19.
21. Council and Commissioners may make Bye Laws for regulating the Use of Baths and Wash-houses, &c., and Charges thereat. Bye Laws to be approved by the Secretary of State, § 20.
22. Copies or Abstracts of Bye Laws to be hung up in every Bath Room and open Bathing Place, &c., § 21.
23. Proportion of Baths for the labouring Classes, § 22.
24. Charges to be fixed by Councils and Town Commissioners not exceeding those in Schedule (B.), § 23.
25. As to the Recovery of Charges at Wash-houses, § 24.
26. Penalty for Officers taking Fees beyond Salaries, or being interested in Contracts; also for Councillors and Commissioners taking Fees, or being interested in Contracts, § 25.
27. Application of Penalties, § 26.

Bonds, &c.

1. An Act to exempt from Stamp Duty Bonds and Warrants to confess Judgment executed by High Constables or Collectors of Grand Jury Cess, or their Sureties, in *Ireland*, 9 & 10 *Vict.* *c.* 60.

2. 6 & 7 *W.* 4. *c.* 116., 5 & 6 *Vict. c.* 82., 8 & 9 *Vict.* c. 2. Bonds, &c. given by Collectors of Grand Jury Cess, or their Sureties, conditioned for the due Collection of such Cess, to be exempt from Stamp Duty. 7 & 8 *Vict. c.* 106. Such Bonds, &c. executed before First *July* One thousand eight hundred and forty-six to be admissible in Evidence as if duly stamped, § 1.

Constabulary Force.

1. An Act to provide for removing the Charge of the Constabulary Force in *Ireland* from the Counties, and for enlarging the Reserve Force; and to make further Provision for the Regulation and Disposition of the said Constabulary Force, 9 & 10 *Vict. c.* 97.
2. So much of 6 & 7 *W.* 4. *c.* 13., 6 & 7 *W.* 4. *c.* 36. and 2 & 3 *Vict. c.* 75. as provides that One Moiety or any Part of the Expence of the Constabulary or Reserve Force shall be defrayed by any County, Barony, &c. in *Ireland*, or by Grand Jury Presentment, repealed, save as herein mentioned, § 1.
3. The whole Costs of the Constabulary Force and the Reserve Force, save as herein mentioned, shall be paid out of the Consolidated Fund, § 2.
4. Power to Lord Lieutenant to appoint any Number of additional Constables (not exceeding Four Head Constables and One hundred Constables, &c. for a Barony, &c.) for any Part of *Ireland* declared by Proclamation to be in a disturbed State. When Barony, &c. is declared by Proclamation to cease to be in a disturbed State, the additional Constabulary Force shall be discontinued, § 3.
5. Lord Lieutenant empowered to increase the reserved Constabulary Force, § 4.
6. Nothing herein contained to relieve Counties from the Moiety of the Cost of a further Constabulary Force applied for by Magistrates, or of the Reserve Force, when employed therein, or of an increased Constabulary Force stationed there by the Lord Lieutenant, § 5.
7. "Provincial Inspectors" to be styled "Assistant Inspectors General," § 6.
8. An Act to regulate the Superannuation Allowances of the Constabulary Force in *Ireland* and the *Dublin* Metropolitan Police, 10 & 11 *Vict. c.* 100.
9. 6 & 7 *W.* 4. *c.* 13. recited. So much of recited Act as relates to Deductions from Pay, Formation of Superannuation Fund, and Conditions of Allowances, repealed, save as herein set forth, § 1.
10. Regulations for establishing a Constabulary Superannuation Fund, § 2.
11. Lord Lieutenant empowered to superannuate Constables according to Scale of Superannuation herein mentioned, § 3.
12. Power to Treasury, upon the Recommendation of Lord Lieutenant, &c. to grant Superannuation Allowances to Officers, § 4.
13. Allowances or Pensions may be granted in case of being disabled, &c. in the Service, § 5.
14. Allowances may be granted in certain other Cases, § 6.
15. Surplus of Reward Fund to be applied for Payment of Pensions. Deficiency of Funds for Payment of such Pensions to be charged on Consolidated Fund, § 7.
16. The Number and Salaries of the Clerks in the Inspector General's Office to be fixed by the Treasury, 2 & 3 *Vict. c.* 75.—§ 8.
17. 6 & 7 *W.* 4. *c.* 29., 1 & 2 *Vict. c.* 63. Repeal of recited Provisions as to Pensions and Superannuations of *Dublin* Metropolitan Police, § 9.
18. Treasury may grant Superannuation Allowances to Justices and Officers of *Dublin* Police (other than Constables) heretofore appointed, § 10.
19. Lord Lieutenant may grant Superannuation Allowances to Constables of *Dublin* Police heretofore appointed or hereafter to be appointed, § 11.

Coroners.

1. An Act to amend the Laws relating to the Office of Coroner and the Expences of Inquests in *Ireland*, 9 & 10 *Vict. c.* 37.
2. From and after Commencement of this Act the following Acts and Parts of Acts repealed; *viz.*, 1 *G.* 4. *c.* 28., 3 *G.* 4. *c.* 115., 4 *G.* 4. *c.* 43., 5 *G.* 4. *c.* 93., 6 *G.* 4. *c.* 52., 10 *G.* 4. *c.* 37., 6 & 7 *W.* 4. *c.* 116., 7 *W.* 4. & 1 *Vict. c.* 2., and 7 & 8 *Vict. c.* 106.—§ 1.
3. Powers to Lord Lieutenant to direct a Special Sessions to be holden in each County for dividing the same into Coroners Districts, § 2.
4. Justices at Sessions to divide their Counties into Districts, for carrying this Act into effect; to affix to each District the Name of some Parish at which a Court shall be held for Election of Coroner; and to cause Lists to be prepared of all Baronies, &c. Clerks of the Peace to send Lists to each Coroner, § 3.
5. Lord Lieutenant may from Time to Time order a new Division of Counties into Coroners Districts, § 4.
6. Order for Division of County, &c. into Districts to be valid after Publication, § 5.
7. Appointment of present Coroners to Districts, § 6.
8. Sheriff to hold a special Court for the Election of Coroner. If Election not determined on the View, then to proceed to take a Poll. Duration of Poll, § 7.
9. Qualification of Electors voting for Coroners, § 8.
10. Sheriff empowered to erect Polling Booths for the Purposes of Election. No Voter to poll out of the District where he resides, &c., § 9.
11. Sheriff to appoint Poll Clerks, who shall be sworn. Sheriff to appoint Inspectors of Poll Clerks. Electors, if required by Candidates, to be sworn, § 10.
12. Custody of the Poll Books, and Declaration of the Poll, § 11.
13. Expences of Sheriff, &c. to be paid by Candidates in equal Proportions, § 12.
14. Candidates shall deliver a Statement of the Property whereby they mean to qualify to the Sheriff, who shall allow it to be inspected. If Candidate fail to deliver such Statement, Sheriff not to allow him to be nominated. Candidate, if required, to take the Oath in Schedule (B.), § 13.
15. Oath to be administered without Fee, § 14.
16. Not to alter the Mode of Elections in Cities, &c., § 15.
17. Qualification of Coroner, § 16.
18. If it appear to any Two Justices of the Peace for the County, City, Town, &c. for which any Coroner is elected, that he has lost his Qualification, they shall give Notice to him of their Intention to complain to the Grand Jury. Coroner to be summoned before Grand Jury, to be examined touching the Matter of such Complaint. If Coroner has lost his Qualification, Grand Jury to memorialize the Lord Chancellor. Foreman to sign Memorial, § 17.
19. Lord Chancellor, upon Receipt of Memorial, may declare the Office to be vacant, and issue a Writ for a new Election, § 18.
20. No Coroner shall act, by himself or Partner, as Sub-Sheriff, § 19.
21. Lord Chancellor may, upon receiving Certificate from Two

Two Justices of Vacancy, issue Writ for Election of Coroner, § 20.
22. Coroner to reside within the District, or to forfeit his Emoluments, § 21.
23. Notice of finding any dead Body, or of sudden Death, to be given to the Coroner, who shall issue Summonses for Jurors and Witnesses, § 22.
24. Qualification of Jurors upon Inquests. No Person now exempted from serving on Juries under 3 & 4 *W.* 4. *c.* 91. to be summoned under this Act, § 23.
25. Coroner to make Abstract of the Inquisition and Finding of the Jury; and annex an Account of Money paid; and Number of Miles he has travelled; and shall certify such Abstract and Account to be true, and lodge them with the Secretary of the Grand Jury; Grand Jury shall examine such Abstracts, &c., § 24.
26. Grand Jury to present 1*l.* 10*s.* to Coroner for each Inquest, and 6*d. per* Mile for travelling; such Payments not to exceed 50*l.* at any one Assizes. When more than One Inquest on same Day, 6*d. per* Mile only for each additional Mile Coroner may travel, § 25.
27. Payment of Coroners by Grand Jury for travelling when no Inquest is held, § 26.
28. Grand Jury of City, &c. to present the Coroner 1*l.* 10*s.* for each Inquest. Not to exceed 65*l.* at any Assizes or Presenting Term, § 27.
29. Coroner may pay Witnesses as *per* Schedule upon obtaining Receipts from Witnesses. Coroner to deliver Receipts, &c. to Secretary of Grand Jury, § 28.
30. Grand Juries may present such Sums as they shall deem necessary for Expences incident to the holding of Inquests, until the next Assizes or Presenting Term. Board of Superintendence may pay such Sums to Coroners as he may have advanced to Witnesses as in Schedule (C.), § 29.
31. Grand Jury to present for such Sums as shall be necessary to pay Witnesses and Expences of Inquests. Grand Jury may direct the Expences of Coroner or Inquests to be levied off any particular District, Barony, or Parish, § 30.
32. Coroner may order Analysis to be made. Grand Jury may present a Sum not exceeding Five Guineas for making such Analysis, § 31.
33. When any Inquest shall be held on the Body of a Person who died in any Hospital, &c. no such Remuneration shall be presented to Medical Officer for the same, § 32.
34. Coroner may summon Medical Practitioner to attend Inquest, § 33.
35. Jury may require further Medical Evidence. Penalty on Coroner for Refusal, § 34.
36. Coroner may fine Jurors or Witnesses for Nonattendance at Inquest, and transmit the Account of the same to the Clerk of the Peace, § 35.
37. Coroner may order dead Body to be deposited in the nearest Public House until an Inquest be taken thereon. Owner or Occupier refusing to admit the same may be fined, § 36.
38. Coroner not to act professionally in any Case which may have come before him as Coroner. Penalty, § 37.
39. Coroner, although elected for a District, to be considered a Coroner of the County or City at large, § 38.
40. Coroner to hold Inquests only in the District to which he is appointed, except in certain Cases, § 39.
41. All Orders of Coroners, &c. to be signed and sealed. Any Order not signed, &c. not to be of any Effect, § 40.
42. Grand Jury not to present for any Coroner guilty of Neglect, nor for any Inquest, except taken since the last Assizes, &c., § 41.
43. Coroner may be removed by Judge for Extortion or Neglect of Duty, § 42.
44. Coroner, if once removed from his Office, incapable of being again elected, § 43.
45. In the Absence of Coroner, Two Magistrates may hold Inquest, and summon Jurors and Witnesses, § 44.
46. Persons swearing falsely guilty of Perjury, § 45.
47. Inquisitions not to be quashed on account of technical Defects, § 46.
48. Nothing in this Act to affect the Provisions of 7 & 8 *Vict. c.* 106. *s.* 31—§ 47.
49. Grand Jury of the County of *Dublin* to present for Expences of Inquests in advance, § 48.
50. Finance Committee of the County of *Dublin* to pay the Expences of Coroner, and Magistrates Orders for Money, § 49.
51. Coroners to make Returns yearly of Inquests to Lord Lieutenant, § 50.
52. Commencement of Act, § 51.
53. Interpretation of Act, § 52.

County Works.

1. An Act to authorize a further Advance of Money out of the Consolidated Fund towards defraying the Expence of County Works presented in *Ireland*, 9 & 10 *Vict. c.* 78.
2. Power to the Treasury to advance an additional Sum of 35,000*l.* for the Purposes of the said recited Act, § 1.
3. The Provisions of 9 & 10 *Vict. c.* 2. to extend to this Act, § 2.

Distresses, See Ejectments and Distresses.

Drainage.

1. An Act to amend the Acts for promoting the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in *Ireland*; and to afford Facilities for increased Employment for the labouring Classes in Works of Drainage during the present Year, 9 & 10 *Vict. c.* 4.
2. 5 & 6 *Vict. c.* 89. and 8 & *Vict. c.* 69. recited. Monies borrowed for Purposes of this Act, as also Monies to be levied for Maintenance, to be a first Charge on Lands drained or improved, and a Charge in the Order of its Date upon all Lands within One Mile settled to the same Uses as the Lands drained or improved, or belonging to the same Proprietor as the Lands drained or improved; but the Commissioners to allow such Time for Repayment that the Amount of any Payment for a Period shall not exceed the estimated Increase in the Value for that Period, § 1.
3. Interest to accrue during Period of Repayment may be divided into equal Instalments, § 2.
4. Any Proprietor may, upon giving Notice, pay off Principal, &c. within the Period fixed for Repayment, § 3.
5. Persons making Default in repaying Principal and Interest for Thirty-one Days to pay 1*s.* in the Pound as Receivers Fees. Proviso, § 4.
6. Power to recover small Sums by Civil Bill, § 5.
7. Commissioners to grant Debentures to Lenders for Principal and Interest. Debentures may be transferred, § 6.
8. Commissioners to pay off Debentures or Notice after Period limited for such Purpose, § 7.
9. Definition of what Surveys and Proceedings shall be requisite under this Act, § 8.
10. Grand Jury may present Memorial for Drainage, and deposit Funds, to be repaid in case the Works are undertaken, § 9.

11. Treasury may advance Money by way of Loan to the Commissioners of Drainage in aid of Deposits to pay preliminary Expences, to be repaid out of Monies borrowed for Execution of Works, or, in case no Works are undertaken, to be repaid by Memorialists, 25 *Geo.* 3. *c.* 52.—§ 10.
12. Assents of Proprietors for more than One Half in Extent of the Lands to be drained and improved, to be deemed sufficient to bring this Act into operation, § 11.
13. If One Moiety and less than Two Thirds of Lands to be drained belong to a single Proprietor, the Assent of the Proprietors for the Remainder shall be sufficient for such Drainage, in certain Cases, § 12.
14. The Commissioners may take Security instead of Deposit from Tenants having certain Interests in Lands who may desire to qualify as Proprietors for the Purpose of assenting, by paying the Proportion of the whole Expence of the Works to be charged upon the Lands held by them. Proviso, § 13.
15. Form and Substance of Declaration and final Award required by former Act may be varied to suit Provisions of this Act, § 14.
16. Appeal to Assistant Barrister against Declaration, § 15.
17. The Length of Time required by former Acts for giving Notices, or depositing Maps, &c. may be reduced, except in certain Cases, § 16.
18. Commissioners may affix a Name to Districts, by which they shall be afterwards known for the Purposes of this Act, § 17.
19. Errors, Omissions, Mis-statements, or Misnomers in Proceedings or Documents, previous to and inclusive of the Publication of the final Notice, shall not invalidate any of the Proceedings under this Act or the recited Acts, § 18.
20. Companies may be formed under this Act to provide Funds and receive Profits (not exceeding 10 *per Cent.*) from Reservoirs or Navigations constructed by the Commissioners under Provisions of recited Acts, and this Act, § 19.
21. The Commissioners shall pay to Companies providing Funds the surplus Income, not exceeding Ten *per Cent.* on original Outlay, § 20.
22. Commissioners may authorize Officers of Company formed under this Act to receive and collect Rates and Taxes, § 21.
23. Any Person liable to Rate for original Cost of Construction may purchase Exemption by paying Twenty Times such Rate, § 22.
24. Same Power given for the Purchase of Lands for the Formation of Reservoirs, as for all the other Purposes of recited Acts and this Act, § 23.
25. Power to rate all Parties deriving Benefit by Supply of Water from Reservoirs, § 24.
26. Power to rate Mills and Factories for increased Supply of Water from Works for Drainage, or Drainage and Navigation, with Assent of Owners of Mills and Factories possessing more than Half the working Water Power, § 25.
27. Rates may be imposed for Supply of Water from Reservoirs or other Works afforded after the Publication of the final Award, § 26.
28. Same Security for Monies as in case of Lands drained or improved, § 27.
29. The surplus Income from Tolls to be paid in certain Cases to Counties, Baronies, Persons, or Companies securing, either separately or conjointly, the Cost of the original Construction of Navigation. If surplus Income exceed Ten *per Cent.* on original Outlay, Tolls to be reduced, § 28.
30. Grand Jury or Person or Company may secure a Portion of the Cost of any Navigation, instead of the whole, § 29.
31. In Cases where Money can be borrowed on the Security of Tolls to be imposed, the Commissioners may, if they think fit, make or improve any Navigation in connexion with Drainage, § 30.
32. Commissioners of Public Works, and Commissioners for Execution of Act 5 & 6 *Vict. c.* 9. may lend Money on Security of Tolls to be imposed on any Navigation. No Advance without Consent of Treasury. Monies lent to be repaid with Interest, § 31.
33. Navigations may be made in Districts where Works for Drainage have been commenced or completed, § 32.
34. In case of Grants in aid of Navigation, the Residue of Costs to be repaid by the District, and Tolls to be levied for Maintenance only, § 33.
35. One Commissioner may hold Meetings, § 34.
36. When Mills or Factories injure Lands to an Extent in Value equal to or exceeding Twice the Value of such Mill or Factory, same may be purchased, § 35.
37. Where Rivers or Streams pass through Demesnes, &c. any Works for their Improvement may be effected without Consent, Compensation being made for Damage done, § 36.
38. Provisions as to Drainage to extend to the Lands of one Proprietor as well as several, § 37.
39. In default of Repayment of Expenditure in draining Bog, Moor, or Waste Lands, a competent Portion thereof may be demised by the Commissioners for Ninety-nine Years, at a Fine, for raising the Sum due, § 38.
40. Monies received for such Fine, &c. to be applied in making Repayment, § 39.
41. In default of Payment for Twelve Months of Money secured upon Bog, Moor, or Waste Lands, Commissioners may levy Amount by Sale of the Lands or a competent Part thereof, § 40.
42. Powers of Entry on Lands, § 41.
43. Aqueducts, Culverts, and Tunnels under Canals to be kept thoroughly cleansed. Proceedings in case of Neglect, § 42.
44. Proceedings where Proprietors unanimously desire to have their Lands drained, § 43.
45. Interpretation of Act, § 44.
46. No Works shall be undertaken under following Provisions, unless Assents be obtained before 1st *August* 1847, § 45.
47. Any Proprietors of Lands may apply to the Commissioners to have such Lands drained or improved under this Act, § 46.
48. The Commissioners may cause a preliminary Investigation to be made in a summary Way, and obtain a Report. A Copy of Report of their Opinion thereon to be lodged for Inspection, and Notice thereof to be given, § 47.
49. Such Notice shall require the Proprietors of Lands to be drained to furnish their Assent or Dissent. If the Proprietors of more than Half of the Lands assent, a final Notice may be given, § 48.
50. After such final Notice the Powers and Provisions of the Drainage Acts may be applied for the Purposes of this Act, § 49.
51. No greater Amount than at the Rate of 3*l. per* Acre to be expended under the Provisions for summary Proceedings under this Act. The Works may be afterwards carried on according to the general Provisions of the Drainage Acts, § 50.
52. The Commissioners of the Treasury may make temporary

rary Advances to the Commissioners under this Act for the Expences of preliminary Inquiries, &c. under the Provisions for summary Proceedings, § 51.

53. An Act to provide additional Funds for Loans for Drainage and other Works of public Utility in *Ireland*, and to repeal an Act of the last Session, for authorizing a further Issue of Money in aid of Public Works of acknowledged Utility, 10 & 11 *Vict. c.* 106.

54. 9 & 10 *Vict. c.* 85. and 9 & 10 *Vict. c.* 108. recited. The Treasury may direct the Commissioners for executing the Acts 5 & 6 *Vict. c.* 9. and 9 & 10 *Vict. c.* 80. to transfer 120,000*l.* to the Commissioners of Public Works in *Ireland*, § 1.

55. Treasury may cause to be issued a further Sum of Money to Commissioners of Public Works, *Ireland*, § 2.

56. Powers, &c. of first-recited Act, &c. extended to this Act, § 3.

57. 9 & 10 *Vict. c.* 109. repealed, § 4.

Ejectments and Distresses.

1. An Act to amend the Law in *Ireland* as to Ejectments and Distresses, and as to the Occupation of Lands, 9 & 10 *Vict. c.* 111.
2. In all Ejectments for Nonpayment of Rent the Amount of Rent claimed shall be stated, § 1.
3. In such Ejectments in the Superior Courts Money may be paid into Court for Rent and Costs, § 2.
4. At any Time before Execution issued in Ejectment for Nonpayment of Rent, upon Payment or Tender of the Rent and Costs, the Proceedings shall be stayed, § 3.
5. In Civil Bill Ejectments for Nonpayment of Rent the Defendant may, Six Days before the Day of Hearing, lodge with the Clerk of the Peace the Rent and Costs, § 4.
6. In such Civil Bill Ejectments, if the Defendant before a Decree pay or tender the Rent and Costs, the Proceedings shall be stayed. Appeal, § 5.
7. The Writ or Warrant for Execution in Ejectment for Nonpayment of Rent shall state the Amount due for Rent and Costs, and upon Payment thereof, with Fees, Execution shall be stayed. Power to the Judges to make Rules as to Payment, &c. of Rent and Taxation of Costs, § 6.
8. The Provisions of the 6 & 7 *W.* 4. *c.* 75. as to Civil Bill Ejectments extended to Lands, &c. held under any Grant, &c. for any Term not exceeding Sixty one Years, and the Rent shall not exceed 20*l.*, &c. Provisions of recited Act as to Disputes, &c. respecting Possessions of Lands extended to those held under any Grant, &c., § 7.
9. On executing a Writ or Decree for Possession in Ejectment, the Sheriff, upon the Plaintiff's Consent, may deliver Possession without the Removal of the Undertenants or Occupiers, § 8.
10. Ejectments under 6 & 7 *W.* 4. *c.* 75. extended to Lands held under Acknowledgments, according to Form (No. 2.) in Schedule (A.) to this Act annexed, § 9.
11. In all Cases of Distress for Rent a written Notice of the Rent claimed shall be given. Distress not unlawful on Account of Mistakes, &c., § 10.
12. In Cases of Distress for Rent a Tender of the Amount before Sale shall be sufficient to stay Proceedings, § 11.
13. No Distress for Rent shall be lawful unless by virtue of a Warrant properly signed. Warrant free from Stamp Duty, § 12.
14. The Provisions of the 56 *G.* 3. *c.* 88. authorizing the distraining of growing Crops for Rent repealed, except as to any Distress commenced before the passing of this Act, § 13.
15. Party distraining for Rent not deemed a Trespasser *ab initio* by reason of subsequent Irregularity, § 14.
16. 57 *G.* 3. *c.* 93. 7 & 8 *G.* 4. *c.* 17. No Person making any Distress for Rent, Taxes, Rates, &c., where the Sum due shall not exceed 20*l.*, to take other Charges than mentioned in the Schedule annexed, nor to charge for any Act, &c. not done, § 15.
17. Party aggrieved by any such Practice may apply to a Justice of the Peace. Justice may adjudge treble the Amount of Monies unlawfully taken to be paid, with Costs, which may be levied by Distress. If no sufficient Distress, Justice may commit the Offender, § 16.
18. Justices may summon Witnesses and administer Oaths. Penalty on refusing to obey such Summons, § 17.
19. If Complaint unfounded, Justice may give Costs to the Party complained against. No Judgment to be given against any Landlord unless he personally levies the Distress. Parties not to be barred of other legal Remedies, § 18.
20. Signature of the Justices Proof of Judgment, § 19.
21. Brokers and others making any Distress to give Copies of their Charges to the Persons distrained, § 20.
22. Printed Copy of certain Clauses of this Act to be hung up in Sessions Houses, § 21.
23. Interpretation of Act, § 22.
24. Schedules Part of Act, § 23.
25. Act to extend to *Ireland* only, § 24.

Elections.

1. An Act to amend an Act of the Second and Third Years of His late Majesty, by providing additional Booths or Polling Places at Elections in *Ireland* where the Number of Electors whose Names shall begin with the same Letter of the Alphabet shall exceed a certain Number, 9 & 10 *Vict. c.* 19.
2. 2 & 3 *W.* 4. *c.* 88. recited. When Names of Electors commencing with the same Letter of the Alphabet amount to 500 or more the Returning Officer to provide so many Booths that not more than 500 Voters shall be obliged to poll at One Booth, § 1.
3. All Persons of the same Surname must poll at the same Place, § 2.
4. Penalty if Returning Officer does not comply with the Provisions of the Act, § 3.
5. An Act to define the Notice of Elections of Members to serve in Parliament for Cities, Towns, or Boroughs in *Ireland*, 9 & 10 *Vict. c.* 30.
6. Three clear Days Notice to be given of Elections for Cities and Towns in *Ireland*, § 1.
7. An Act to limit the Time for taking the Poll at Elections of Members to serve in Parliament for Counties of Cities, Counties of Towns, and Boroughs in *Ireland*. 10 & 11 *Vict. c.* 81.
8. 2 & 3 *W.* 4. *c.* 88. *s.* 52. recited. So much of recited Act as allows the Poll at Elections in *Ireland* to continue open until the Fifth Day repealed, § 1.
9. Period of Polling, § 2.
10. Returning Officer to provide so many Booths that not more than 100 Voters shall poll in any Booth, § 3.
11. If a Vote be objected to, Poll not to be delayed, but written Objection to be handed in within a reasonable Time, § 4.
12. Public Notice of the Booths to given, § 5.
13. Continuance of the Poll on the following Day in case of Riot, § 6.
14. On the Close of the Poll remaining Objections to Voters to be disposed of by the Returning Officer, § 7.

15. In case of Personation, Vote may be taken off the Poll, § 8.
16. As to Continuance of Laws now in force as to Elections, § 9.
17. Not to affect Elections for the University of *Dublin*, § 10.

Fisheries.

1. An Act to encourage the Sea Fisheries of *Ireland*, by promoting and aiding with Grants of public Money the Construction of Piers, Harbours, and other Works, 9 & 10 *Vict. c.* 3.
2. Appointment of Commissioners, § 1.
3. Powers of Commissioners, § 2.
4. Grants may be made by Treasury, not exceeding 50,000*l.*, for the Purposes of this Act, § 3.
5. Conditions of such Grants, § 4.
6. Loans to be made by Commissioners of Public Works to defray the Residue of the Cost of Works, § 5.
7. Application by Memorial for the Execution of Works, § 6.
8. Preliminary Survey, &c. to be made, § 7.
9. Commissioners, &c. may enter Lands for the Purposes of Survey or Inquiry, § 8.
10. The Commissioners of the Treasury may make temporary Advances to the Commissioners under this Act for the Expences of preliminary Inquiries, § 9.
11. Commissioners may report to Treasury, and recommend a Grant, § 10.
12. Provisional Declaration to be made by Commissioners as to Works, and Proportion of Grants and Loans for the same, § 11.
13. Regulations as to the securing of Loans. Case of "Counties." Case of "County" and "District" conjointly. Case of "District." Case of "Lands of Proprietors." Case of "County District and Lands," or any Two of them jointly, § 12.
14. Provisional Declarations, Plans, Estimates, &c. to be lodged for public Inspection, § 13.
15. Meetings to hear Objections may be held in certain Cases, § 14.
16. Proceedings at such Meetings and final Declaration to be printed, § 15.
17. Final Notice may be published in case the Presentment or Assents herein required be made or given. Case of "Counties" to be chargeable. Case of "District" to be chargeable. Case of "Lands of Proprietors" to be chargeable. Case of "County, District, or Lands," or any Two of them conjointly, § 16.
18. Who shall be deemed Proprietors, § 17.
19. Trustees, &c. may apply to Court of Chancery for Leave to assent, § 18.
20. Joint Tenants to be accounted as One Person, § 19.
21. Assents may be given by Persons authorized, § 20.
22. Publication of final Notice to be conclusive. Errors, Omissions, Mis-statements, or Misnomers in Proceedings or Documents, previous to and inclusive of the Publication of the final Notice, shall not invalidate any of the Proceedings under this Act, § 21.
23. As to Expence of preliminary Proceeding, § 22.
24. Final Declaration, when settled, to be deposited in the Court of Chancery, § 23.
25. After Publication of final Notice, Grants and Loans may be issued, § 24.
26. After Publication of final Notice, Commissioners may commence the Works, § 25.
27. Commissioners to appoint Officers. All Officers to account, § 26.
28. Power to execute the Works, § 27.
29. Commissioners may enter Lands, and dig for Materials on making Compensation, § 28.
30. Commissioners to fill up Holes and Pits not found useful, and fence off those that may be useful, § 29.
31. When Lands cut through shall be less than an Acre in Quantity, or less than Fifteen Yards wide, Commissioners to purchase the whole, if required, § 30.
32. Commissioners may purchase Land for the Purposes of the Act, § 31.
33. Corporations, Trustees, and other Persons empowered to sell and convey, &c., § 32.
34. Form of Conveyance, § 33.
35. Satisfaction to be made, and may be accepted, § 34.
36. Commissioners empowered to award the Value, § 35.
37. Any Person dissatisfied with the Adjudication of the Commissioners may appeal to the Assistant Barrister at Quarter Sessions; who may determine the Matter either by or without the Verdict of a Jury, if required, § 36.
38. Jurors to be summoned. Jurors may be challenged, § 37.
39. Judgments of Assistant Barristers to be binding on all Parties, § 38.
40. Jurymen refusing to be sworn or give Verdict to forfeit a Sum not exceeding 40*s.*, § 39.
41. Awards, Verdicts, and Judgments to be recorded, § 40.
42. Application of Compensation Money when amounting to or exceeding 200*l.*, § 41.
43. When less than 200*l.* and amounting to or exceeding 20*l.*, § 42.
44. When less than 20*l.*, § 43.
45. The Court may order reasonable Expences of Purchases to be paid by the Commissioners, § 44.
46. Premises to vest in the Commissioners, upon Payment into Bank of the Money agreed upon or assessed, when Conveyances cannot be obtained, § 45.
47 In Cases of questionable Title of Persons in possession, § 46.
48. Estate of Mortgagees to vest in Commissioners on Payment of Principal and Interest, or if such Principal and Interest exceed the Value of the Property, then on Payment of the Value, § 47.
49. Lien shall remain on Premises not conveyed in Proportions, § 48.
50. Power to enter and take possession of Land, &c. on Payment or Tender of Purchase Money, § 49.
51. Commissioners may forego the taking of any Land on serving a Notice, within Six Months from the Time of Contract or Adjudication, that the same will not be required. Proviso, § 50.
52. Commissioners may demise or lease Lands for any Purposes calculated to improve the Fisheries, § 51.
53. Commissioners to make an Award upon Completion of any of the Works, § 52.
54. Award, when finally settled, to be deposited in the Court of Chancery, § 53.
55. Repayment of Loan, when payable by a County, to be raised by Presentment, § 54.
56. Repayment of Loan when assessed upon a District, § 55.
57. Copies of Rate may be taken by the said Commissioners for Purposes of this Act, § 56.
58. Commissioners by Warrant to appoint Collectors, and recover Assessment from District, § 57.
59. Proportion of Assessment to be deducted from Rent, § 58.
60. Where more than One Rent is paid, § 59.

61. Repay-

61. Repayment of Loan when charged upon Lands of Proprietors. In case of Nonpayment of Money so charged, Commissioners may enter into Receipt of Rents, and mortgage the Land, § 60.
62. Persons making default in repaying Principal and Interest for Thirty-one Days to pay One Shilling in the Pound as Receivers Fees, § 61.
63. Tenants paying Monies on Account of Landlord to deduct them from Rent, § 62.
64. Works vested in Commissioners to be maintained out of Tolls, Rates, and Rents arising therefrom, § 63.
65. Certain existing Harbours, Piers, Quays, Works, &c. vested in Commissioners, § 64.
66. Power to levy Tolls and Rates. Amount of Tolls. Power to lower or increase the Tolls or Rates for Improvements, § 65.
67. A List of the Rates, Tolls, &c. to be affixed in conspicuous Places, § 66.
68. Power to let the Tolls and Rates. Covenant in Leases, § 67.
69. Application of Tolls and Rent of Lands, § 68.
70. Power of enforcing Payment of Tolls, § 69.
71. Commissioners to make Bye Laws, § 70.
72. Copy of Bye Laws to be Evidence, § 71.
73. Persons destroying Works guilty of Misdemeanor, § 72.
74. Penalty on Persons depositing Ballast, &c. so as to obstruct Navigation, &c., § 73.
75. Penalty on Persons assaulting Commissioners and others engaged on the Works, § 74.
76. Proceedings by Summons for the Recovery of Penalties, § 75.
77. Form of Conviction, § 76.
78. Recovery and Application of Penalties, § 77.
79. Provision as to Petty Sessions, Districts, and Counties, § 78.
80. Proceedings not to be quashed for Want of Form, § 79.
81. No Action to be brought against Persons acting in execution of this Act until after Notice, &c., § 80.
82. No Action to be brought after Tender of sufficient Amends, &c., § 81.
83. General Issue, § 82.
84. Power to Commissioners to adjourn Meetings, § 83.
85. Persons summoned by Commissioners and refusing to give Evidence to be punished, § 84.
86. Certain Works not to be executed without Consent of the Admiralty, § 85.
87. Accounts of Proceedings to be laid before Parliament, § 86.
88. Definition of Terms in this Act, § 87.
89. An Act for the further Amendment of an Act of the Sixth Year of Her present Majesty, for regulating the *Irish* Fisheries, 9 & 10 *Vict. c.* 114.
90. 5 & 6 *Vict. c.* 108., 7 & 8 *Vict. c.* 108., and 8 & 9 *Vict. c.* 108. recited. So much of recited Provision as defines the Close Time for Salmon repealed. Close Time for Salmon in the Sea and Tideways shall be from 1st of *September* to 31st of *January* inclusive. Close Time for Salmon in Rivers or Lakes above Tideway from the 15th of *September* to last Day of *February* inclusive, but from the 1st to the 14th of *September* Salmon shall be taken only by Rod and Line, § 1.
91. Nothing to prevent Owners, &c. from using Fishing Weirs above Termination of Tideway, and within Two Miles therefrom, during the Month of *February*. Weirs, &c. to be subject to Provisions of recited Act, &c., § 2.
92. In certain Counties the Close Time to be from 20th *August* to 31st *January*, § 3.
93. Nothing herein contained to prevent fishing in any Lake, Estuary, or on the Sea Coast where the fishing shall be permitted by the Commissioners, § 4.
94. Penalties, Forfeitures, and Regulations for enforcing Observance of Close Season, § 5.
95. Interpretation of Act, § 6.

See Piers and Harbours.

Grand Juries.

1. An Act to authorize Grand Juries in *Ireland*, at the Spring Assizes of the present Year, to appoint Extraordinary Presentment Sessions; to empower such Sessions to make Presentment for County Works, and to provide Funds for the Execution of such Works; and also to provide for the more prompt Payment of Contractors for Works under Grand Jury Presentments in *Ireland*, 9 & 10 *Vict. c.* 2.
2. Grand Juries in *Ireland* may, at the Spring Assizes of this Year, appoint Places and Times for holding Extraordinary Presentment Sessions for the Purposes of this Act, § 1.
3. All Justices required to attend and, with the Cess-payers associated with them, to hold such Sessions for the Purposes of this Act at the Times and Places appointed by the Grand Jury. How Sessions are to be constituted, § 2.
4. Provisions of 6 & 7 *W.* 4. *c.* 116., as amended by 7 *W.* 4. & 1 *Vict. c.* 2., relative to special Presentment Sessions, to extend to Sessions held under this Act, § 3.
5. One Cess-payer shall be selected at each Extraordinary Baronial Sessions, and shall, with the Justices, constitute the Extraordinary County Presentment Sessions, § 4.
6. Applications for Presentments on any Barony to be made at the Baronial Sessions. Matters for Application, § 5.
7. Applications shall be considered and decided on at such Baronial Sessions, who shall then adjourn to some Day after the Day of the Extraordinary County Sessions. If proposed Work approved, the County Surveyor to prepare a Form of Tender for the Execution thereof, with Specifications, &c., and deliver the same to the Secretary of the Grand Jury, § 6.
8. Secretary of the Grand Jury to have Schedules of approved Applications printed and distributed, and lay the same before the Extraordinary County Sessions, and also keep a Copy in his Office for Inspection, § 7.
9. Such Extraordinary County Sessions shall consider Applications, and make or refuse Presentment thereupon, fixing Amount and Time for Execution of Works, § 8.
10. Secretary of the Grand Jury *to* advertise his Readiness to receive Tenders and Proposals for the Execution of such Works, and that Forms of such Tenders may be had at his Office. Tenders to be delivered in sealed or in Envelopes, § 9.
11. At the adjourned Extraordinary Baronial Sessions the Tenders shall be opened and dealt with. If no Tender or Proposal approved of by Sessions, Work may be given in charge to County Surveyor, § 10.
12. Form of Security, § 11.
13. Secretary of the Grand Jury shall keep a Book, with Particulars of Contracts; and shall prepare Schedules, &c. Powers of former Acts applied. Forms, § 12.
14. Treasury may make Advances by way of Loan in respect of Works approved of. Monies advanced to be paid to the Treasurer of the County, &c. who shall account for the same, § 13.
15. Treasurer of the County to furnish a List of all Presentments, and of all undischarged Queries. Secretary of the

the Grand Jury to furnish a List of all Contracts, and the Particulars thereof, § 14.
16. Advances may be made to Contractors in certain Cases, not exceeding Three Fourths of the Cost of the Work, § 15.
17. Contractors to procure Certificate from County Surveyor of the Completion of the Work, § 16.
18. On Production of such Certificate to the County Treasurer he shall give a Draft for the Amount thereof, § 17.
19. Presentment for Printing, &c., § 18.
20. Advances from Treasury to be repaid by compulsory Presentment in case the Grand Jury fail to present. Treasurer to pay into Bank all Advances received from Collectors, § 19.
21. Contractors shall pay Labourers in Money and not in Goods, and at Intervals of not more than Fourteen Days, § 20.
22. Grand Jury at such Spring Assizes may exercise the Powers herein given, after the Commission has been opened, § 21.
23. If the Spring Assizes shall be concluded before the passing of this Act, or before due Notice of it, Grand Juries may be re-assembled, § 22.
24. In Counties of Cities or Towns, the first Extraordinary Presentment Sessions to have Powers herein given to Extraordinary County Sessions. Interpretation of Act, § 23.
25. County Surveyors to assist in Works directed by the Lord Lieutenant, § 24.
26. An Act to amend an Act of the present Session, intituled *An Act to authorize Grand Juries in* Ireland, *at the Spring Assizes of the present Year, to appoint Extraordinary Presentment Sessions; to empower such Sessions to make Presentment for County Works; and to provide Funds for the Execution of such Works; and also to provide for the more prompt Payment of Contractors for Works under Grand Jury Presentments in* Ireland, 9 & 10 *Vict. c.* 71.
27. Certain Parts of 9 & 10 *Vict. c.* 2. repealed. Works already commenced or contracted for under recited Act to be executed, § 1.
28. Proceedings heretofore commenced, &c. under the said Act to be carried on under the said Act as amended by this Act, § 2.
29. Schedules of Works to be executed by Commissioners of Public Works, or by the County Surveyor, presented for at Extraordinary County Presentment Sessions, shall be transmitted to the Lord Lieutenant, who may lay them before the Lords of the Treasury for their Approval, § 3.
30. In Cases where Extraordinary County Sessions shall have been concluded, but the adjourned Extraordinary Baronial Sessions shall not have arrived before the passing of this Act, then such Baronial Sessions to determine who the Works presented shall be executed by, subject to the Approval of the Lord Lieutenant and the Treasury, § 4.
31. The Treasury may, out of the Monies authorized to be issued under recited Act, make Advances for such Works as are determined to be executed by the Board of Works, and authorize them to execute them, § 5.
32. The Board of Works shall proceed to execute such Works as are authorized to be executed by them. 6 & 7 *W.* 4. *c.* 116.—§ 6.
33. Advances by the Treasury for Works to be executed by the County Surveyor. Monies advanced to be paid to the Treasurer of the County, &c. who shall account for the same, § 7.
34. County Treasurer empowered to advance Monies to the County Surveyor, § 8.
35. County Surveyor to execute the Works authorized to be executed by him, § 9.
36. The Lord Lieutenant may cause Grand Jurors to be re-assembled for the Appointment of Presentment Sessions, § 10.
37. Extraordinary Baronial or County Presentment Sessions, separating without approving or presenting for any Work, may be re-assembled by the Lord Lieutenant. No Extraordinary Sessions under the said recited Act or this Act to be held after 1st *October* next, § 11.
38. Times for Service of Notices of Application for Works, &c., § 12.
39. Advances from Treasury to be repaid by compulsory Presentment by Instalments. If Grand Jury fail to present the Treasurer of the County to insert the Sum required in his Warrant, § 13.
40. When any Road shall be widened under this Act, Owners, &c. of Land taken to obtain from the Board of Works or County Surveyor a Certificate of the Value, &c. of the same, upon Production of which Grand Jury to present a Sum of Money for Damage sustained. In case Owner, &c. shall not make Application to Grand Jury, he may apply to the Assizes upon giving Notice, § 14.
41. Recited Act and this to be construed as One Act. Interpretation, § 15.
42. County Surveyors to assist in carrying into execution Works under this Act, § 16.
43. Act not to interfere with existing Contracts for repairing Roads, § 17.

Harbours. See Fisheries. Piers and Harbours.

Landed Property Improvement.

1. An Act to facilitate the Improvement of Landed Property in *Ireland*, 10 & 11 *Vict. c.* 32.
2. 1 & 2 *W.* 4. *c.* 33., 9 & 10 *Vict. c.* 1., and 9 & 10 *Vict. c.* 101. recited. So much of 9 & 10 *Vict. c.* 101. as authorizes the issuing of 1,000,000*l.* for *Ireland* repealed, § 1.
3. Power to Treasury to make Advances not exceeding 1,500,000*l.* for *Ireland*, § 2.
4. The Commissioners of Public Works to be the Commissioners for the Execution of this Act, § 3.
5. Commissioners may make Loans for Works of Improvement, § 4.
6. No Loans to be made until sanctioned by Treasury, § 5.
7. Who shall be deemed Owner, § 6.
8. Persons having certain Interests may qualify to be Owners. Who shall be entitled to Loan where several Persons have an Interest in the Land. No Loan to be granted except upon Security, § 7.
9. Joint Tenants, Tenants in Common, &c. to be accounted as the Owner under this Act, § 8.
10. Power for Court of Chancery in certain Cases to determine who may act as Owner for the Purposes of this Act, § 9.
11. Court of Chancery to make Rules and Orders as to Forms of Proceedings under this Act, § 10.
12. Owners of Land desirous of obtaining Loan may make Application to the Commissioners by Memorial in the Form in Schedule (A.), § 11.
13. As to Lands held in Right of any Ecclesiastical Benefice, § 12.
14. Commissioners to take Security for Costs of Report upon and investigating Application, § 13.

15. If

15. If an Advance shall be made, Expences of Inquiry may form Part of the Charge on the Land, § 14.
16. Treasury may advance Money to the Commissioners to meet preliminary Expences, § 15.
17. Commissioners may cause the Land, and Plan, &c. of Works proposed, to be inspected by a competent Person, who shall report his Opinion thereon, § 16.
18. Commissioners, &c. may enter Lands for the Purposes of Survey or Inquiry, making Compensation for Damages. Amount of Compensation, if not previously settled, to be determined by Justices. Commissioners, &c. may enter upon Lands pending Decision of Justices, § 17.
19. Commissioners may make Rules, &c. with respect to Applications for Advances under this Act, § 18.
20. Commissioners to give Notice by Advertisement, of Applications for Loans. Parties objecting to Application to transmit to Commissioners their Dissent, &c., § 19.
21. In Cases where Commissioners receive any Dissent, they shall call a Meeting and hear Objections, § 20.
22. Commissioners to register Order for Loan at the Expence of Owner, § 21.
23. The Lands to become chargeable with the Payment of Rent-charge from the Date of such Registry, § 22.
24. Errors and Omissions not to invalidate Proceedings, § 23.
25. Treasury to make Regulations for placing Monies at the Disposal of the Paymaster of Civil Services, § 24.
26. Two separate Accounts to be opened by the Bank of *Ireland*, § 25.
27. The Commissioners, with the Sanction of the Treasury, may make Loans, § 26.
28. Every Loan to be issued by Instalments, § 27.
29. Commissioners to take Security for the Application of the Money, § 28.
30. Labourers to be paid in Money, § 29.
31. Commissioners on Application of Owners may sanction Alterations, and make further Advance if necessary, § 30.
32. Commissioners may sanction Alterations in certain Cases for reducing the Expence of Works, § 31.
33. Provisions as to Alterations, &c. to apply to Cases where Lands have been entered on, § 32.
34. In default of due Application of any Instalment of Loan Commissioners may stop Advances, and may enter upon Lands and complete the Works, § 33.
35. Power to Commissioners in case of entering to complete Works to expend such further Sum as may be necessary, § 34.
36. Nothing to prevent Owners applying for new Loans on the Security of Lands already improved, § 35.
37. Owner may, upon receiving Part of Loan, enter upon Lands of which he is Owner, making Compensation for Damage done, § 36.
38. A Rent-charge of 6*l.* 10*s.* to be charged for every 100*l.* advanced, § 37.
39. Rent-charges to have Priority of other Charges, save Quit Rents, &c. 5 & 6 *Vict. c.* 89.—§ 38.
40. Recovery of Rent-charge by Appointment of Receiver in default of Payment, § 39.
41. If Rent-charge remains unpaid for Thirty-one Days, the same may be recovered by Civil Bill if under 50*l.*, § 40.
42. Rent-charges to be paid as directed, § 41.
43. The Rent-charge may be increased so as to pay off Sum advanced sooner than Time appointed, § 42.
44. Owners for the Time being to keep down Rent-charges, § 43.
45. Owners may redeem Rent-charges, § 44.
46. Occupier paying Money on account of Landlord to deduct the same from his Rent, § 45.
47. Commissioners empowered to fix increased Rent of Tenants, § 46.
48. A Portion of Lands liable to Rent-charge may be released in certain Cases, § 47.
49. Paymaster to give Certificate of Amount of Advances and Rent-charge, § 48.
50. Power of Sale by the Paymaster, with the Direction of the Court of Chancery, § 49.
51. Receipt of Paymaster to be a sufficient Discharge, § 50.
52. Proviso as to Sale of other Lands, § 51.
53. On Payment of Rent-charge Lands to be released, § 52.
54. Rent-charge not to preclude Trustees from investing Money in the Purchase or Mortgage of Land charged, § 53.
55. Works to be maintained, § 54.
56. Sums heretofore advanced by the Treasury under 9 & 10 *Vict. c.* 4. and 9 & 10 *Vict. c.* 101. to be considered as Advances, and charged under this Act, § 55.
57. Power to summon Witnesses, and Persons refusing to give Evidence to be punished, § 56.
58. Any Person swearing falsely guilty of Perjury, § 57.
59. Penalty on Persons assaulting Commissioners or their Officers, § 58.
60. Bonds, &c. under this Act exempt from Stamp Duty, § 59.
61. Notices sent by the Post deemed sufficient, § 60.
62. Penalty on Officers refusing to deliver up Documents, § 61.
63. Exchanges may be made of Land, § 62.
64. Notices of such Exchanges to be given, § 63.
65. Expences of Exchanges, § 64.
66. Saving Rights of the Crown, § 65.
67. Construction of Terms in this Act, § 66.

See Trust Monies.

Leases.

1. An Act to facilitate and encourage the granting of certain Leases for Terms of Years in *Ireland*, 9 & 10 *Vict. c.* 112.
2. Leases for Terms not exceeding Thirty-one Years, nor less than Fourteen Years, reserving a Rent not exceeding 50*l.* yearly, may be made according to the Forms in the Schedules to the Act 8 & 9 *Vict. c.* 124. or to the Schedules of this Act, § 1.
3. Such Leases to be subject to a Stamp Duty of 1*s.* only; and a Stamp Duty of 1*s.* on the Counterpart, § 2.
4. Powers and Provisions of former Acts to be applied to the Duties granted by this Act, § 3.
5. Deeds executed according to this Act held to include all Houses, &c., § 4.
6. Deed failing to take effect by this Act to be as valid as if this Act not made, § 5.
7. Construction of Act, § 6.
8. Schedules, &c. deemed Parts of this Act, § 7.
9. Act to extend to *Ireland* only, § 8.

Lunatic Asylums.

1. An Act to continue until the Thirty-first Day of *July* One thousand eight hundred and forty seven, and to the End of the then Session of Parliament, an Act of the Fifth and Sixth Years of Her present Majesty, for amending the Law relative to Private Lunatic Asylums in *Ireland*, 9 & 10 *Vict. c.* 79.

2. An

2. An Act to continue until the Thirty-first Day of *July* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, an Act of the Fifth and Sixth Years of Her present Majesty, (*c.* 123.) for amending the Law relative to private Lunatic Asylums in *Ireland*, 10 & 11 *Vict. c.* 40.
3. 5 & 6 *Vict. c.* 123. continued until 31st *July* 1847, § 1.
4. An Act to amend the Laws as to District Lunatic Asylums in *Ireland;* to provide for the Expence of the Maintenance of certain Lunatic Poor removed from the *Richmond* Lunatic Asylum, *Dublin*, for Want of Room therein; and to provide for the Salaries and Expences incident to the Office of Inspector of Lunatics in *Ireland*, 9 & 10 *Vict. c.* 115.
5. 1 & 2 *G.* 4. *c.* 33. and 11 *G.* 4. & 1 *W.* 4. *c.* 22. recited. The Sums expended in supporting the Lunatic Poor removed from Richmond Lunatic Asylum to be raised by the Districts liable therefor. Grand Jury to present the Sums necessary, § 1.
6. In case of Change of Districts of Lunatic Asylums the Sums to be repaid under recited Provisions shall be paid by Instalments, and applied in liquidation of the Payments which the County transferred from one District shall be liable to make for the Asylum of another District, 7 *G.* 4. *c.* 14.—§ 2.
7. Persons removed from Gaols to District Asylums by Order of the Lord Lieutenant, not being Criminals, may be discharged on Certificate that they are of sound Mind, &c. 1 & 2 *Vict. c.* 27.—§ 3.

Mandamus. See Prohibition and Mandamus.

Marriages.

1. An Act to amend the Act for Marriages in *Ireland*, and for registering such Marriages, 9 & 10 *Vict. c.* 72.
2. Marriages intended to be solemnized in *Ireland* between Parties One of whom reside in *England*, Notice of the same to be given to the Superintendent Registrar of the District in *England* within which the Party resides Seven Days preceding, &c., § 1.
3. Marriages intended to be solemnized in *Ireland* between Parties One of whom shall be resident in *Scotland*, a Certificate of the Banns having been published on Three several Sundays in the Congregation of which the Party is a Member to be obtained from the Minister, § 2.
4. Places having no Parish Church, &c., and Extra-parochial Places having no Chapel wherein Marriages may be solemnized, to be deemed, for the Purpose of this Act only, to belong to an adjoining Parish, § 3.
5. When Parish Church is in Ruins, or under Repair, &c., Banns may be proclaimed and Marriages celebrated in an adjoining Parish, &c., § 4.

Piers and Harbours.

1. An Act for the further Improvement of the Fishery Piers and Harbours of *Ireland*, 10 & 11 *Vict. c.* 75.
2. 9 & 10 *Vict. c.* 3. and 9 & 10 *Vict. c.* 86. recited. Treasury may issue the Sum of 40,000*l.* out of the Consolidated Fund, § 1.
3. Appropriation of 40,000*l.* and of such further Sums as shall be voted for the Purposes of 9 & 10 *Vict. c.* 3. and of this Act, § 2.
4. Commissioners to give Notice of existing public Harbours which ought to be vested in them, § 3.
5. Certain public Harbours vested in the Commissioners, § 4.
6. Commissioners to apportion the Charge of Repair of Harbours, &c. in case of Insufficiency of Tolls, § 5.
7. If Tolls, &c. are insufficient to repair Harbour, &c. Commissioners may execute the same out of Loans for Public Works, § 6.
8. First Repairs of old Harbours, &c. may be executed partly by Grant out of 40,000*l.*, § 7.
9. This Act and first-recited Act to be construed as One, § 8.

See Fisheries.

Poor.

1. An Act to make Provision, until the First Day of *September* One thousand eight hundred and forty-seven, for the Treatment of poor Persons afflicted with Fever in *Ireland*, 9 & 10 *Vict. c.* 6.
2. A Central Board of Health to be appointed by the Lord Lieutenant, § 1.
3. The Lord Lieutenant may appoint Medical Officers for Unions, with Salaries, § 2.
4. Expences and Salaries to be paid by the Commissioners of the Treasury, § 3.
5. Board of Health may direct Guardians of Unions to provide Fever Hospitals and Dispensaries, with Medicines and all other Necessaries for the Care and Treatment of Persons therein; and also Medicines and Nutriment, if necessary, for Out-patients, § 4.
6. The Fever Hospitals and Dispensaries to be under the Control of the Guardians of the Poor, § 5.
7. Expences incurred under this Act, except the Salary of Medical Officers, to be paid out of the Poor's Rate, § 6.
8. Board of Health to report to the Lord Lieutenant; and their Powers shall cease upon his Order to that Effect, § 7.
9. Interpretation Clause, § 8.
10. Duration and Extent of Act, § 9.
11. An Act for the temporary Relief of destitute Persons in *Ireland*, 10 & 11 *Vict. c.* 7.
12. 9 & 10 *Vict. c.* 107. recited. Relief Commissioners, appointed by the Lord Lieutenant, to superintend the Execution of this Act, to appoint Officers, and to pay Salaries, &c. when sanctioned by the Treasury, § 1.
13. Appointment of Relief Commissioners, &c. to be published, § 2.
14. Relief Committees to be formed under Orders from the Lord Lieutenant. Justices, Guardians, &c. to be Members. Relief Committees discontinued after 1st *November*, § 3.
15. Appointment of Assistants, &c. Salaries, &c. to be charged upon the Rates, § 4.
16. Inspectors of Unions and Electoral Divisions to be appointed by Relief Commissioners, § 5.
17. Lord Lieutenant to appoint Finance Committees in every Union in which this Act shall be in force, § 6.
18. List of Persons to be relieved to be made out, and Estimates to be prepared, from Time to Time, by Relief Committees, § 7.
19. Finance Committee to examine Lists and Estimates, and amend the same if necessary. Lord Lieutenant to issue Warrant to Guardians to defray Expences out of Monies raised under 1 & 2 *Vict. c.* 56.—§ 8.
20. Guardians to collect the Money required with Poor Rates. Any Rate made for the Purposes of this Act to be deemed a Rate made under the last-recited Act, § 9.
21. If Guardians neglect or refuse to pay Money authorized by this Act, Poor Law Commissioners may dissolve the Board,

Board, and appoint paid Officers to carry the same into execution, § 10.
22. After any Rate made, Notice to be given of the Amount, &c., § 11.
23. Monies to be paid to Relief Committees or expended in Purchases for them, § 12.
24. Charges may be apportioned between the Union and the several Electoral Divisions, with the Sanction of the Lord Lieutenant, § 13.
25. Inspector to certify to the Relief Commissioners the Amounts to be levied, and the Sums paid, § 14.
26. Treasury may cause Advances to be made for enabling Relief Commissioners to grant Loans on the Credit of Rates in course of making and collecting, § 15.
27. As soon as Guardians shall have resolved on making Rate Loans may be granted, § 16.
28. As to the Repayment of Loans, § 17.
29. On Application of Relief Commissioners Treasury may make Grants in aid of Rates or Contributions for the Purposes of this Act, § 18.
30. Rules and Regulations to be made by Relief Commissioners for the Purposes of this Act. Relief to be administered subject to such Rules, &c., § 19.
31. Guardians, Officers, and Members of Relief Committees, &c. not to be concerned in Contracts while in Office, § 20.
32. Produce of Sales to be applied for the Purposes of this Act, § 21.
33. No Grant or Loan after 1st *October*, § 22.
34. Interpretation of Act, § 23.
35. An Act to render valid certain Proceedings for the Relief of Distress in *Ireland*, by Employment of the Labouring Poor, and to indemnify those who have acted in such Proceedings, 10 & 11 *Vict. c.* 10.
36. 9 & 10 *Vict. c.* 107. recited. All Presentments made at Presentment Sessions held under recited Act, and approved by Lord Lieutenant and the Treasury, declared valid, § 1.
37. All Persons who have acted in making Presentments, &c. indemnified, § 2.
38. Where Persons have, under 5 & 6 *Vict. c.* 89., obtained Presentments for Works of Drainage, &c., and have given Undertakings that the Monies shall be expended upon the Lands specified, the same shall be ratified, &c. Money mentioned in such Undertaking shall be a Charge on the Lands, § 3.
39. Occupiers paying Money on Demand of Landlord may deduct the same out of his Rent, § 4.
40. In case Land so drained being in the Occupation of Persons not Proprietors of the same, Commissioners of Public Works shall fix the Amount of increased Rent the Occupier ought to pay. Increased Rent payable at the same Time as original Rent, § 5.
41. Presentments made after 5th *October* 1846, and before the passing of this Act, may be assessed either on the Barony at large or on the Electoral Divisions, as shall be determined by the Commissioners of Public Works. If Justices, &c. be dissatisfied with the Determination of Commissioners, they may present a Memorial to the Lord Lieutenant, who shall inquire into the same, &c., § 6.
42. As to the raising of Money charged upon the Barony at large, § 7.
43. As to the raising of Money charged upon the Electoral Divisions, § 8.
44. Accounts of Sums certified to be transmitted to the Treasury, and laid before Parliament, § 9.
45. This Act and 9 & 10 *Vict. c.* 107. to be as One Act, § 10.
46. An Act to amend, and continue until the First Day of *November* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament, an Act for making Provision for the Treatment of poor Persons afflicted with Fever in *Ireland*, 10 & 11 *Vict. c.* 22.
47. 9 & 10 *Vict. c.* 6. and 10 *Vict. c.* 7. recited, and 9 & 10 *Vict. c.* 6. continued to 1st *November* 1847, § 1.
48. The Board of Health may issue to Relief Commissioners a Certificate of the Necessity of Medical Relief, § 2.
49. Relief Commissioners may direct Relief Committees to provide Fever Hospitals and Dispensaries with Medicines and Necessaries for Persons therein; and also Medicines and Nutriment, if necessary, for Out-Patients, § 3.
50. Three Members of Relief Committee may act, § 4.
51. Hospitals and Dispensaries to be managed by Relief Committees, § 5.
52. Lord Lieutenant may assign Districts to Medical Officers, § 6.
53. Patients may be removed to Hospital, and Medical Attendance not to be given at their own Houses, § 7.
54. But on Medical Certificate that their Removal would be dangerous, Medical Relief to be given at their own Houses, § 8.
55. Powers of Relief Committee, § 9.
56. Power to remove infected Persons to Hospitals, § 10.
57. Penalty on Persons resisting the Execution of this Act, § 11.
58. General Issue may be pleaded, and Costs awarded to the Defendant, § 12.
59. Expences under the Act to be paid out of Funds in the Hands of the Relief Commissioners under 10 *Vict. c.* 7.—§ 13.
60. After the Expiration of 10 *Vict. c.* 7. Relief Committees continued when necessary, § 14.
61. In the Case of Certificates issued by the Board of Health after the 1st of *November* in this Year, § 15.
62. Relief Committees may provide for the Burial of destitute Persons dying of Fever, &c., § 16.
63. Continuance of Act, § 17.
64. An Act to make further Provision for the Relief of the destitute Poor in *Ireland*, 10 & 11 *Vict. c.* 31.
65. 1 & 2 *Vict. c.* 56. recited. Relief of destitute Persons, § 1.
66. Out-door Relief may be authorized, § 2.
67. Regulations as to Application for Relief, &c., § 3.
68. Relieving Officers to be appointed, § 4.
69. Medical Officers may be appointed, § 5.
70. If Electoral Division be further than Six Miles from Place of Meeting it may be formed into a District for Purposes of Relief, § 6.
71. Relieving Officers may give provisional Relief until the next Meeting of the Guardians, § 7.
72. Relief to Wife or Child to be Relief to Husband or Parent as the Case may be, § 8.
73. No Relief to be given to Persons out of Union, § 9.
74. Occupiers of more than a Quarter of an Acre not deemed to be destitute, § 10.
75. How Cost of Out-door Relief shall be charged, § 11.
76. What to constitute Residence in Electoral Division, § 12.
77. Assistance to Emigration, § 13.
78. Extension of 6 & 7 *Vict. c.* 92.—§ 14.
79. Expences of Emigration how to be charged, § 15.
80. Ex-officio Guardians not to exceed the Number of Elective Guardians, § 16.

81. Unions may be altered without Consent of Guardians, § 17.
82. The Poor Law Commissioners may dissolve a Board of Guardians without any intermediate Election, § 18.
83. As to the Performance of Religious Service in Workhouses, § 19.
84. Commissioners empowered to purchase on hire additional Land to be occupied with Workhouses, § 20.
85. And also for the Erection of a School for certain Children in the North and South *Dublin* Unions. Quantity of Land to be purchased limited, § 21.
86. School to be conducted by a Board of Management chosen from the Guardians of the North and South *Dublin* Unions, § 22.
87. Powers to purchase Land and erect Buildings, § 23.
88. Unions may be formed into School Districts for the Management of infant Poor, § 24.
89. Qualifications, Duties, Appointment, Removal, and Salaries of Officers, § 25.
90. Administration of Relief to be subject to the Control of the Poor Law Commissioners, § 26.
91. Accounts of Expenditure to be kept, § 27.
92. Recovery of Sums disallowed, § 28.
93. Annual Return of Expenditure and Number relieved, § 29.
94. Former Acts and this Act to be One Act, § 30.
95. An Act authorize a further Advance of Money for the Relief of destitute Persons in *Ireland*, 10 & 11 *Vict. c.* 55.
96. 10 & 11 *Vict. c.* 7. recited. Treasury may cause a temporary Advance to be made to Relief Commissioners acting in execution of recited Act. 1 & 2 *Vict. c.* 56.—§ 1.
97. Extending Provisions of recited Act to this Act, § 2.
98. An Act to amend an Act of the last Session, for facilitating the Employment of the labouring Poor in the distressed Districts in *Ireland*, so far as relates to Compensation for Damages, 10 & 11 *Vict. c.* 80.
99. 9 & 10 *Vict. c.* 107. and 10 & 11 *Vict. c.* 10. recited. Grand Jury may postpone Traverses, &c. for Damages under the recited Acts not already tried to the Spring Assizes 1848, § 1.
100. Provisions as to Compensation for Damages to apply to Works under secondly-recited Act, § 2.
101. Certificates from Officers of the Board of Works, § 3.
102. The Amount of Damages presented to be paid to Occupiers shall be levied after the Assizes at which the Presentment is made, § 4.
103. Sums awarded for Damages to other Persons than Occupiers may be presented to be raised and paid after the Summer Assizes 1848, or by Ten Instalments, § 5.
104. Sums presented for Damages to be raised and levied off respective Baronies, &c. as Poor Rate, § 6.
105. Judge of Assize to certify the Number of Days on which the Court was occupied in trying Traverses for Damages under recited Acts, and to order the Treasurer to pay the Clerk of the Crown Three Guineas for each such Day. No other Fees to be taken, § 7.
106. Interpretation as to the County of *Dublin*, § 8.
107. An Act to provide for the Execution of the Laws for Relief of the Poor in *Ireland*, 10 & 11 *Vict. c.* 90.
108. 4 & 5 *W.* 4. *c.* 76., 1 & 2 *Vict. c.* 56., 2 & 3 *Vict. c.* 1., 4 & 5 *Vict. c.* 41., and 6 & 7 *Vict. c.* 92. recited. Appointment of Commissioners for the Administration of the Laws for Relief of the Poor in *Ireland*, § 1.
109. When Commissioners shall enter on their Office, § 2.
110. Seal of the Commissioners, § 3.
111. Appointment of Secretary, Clerks, &c., § 4.
112. Inspectors to be appointed, § 5.
113. One of the Inspectors to be appointed Assistant Commissioner, § 6.
114. Inspectors may attend local Boards, § 7.
115. Salaries, § 8.
116. Transfer of Powers and Duties of the Poor Law Commissioners, § 9.
117. Transfer of Property, § 10. Power to make Rules, § 11.
118. General Rules to be approved by the Lord Lieutenant in Council, § 12.
119. Repeal of Part of 1 & 2 *Vict. c.* 56. as to general Rules, § 13.
120. Disallowance of general Rules by Lord Lieutenant in Council, § 14.
121. Rules affecting more than One Union to be deemed general Rules, § 15.
122. Rules made before Appointment of Commissioners to continue in force, § 16.
123. Sanction of Commissioners substituted for that of the Poor Law Commissioners in a prescribed Form, § 17.
124. Signature to Acts under Seal, § 18.
125. Power to summon Witnesses, § 19.
126. Penalties for giving false Evidence, or refusing to give Evidence, § 20.
127. Commissioners to report yearly to Lord Lieutenant, and Report to be laid before Parliament, § 21.
128. Confirmation of Proceedings under recited Act, § 22.
129. Appointment of Commissioners, &c. limited to Five Years, &c., § 23.
130. Interpretation of Act, § 24.
131. An Act to authorize a further Advance of Money for the Relief of destitute Persons in *Ireland*, 10 & 11 *Vict. c.* 99.
132. 10 & 11 *Vict. c.* 7. recited. Treasury may cause a temporary Advance to be made to Relief Commissioners acting in execution of recited Act, § 1.
133. Provisions of first-recited Act extended to this Act, § 2.
134. An Act to facilitate the Employment of the labouring Poor for a limited Period in the distressed Districts in *Ireland*, 9 & 10 *Vict. c.* 107.
135. On Representation of Existence of Distress in any District, Lord Lieutenant may require an Extraordinary Presentment Sessions to be assembled, for the Presentment of Works under this Act. Justices to hold Sessions for the Purposes of this Act at the Times and Places appointed, § 1.
136. How Sessions are to be constituted. 6 & 7 *W.* 4. *c.* 116.—§ 2.
137. Extraordinary Presentment Sessions may make Presentments for Public Works, § 3.
138. A Schedule of Works presented shall be signed by the Chairman, and transmitted to the Lord Lieutenant for his Sanction, and the Approval of the Treasury, § 4.
139. Treasury may make Advances for such Works to the Board of Works, and authorize the Board of Works to execute them, and render an Account to the Treasury. 6 & 7 *Vict. c.* 44.—§ 5.
140. The Board of Works shall proceed to execute such Works as are authorized to be proceeded with, subject to Approval of the Lord Lieutenant. 6 & 7 *W.* 4. *c.* 116.—§ 6.
141. County Surveyors to assist in such Works as directed by the Lord Lieutenant or Commissioners of Public Works, § 7.

142. Advances

142. Advances from the Treasury to be repaid by compulsory Presentment by half-yearly Instalments. In case the Grand Jury fail to present, Treasurer may insert such Sum in the Warrant, which shall be levied as if it had been presented, § 8.
143. Such Sums to be assessed and levied like the Poor Rate according to 1 & 2 *Vict. c.* 56., &c., § 9.
144. Condition of Bond to be entered into by Collectors of Grand Jury Cess, § 10.
145. Copies of Rate may be taken for Purposes of this Act, § 11.
146. Proportion of Assessment to be deducted from Rent, § 12.
147. Where more than One Rate is paid, § 13.
148. Receipts to be accepted by Persons entitled to Rents, in lieu of Sums authorized to be deducted, § 14.
149. Expences of Secretary of Grand Jury in attending Sessions, and Remuneration to Collectors, to be presented by Grand Jury, § 15.
150. Board of Works empowered to take Lands, &c., rendering Satisfaction in Manner herein mentioned, § 16.
151. When any Ground shall be taken for Works under this Act, Owners, &c. of Land taken to obtain from the Board of Works or County Surveyor a Certificate of the Value, &c. of the same, upon Production of which Grand Jury to present a Sum of Money for Damage sustained. In case Owner, &c. shall not make Application to Grand Jury, he may apply to the Assizes, and traverse for Damages, § 17.
152. Lord Lieutenant may, in certain Cases, constitute Districts less than Baronies or Half Baronies, with the same Powers as to Baronial and Half Baronial Presentments, § 18.
153. Interpretation of Act, § 19.
154. No Presentment Sessions to be held after 15th *August* 1847, § 20.

See Lunatic Asylums. Public Monies. Vagrants.

Prisoners in Gaols.

1. An Act to authorize for One Year, and to the End of the then next Session of Parliament, the Removal of Prisoners from the several Gaols in *Ireland* in Cases of Epidemic Diseases, 10 & 11 *Vict. c.* 45.
2. In case of Fever or Contagion existing in any Place in *Ireland*, Prisoners may be removed from one Gaol to another by Order of the Lord Lieutenant. 1 & 2 *Vict. c.* 6.—§ 1.
3. Commencement and Continuance of Act, § 2.

Prisons.

1. An Act for enabling the Commissioners of Public Works in *Ireland* to purchase Land for Prisons in *Ireland*, 10 & 11 *Vict. c.* 26.
2. Commissioners of Public Works to be Commissioners for providing Buildings, &c. necessary for the Establishment of new Prisons in *Ireland*, § 1.
3. Commissioners of Public Works to be a Corporation for the Purposes of this Act, § 2.
4. Power to Commissioners of Public Works to purchase or rent Buildings, Lands, &c. which may be required for such Prisons, § 3.
5. Lands Clauses Consolidation Act, 1845, incorporated with this Act with certain Exceptions, § 4.
6. Commissioners of Public Works to obtain Surveys, Plans, and Specifications, and send the same to the Treasury, for their Approval, § 5.
7. Commissioners of Public Works to make up Accounts, and send the same to the Treasury as often as required, § 6.
8. Provisions of 1 & 2 *W.* 4. *c.* 33. as to Proceedings in Actions by and against the Commissioners of Public Works extended to Actions, &c. under this Act, § 7.
9. An Act to amend an Act of the Seventh Year of King *George* the Fourth, for consolidating and amending the Laws relating to Prisons in *Ireland*, 9 & 10 *Vict. c.* 61.
10. The recited Enactment of 7 *G.* 4. *c.* 74. as to District Bridewells shall extend to Bridewells built after the passing of the said Act, § 1.

Prohibition and Mandamus.

1. An Act to improve the Proceedings in Prohibition and on Writs of Mandamus in *Ireland*, 9 & 10 *Vict. c.* 113.
2. Provisions of 1 *W.* 4. *c.* 21. as to Writs of Prohibition extended to Ireland, § 1.
3. Provisions of 19 *G.* 2. (I.) as to Writs of Mandamus extended to other Cases of Writs of Mandamus, § 2.
4. For Protection of certain Officers to whom Writs of Mandamus are directed. Proviso as to Returns of Writs and Issues joined, § 3.
5. Proceedings not to abate by Death, &c. of the Officer having made the Return, § 4.
6. The Costs of Application for a Mandamus to be in the Discretion of the Court, § 5.
7. Where Prosecutor intends to object to the Validity of a Return to a Mandamus, he must do so by way of Demurrer. Proceedings thereupon, § 6.
8. Party aggrieved by Judgment may sue out a Writ of Error to reverse the same. Bail in Error shall be duly put in within Four Days after Allowance of Writ, § 7.
9. No Action, &c. by reason of anything done in obedience to any peremptory Writ, § 8.
10. Court of Error may make Rules of Practice, &c., § 9.

Public Monies.

1. An Act to facilitate the Recovery of Public Monies advanced for the Relief of Distress in *Ireland* by the Employment of the labouring Poor, 10 & 11 *Vict. c.* 87.
2. 9 & 10 *Vict. c.* 107., 1 & 2 *Vict. c.* 56., and 10 & 11 *Vict. c.* 10. recited. The total Sums expended under recited Acts shall be ascertained by Commissioners of Public Works, and certified to the Treasury, § 1.
3. One Moiety of such Sums to be a free Grant from the Consolidated Fund, § 2.
4. The other Moiety, with Interest up to 1st *March* 1848, shall be ascertained, and certified to Secretaries of Grand Juries, § 3.
5. An Annuity of Twelve Pounds *per Centum per Annum* to be paid for Ten Years, in Twenty Instalments, to repay Moiety with Interest, § 4.
6. Commissioners of Public Works shall issue a Certificate to each Secretary of a Grand Jury at Spring Assizes 1848 of total Sum expended, the Moiety, with Interest, to be repaid, and the Annuity for Repayment of same, § 5.
7. Grand Jury at Spring Assizes 1848 shall present for the Moiety and Interest to be paid by Twenty Instalments, as specified in the Certificate, § 6.
8. Each Instalment of Annuity to be raised and levied off respective Baronies, &c. as Poor Rate. Powers of Recovery, § 7.
9. County Treasurer to pay Instalment of Annuity at each Assizes to Paymaster of Civil Services, § 8.

10. Supplemental Certificate in Cases where certain Baronies have not been included in previous Certificate, § 9.
11. Recited Act and this Act to be as one, § 10.

Public Works.

1. An Act for the further Amendment of the Acts for the Extension and Promotion of Public Works in *Ireland*, 9 & 10 *Vict. c.* 1.
2. 7 *W.* 4. & 1 *Vict. c.* 21., 1 & 2 *W.* 4. *c.* 33., 1 & 2 *Vict. c.* 88 *s.* 14., and 6 & 7 *Vict. c.* 44. *s.* 17. recited. The Commissioners of Public Works in *Ireland* may make additional Grants to the Extent of 50,000*l.* for the Purposes of the recited Acts and this Act, § 1.
3. Provisions of former Acts to apply to Grants under this Act, § 2.
4. Two Justices and Three Cess-payers associated with them at the last Special or Presentment Sessions may convene a Meeting of Justices and Cess-payers for making an Application to the Lord Lieutenant for the Execution of any Public Works under 7 *W.* 4. & 1 *Vict. c.* 21. *s.* 3. —§ 3.
5. Such Special Meeting may apply for Advances for the Repair or Extension of any existing Public Works, § 4.
6. Subsequent Repairs of such Public Works to be provided for as under the recited Acts, § 5.
7. Advances under Public Works Act on Loan for Improvements of Lands may be made by Board of Public Works, repayable within Twenty Years, at such Rate of Interest as in Cases of other Loans, 8 & 9 *Vict. c.* 56.—§ 6.
8. Persons under legal Disability may charge the Lands improved to secure Repayment of such Loans for Improvements, § 7.
9. Advances to be made by Instalments not exceeding One Fifth of the entire Sum to be advanced, § 8.
10. Incorporated Companies for Improvement of Land in *Ireland* empowered to borrow Money from the Commissioners, § 9.
11. Commissioners may receive Applications for Loans in certain Cases, without the Bond required by 1 & 2 *W.* 4. *c.* 33. and 6 & 7 *W.* 4. *c.* 108.—§ 10.
12. In case of Misapplication of or Neglect to apply any such Loan to the Purpose agreed upon, the Commissioners may recover the Advances made, or may complete the Works, § 11.
13. Definition of Terms in this Act, § 12.
14. An Act to authorize the Application of Money for the Purposes of Loans for carrying on Public Works in *Ireland*, 9 & 10 *Vict. c.* 85.
15. 1 & 2 *W.* 4. *c.* 33., 6 & 7 *W.* 4. *c.* 108., 7 *W.* 4. & 1 *Vict. c.* 21., 1 & 2 *Vict. c.* 88., 2 & 3 *Vict. c.* 50., 5 & 6 *Vict. c.* 9., 6 & 7 *Vict. c.* 44., 9 & 10 *Vict. c.* 1., and 9 & 10 *Vict. c.* 80. recited. Commissioners for this Act, § 1.
16. Treasury may, out of the 300,000*l. per Annum* granted by 9 & 10 *Vict. c.* 80. apply a Sum not exceeding 15,000*l. per* Quarter to be applied for Public Works in *Ireland*, § 2.
17. A separate Account to be continued at the Bank of *England*, § 3.
18. Commissioners of Public Works in *Ireland* to certify Amount of Loans granted by them, and certify the same to Commissioners for Reduction of the National Debt. Upon Certificate being produced, Payment to be made. Proviso, § 4.
19. Order to be entered by the proper Officer, countersigned by the Actuary, and addressed to the Cashiers of the Bank of *England*, who shall pay the same, § 5.
20. Commissioners for Reduction of National Debt to furnish an annual Account for Audit, § 6.
21. Bank of *Ireland* to continue Account with Paymaster of Civil Services of Repayment, § 7.
22. Appropriation and Entry of Repayments, § 8.
23. All Sums paid into the Bank of *Ireland* to be carried to and made Part of the Consolidated Fund, § 9.
24. Powers of recited Acts as to Advances to have the same Force as if re-enacted in this Act, § 10.
25. An Act to extend and consolidate the Powers hitherto exercised by the Commissioners of Public Works in *Ireland*, and to appoint additional Commissioners, 9 & 10 *Vict. c.* 86.
26. Powers of Commissioners under the recited Acts for the Improvement of the *Shannon* Navigation to cease, § 1.
27. The Commissioners of public Works to be Commissioners for the Execution of the said Acts for Improvement of the *Shannon*, § 2.
28. So much of 5 & 6 *Vict. c.* 89. and of Acts amending the same, also 5 & 6 *Vict. c.* 106. and of Acts amending the same, and also 9 & 10 *Vict. c.* 3., for the Appointment of additional Commissioners, repealed, § 3.
29. Power to appoint Two additional Commissioners of Public Works, § 4.
30. Power to remove Commissioners and appoint others in their Stead, § 5.
31. All Acts executed by any Two of the Commissioners valid, § 6.
32. So much of 1 & 2 *W.* 4. *c.* 33. as to Payment of Salaries and Allowances repealed, § 7.
33. No Obligation or Contract taken or made liable to Stamp Duty, § 8.
34. The Treasury to fix Salaries, &c., to appoint additional Officers, and to make Rules and Regulations for the Commissioners of Public Works, § 9.
35. An Act to provide additional Funds for Loans and Grants for Public Works in *Ireland*, 9 & 10 *Vict. c.* 108.
36. Treasury may advance an additional Sum of 175,000*l.* in the way of Grant, § 1.
37. And 225,000*l.* by way of Loan, § 2.
38. One Moiety to be repaid by Grand Jury Presentment. If the Grand Jury fail to present, the Treasurer shall include the Amount in his Warrant, § 3.
39. Owners, &c. of Land taken for the Purposes of the Act to obtain from the Officer of the Commissioners for Public Works a Certificate of the Value, &c. of the same, upon Production of which Grand Jury shall present a Sum of Money for Damage sustained. In case Owner, &c. shall not make Application to Grand Jury, he may apply to the Assizes, upon giving Notice, § 4.
40. The Treasury may direct the Commissioners for execution of the Act 5 & 6 *Vict. c.* 9. to transfer 145,000*l.* to the Commissioners of Public Works, § 5.
41. An Act to authorize a further Issue of Money in aid of Public Works of acknowledged Utility in poor Districts in *Ireland*, 9 & 10 *Vict. c.* 109.
42. Commissioners of Public Works in Ireland empowered to make additional Issues by way of Grant, § 1.
43. Extending Provisions of former Acts to Issues made under this Act, § 2.

See Fisheries.

Railways.

1. An Act to authorize the Advance of Money out of the Consolidated Fund for Loans towards defraying the Expence of making certain Railways in *Ireland*, 10 & 11 *Vict. c.* 73.

2. 57 *G.* 3. *c.* 34., 57 *G.* 3. *c.* 124., 1 *G.* 4. *c.* 60., 1 *&* 2 *G.* 4. *c.* 111., 3 *G.* 4. *c.* 86., 4 *G.* 4. *c.* 63., 5 *G.* 4. *c.* 36., 5 *G.* 4. *c.* 77., 6 *G.* 4. *c.* 35., 7 *G.* 4. *c.* 30., 7 *&* 8 *G.* 4. *c.* 12., 7 *&* 8 *G.* 4. *c.* 47., 1 *&* 2 *W.* 4. *c.* 24., 3 *&* 4 *W.* 4. *c.* 32., 4 *&* 5 *W.* 4. *c.* 72., 7 *W.* 4. *&* 1 *Vict.* *c.* 51., 1 *&* 2 *Vict.* *c.* 88., 3 *&* 4 *Vict.* *c.* 10., 5 *&* 6 *Vict.* *c.* 9., and 9 *&* 10 *Vict.* *c.* 80. recited. Power to Treasury to charge the Consolidated Fund, and direct the Issue thereout of 620,000*l.*, § 1.
3. Powers, &c., of recited Acts to have the same Force as if re-enacted in this Act, § 2.

Rateable Property.

1. An Act to amend the Law relating to the Valuation of rateable Property in *Ireland*, 9 *&* 10 *Vict.* *c.* 110.
2. So much of 6 *&* 7 *W.* 4. *c.* 84. as relates to Valuation of Counties hereafter to be valued, and Appointment of Grand Jury Cess therein, repealed. Recited Act to continue in force as to Valuation of other Counties until a Re-valuation takes place under this Act, § 1.
3. Counties, &c. herein named to be valued under this Act, § 2.
4. Persons acting under recited Acts to continue in Discharge of their Duties till otherwise directed, § 3.
5. Whenever the Survey of any Barony, &c. is completed, a Map or Plan to be sent to Chief Secretary of the Lord Lieutenant, § 4.
6. After Receipt of Map or Plan, Lord Lieutenant may appoint a Commissioner to value the Baronies, &c. so surveyed. Appointment to be notified to the Secretary, who shall lay the same before Grand Jury, § 5.
7. Lord Lieutenant may appoint Sub-Commissioners of Valuation, who shall have Power to enter on Lands, &c., § 6.
8. Commissioner of Valuation shall appoint Valuators. Previous to Appointment of Valuator, Commissioner to perambulate the Barony, § 7.
9. Lord Lieutenant may give Orders as to Conduct of Commissioners and Valuators, § 8.
10. Tenements to be valued separately, according to the fair letting Value, according to Provisions of 1 *&* 2 *Vict.* *c.* 56. —§ 9.
11. Property not rateable under 9 *G.* 4. *c.* 82. to be separately valued for municipal Purposes under 6 *&* 7 *Vict.* *c.* 93.— § 10.
12. Lord Lieutenant may, upon Applications from Town Councils, direct a Valuation to be made according to the net annual Value. Proviso, § 11.
13. Annual average Cost of Landlord's Repairs and Insurances to be ascertained under 3 *&* 4 *Vict.* *c.* 108.—§ 12.
14. Commissioner and Valuators may enter any Land, Houses, Gardens, &c. in execution of this Act, § 13.
15. Valuators shall enter Valuation of each Parish in a separate Field Book, and transmit the same, when signed, to the Commissioner of Valuation, § 14.
16. Parts of Unions without Boundary of Counties to be valued. Proviso, § 15.
17. Lists of Tenements, when valued, to be sent to the Clerk of Board of Guardians, and to the Town Council of any City, &c. interested therein. Day and Place appointed for hearing Appeals to be specified at the Foot of such Lists, § 16.
18. Notice of Places in which Parish Lists may be inspected to be affixed on Church and Chapel Doors, &c. Copies of such Lists to be renewed when defaced, &c., § 17.
19. Persons aggrieved by Valuation may appeal on giving Notice to the Clerk of Guardians within Forty Days, who shall transmit the same to the Commissioners, who shall prepare a Statement, &c., § 18.
20. On Receipt of Notices of Appeals, Commissioner of Valuation may cause Tenements to be valued again before the Hearing, § 19.
21. Sub-Commissioners to meet and hear and determine the Appeals, § 20.
22. Field Books to be produced before Sub-Commissioners, who may summon Witnesses; Persons giving false Evidence liable to be punished for Perjury, § 21.
23. Sub-Commissioners may alter or amend Valuation, who shall transmit a Statement of the same to Clerk of Guardians. If no Clerk of Guardians the Poor Law Commissioners to appoint one, § 22.
24. Persons aggrieved may appeal from Sub-Commissioners to Sessions of the Peace, § 23.
25. Persons appealing to give Notice to Commissioner of Valuation. If Cause of Appeal be such as to require Valuation to be altered, Appellant to give like Notice, &c. Provisions of 1 *&* 2 *Vict.* *c.* 56., 2 *&* 3 *Vict.* *c.* 1., and 6 *&* 7 *Vict.* *c.* 92. which require Recognizances to be entered into and empower Justices, &c. to award Costs, extended to this Act. Proviso as to Costs awarded against Commissioners, § 24.
26. Decision of Justices, &c. to be final, § 25.
27. Board of Guardians to pay the necessary Expences of the Clerk, &c. incurred in the Execution of this Act, § 26.
28. List of Tenements to be sent to Boards of Guardians and Town Councils when the Valuation is completed, § 27.
29. Rates made after Thirty Days from the Time Guardians receive the Valuation, and by Town Council, shall be made upon Persons liable according to Valuation. Proviso, § 28.
30. So much of Acts 1 *&* 2 *Vict.* *c.* 56., 2 *&* 3 *Vict.* *c.* 1., and 6 *&* 7 *Vict.* *c.* 92. as authorizes Justices, &c. to quash Rates, not to apply to any Rate made in conformity with this Act, § 29.
31. Revision of Valuation in certain Cases to take place after the Lapse of One Year, § 30.
32. Commissioner of Valuation shall cause a Revision to be made of such Tenements, and transmit Lists of revised Tenements to the Board of Guardians or the Town Council, § 31.
33. Appeal may be made to Quarter Sessions against revised Valuation of Tenements, § 32.
34. Assessment to Poor Rates thereafter to be made accordingly, § 33.
35. Grand Jury may direct an Applotment to be made according to Valuation contained in List of Tenements, &c. Nothing to authorize the Levy of County Cess on Houses under 5*l.* Value, § 34.
36. Nothing to authorize the Levy of County Cess on Houses under 5*l.* Value. Grand Jury may direct Applotment to be according to the uniform Valuation, § 35.
37. Expence of Applotment may be presented by Grand Jury, § 36.
38. If no Applotters appointed by Grand Jury, the Applotters shall be appointed under 6 *&* 7 *W.* 4. *c.* 116., § 37.
39. If no Directions be given by Grand Jury, the Applotters shall applot according to the Provisions of last-recited Act, § 38.
40. In addition to the Tenement Valuation an additional Valuation to be made for the Purposes of the County Assessments according to the Prices of Agricultural Produce, § 39.
41. Valuation of Houses for County Assessment, § 40.
42. Out-buildings and Appurtenances to be valued with the House, § 41.

43. All Flour Mills, &c., with their effective Water-power, to be valued, § 42.
44. Commissioner of Valuation shall distinguish all Houses of a public Nature, or used for charitable Purposes, which shall be exempted from Applotment, &c. for County Cess, &c., § 43.
45. No Houses to be exempted from Applotment unless altogether of a public Nature, or used exclusively for charitable Purposes, § 44.
46. Grand Juries at Assizes shall appoint Committees of Appeal for each Barony, and a general Committee of Revision for the County, § 45.
47. Lord Lieutenant, may appoint Assessors to such Committees. As to Decisions of Questions by Committees, § 46.
48. When Valuation Lists are received by the Commissioner of Valuation, he shall reduce the net annual Valuation of Townlands to the relative Scale as provided for Grand Jury or County Assessments, § 47.
49. Commissioner shall make out from such Lists a List of the Parishes, Townlands, &c. and their Contents and Valuation, and transmit it to the High Constable, with Notice of the Day of Appeal, § 48.
50. High Constable shall send Copies to Churchwardens of each Parish, who shall post them on Church and Chapel Doors, &c. If Lists destroyed new ones to be posted up, § 49.
51. Churchwardens shall call a Vestry to consider the Lists, and determine on the Necessity or Propriety of appealing against them, § 50.
52. Select Vestry shall consist of Persons having paid 20*s.* *per Annum* to County Cess, or being Justices of the Peace, or Freeholders of 20*l.* or upwards. Penalty on Persons voting not being qualified, § 51.
53. If Vestry agree to appeal for the Parish or for any Townland, a Memorandum thereof and of the Grounds of Appeal shall be sent to the Commissioner of Valuation, § 52.
54. Select Vestry may appeal against any Valuation contained in any Table or List, or against the Formation of the same, &c., § 53.
55. Where there shall be no Churchwarden, High Constable to transmit Copies of Valuation List to Two Landholders, who shall summon a special Vestry for the Consideration of the same, § 54.
56. Notice to be given by Commissioner to Secretary of Grand Jury, and by Secretary of Grand Jury to Committee of Appeal, of Day and Time appointed for hearing Appeals, § 55.
57. Committee of Appeal may hold Meetings, and adjourn from Time to Time, § 56.
58. Valuation Lists shall be produced before Committee of Appeal, who may summon Witnesses; and examine them on Oath. Persons giving false Evidence liable to Punishment for Perjury, § 57.
59. Committee of Appeal may direct Revaluation, or amend or confirm the original Valuation, § 58.
60. Costs by Parishes on Appeal may be ascertained by Committee, and levied as other Parish Rates, § 59.
61. Decision of Committee of Appeal conclusive, if Commissioner or Assessor assent, otherwise to be subject to the Review of the Committee of Revision, § 60.
62. Committee of Appeal may direct a new Valuation to be made of certain Parishes, &c. although no Appeal shall have been lodged in respect thereof. Except in a certain Case, Valuation to be conclusive, § 61.
63. When the Valuation of any Barony has been made and decided on, a List of the several Parishes, and the Divisions of Land within the same, shall be prepared and published. During the Period herein described, all County Cess, &c. shall be levied according to the Proportions specified in such List, § 62.
64. Publication of Lists, &c. not to affect relative Proportion borne by Barony, § 63.
65. Commissioner to deliver Copy of Lists to Treasurer of County, § 64.
66. When Valuations of all the Baronies in any County are completed, Commissioner shall send List thereof to Secretary of Grand Jury, who shall summon the Committee of Revision. Notice to be given of meeting of Committee of Revision, § 65.
67. Committee of Revision may examine Valuations of Baronies in the Lists, and amend the same so as to make them just and proportionate with each other, § 66.
68. Committee of Revision may alter Valuation of any Division of a Barony, as well as of the whole Barony, § 67.
69. Fractions of a Pound may be rejected from Valuation of Barony, &c., § 68.
70. When Committee of Revision come to a Decision, the List to be signed, and a Copy published. After the End of the Assizes next ensuing the Publication of the Valuation, all Charges and Rates shall be levied according to the Proportions of that Valuation, § 69.
71. List and Valuation of the Baronies, when finally settled by Committee of Revision, shall be published in the *Dublin Gazette*, § 70.
72. After such Publication all County Cess shall be levied according to the Sums and Proportions in such Valuation, § 71.
73. A new Valuation to be made of every County Fourteen Years after former Valuation, either under this Act or former Acts, § 72.
74. Counties valued under the Provisions of former Acts to be valued again under this Act, if Grand Jury shall apply, § 73.
75. For Revisions, latest Publication of Ordnance Survey to be used, § 74.
76. Salary not exceeding Three Guineas a Day, with travelling Expences, to be paid to Commissioner, § 75.
77. Payment may be made to Assessor, § 76.
78. Salary not exceeding Thirty Shillings a Day, with Expences, to be paid to Sub-Commissioner, &c., § 77.
79. Valuator, Surveyor, &c. to be paid, as agreed on by Commissioner, not exceeding Twenty Shillings a Day, § 78.
80. Salaries and Allowances of Commissioner, &c. to be paid as under 6 & 7 *W.* 4. *c.* 84.—§ 79.
81. Treasury may advance Money out of Consolidated Fund for paying the Salaries, &c. Advances to be made to such Persons and under such Rules as Lord Lieutenant shall direct. Amount of such Expences to be repaid by Presentment, § 80.
82. Commissioner to transmit Statements of Progress of Valuation and Expences, § 81.
83. Penalty on High Constable, Churchwarden, Commissioner, &c. neglecting their Duty in execution of this Act, § 82.
84. Penalties may be recovered before Two Justices of the Peace. Application of Penalties, § 83.
85. Form of Conviction, § 84.
86. Persons aggrieved by Conviction may appeal to Quarter Sessions, giving Ten Days Notice, and Security. Costs of Appeal recoverable by Distress, § 85.
87. Proceedings not to be quashed for Want of Form, § 86.

88. Limitation of Actions. Notice. Tender of Amends. Venue. General Issue. General Avowry in Replevin. Costs, § 87.
89. Construction of Terms in this Act, § 88.

Shannon.

1. An Act to provide for the Repayment of Sums due by the County of the City of *Limerick* for Advances of public Money for the Improvement of the Navigation of the River *Shannon*, 10 & 11 *Vict. c.* 74.
2. 3 & 4 *Vict. c.* 108., 3 & 4 *Vict. c.* 109., 5 & 6 *W.* 4. *c.* 67., and 2 & 3 *Vict. c.* 61. recited. Borough or County of the City of *Limerick*, &c. now annexed to the County of *Limerick*, shall be liable to the respective Proportions as herein mentioned of the Debt due to the Treasury in respect of the Improvement of the River *Shannon*, § 1.
3. The Grand Juries of the County of the City and of the County of *Limerick* shall at the Spring Assizes of 1848 present their respective Proportions of Interest to be raised and paid forthwith ; and their respective Proportions of the Principal, with further Interest, to be raised and paid by Twelve Instalments, § 2.
4. The Precincts of *Limerick* not to be liable to the Proportion payable by the County, but such Precincts shall be credited with the Amount already paid, § 3.

Trading.

1. An Act for the Abolition of the exclusive Privilege of Trading, or of regulating Trades, in Cities, Towns, or Boroughs in *Ireland*, 9 & 10 *Vict. c.* 76.
2. Exclusive Privileges and Rights as to exercising Trades in Cities, Towns, or Boroughs in *Ireland* to cease, § 1.
3. Actions, &c. commenced by any Guild, &c. for Recovery of Penalties to be discontinued, § 2.
4. Officers of any Guild, &c. whose Offices have been abolished by this Act may memorialize Lord Lieutenant, who may cause Inquiry to be made by a Barrister, § 3.
5. Barrister to report to Lord Lieutenant, § 4.
6. Nothing in this Act to repeal or alter Provisions of 23 & 24 *G.* 3. *c.* 23. or 47 *G.* 3. *sess.* 2. *c.* 15.—§ 5.
7. Act not to alter or affect Provisions of 3 & 4 *Vict. c.* 108. and 31 *G.* 3. (*I.*)—§ 6.
8. Interpretation of Act, § 7.

Trust Monies.

1. An Act to facilitate the temporary Investment of Trust Monies in the Improvement of Landed Property in *Ireland*, 10 & 11 *Vict. c.* 46.
2. Trustees, &c. of settled Estates may petition the Court of Chancery in *Ireland* for Permission to lay out Money in Improvements, § 1.
3. Court may refer such Petition to a Master, and obtain his Report, § 2.
4. Master to give Notice, and shall hear all Parties, on the Matters referred to him, and report on the same to the Court, who may confirm the same, § 3.
5. Master to inquire and report on the due Expenditure on Improvements as ordered, § 4.
6. Advances to be charged on Lands improved, § 5.
7. Tenants for Life bound to pay Charges, &c. ordered by the Court, and maintain Works in good Condition, § 6.
8. After a Petition has been presented any further Application may be made by Motion, &c., § 7.

Turnpike Roads.

1. An Act to continue until the Thirty-first Day of *July* One thousand eight hundred and forty-eight, and to the End of the then Session of Parliament, certain Acts for regulating Turnpike Roads in *Ireland*, 10 & 11 *Vict.* c. 35.
2. Acts for making, &c. Turnpike Roads in *Ireland* which will expire on 31st *July* 1847, &c. further continued, § 1.
3. An Act to continue certain Acts for regulating Turnpike Roads in *Ireland* until the Thirty-first Day of *July* One thousand eight hundred and forty-seven, and to the End of the then Session of Parliament, 9 & 10 *Vict.* c. 89.
4. Expiring Acts for making or repairing Turnpike Roads in *Ireland* further continued, § 1.
5. *Cork* and *Tralee* Turnpike Act, 52 *G.* 3. *c.* 138., not continued by this Act, except, &c., § 2.

Vagrants.

1. An Act to make Provision for the Punishment of Vagrants and Persons offending against the Laws in force for the Relief of the destitute Poor in *Ireland*, 10 & 11 *Vict.* c. 84.
2. So much of 1 & 2 *Vict.* c. 56. as provides for the Punishment of Persons deserting their Wives and Children repealed, § 1.
3. Punishment of Persons deserting or wilfully neglecting to maintain their Wives or Children, § 2.
4. Punishment of Persons wandering abroad, or begging in public Places, &c., § 3.
5. Power to apprehend Persons offending against this Act without Warrant, § 4.
6. Warrants may be issued for Apprehension of Persons, § 5.
7. Proceedings not to be quashed for Want of Form, &c. Form of Conviction, § 6.
8. Conviction to be transmitted to next Petty or Quarter Sessions, § 7.
9. Interpretation of Act, § 8.

Warrants to confess Judgments, See Bonds, &c.

Jews, See Marriages of Quakers and Jews ; Religious Opinions.

Joint Stock Banks.

1. An Act to regulate Joint Stock Banks in *Scotland* and *Ireland*, 9 & 10 *Vict.* c. 75.
2. Provisions of 7 & 8 *Vict.* c. 113. extended to *Scotland* and *Ireland*. Nothing herein to apply certain Part of recited Act to *Scotland* or *Ireland*, § 1.
3. Nothing in this Act to preclude Creditors in *Scotland* from Remedies, &c. competent to them before the passing thereof, § 2.
4. Interpretation of Act, § 3.
5. Banking Companies established since 9th *August* 1845 may carry on Business until the 31st *December* 1846, and no longer, but may apply for Letters Patent under this Act; if Letters Patent granted, Company to carry on Business according to this Act, § 4.

Joint Stock Companies.

1. An Act to amend an Act for the Registration, Incorporation, and Regulation of Joint Stock Companies, 10 & 11 *Vict. c.* 78.
2. 7 & 8 *Vict. c.* 110. recited. Any Company, having obtained Certificate of complete Registration being desirous of holding Lands, may apply to the Board of Trade for a Licence, who may, if they see fit, grant the same, § 1.
3. Accounts of Licences, Renewals, Extensions, &c. to be annually laid before Parliament, § 2.
4. Licences granted before passing of this Act deemed valid and effectual for the Purposes therein expressed, § 3.
5. So much of recited Act as requires the Return to the Office for Registration of Joint Stock Companies of a Copy of every Prospectus, &c. repealed, § 4.
6. Certain additional Particulars required to be returned to the Office for Registration of Joint Stock Companies, § 5.
7. If any Alterations are made in Particulars registered, they shall be returned to the Registrar, under a Penalty, § 6.
8. Penalty on Promoters issuing, at any Time before complete Registration, any Prospectus, &c. containing Statement at variance with Particulars returned under recited Act, § 7.
9. Penalties under this Act to be sued for as under recited Act, § 8.

Juvenile Offenders.

1. An Act for the more speedy Trial and Punishment of Juvenile Offenders, 10 & 11 *Vict. c.* 82.
2. Persons not exceeding Fourteen Years of Age committing certain Offences may be summarily convicted by Two Justices. Justices may dismiss the Accused if they deem it expedient not to inflict any Punishment Power to Justices to hear and determine, § 1.
3. One Magistrate may, in certain Cases, perform Acts usually done by Two, § 2.
4. Proceedings under this Act a Bar to further Proceedings, § 3.
5. Mode of compelling the Appearance of Persons punishable on summary Conviction, § 4.
6. Power to One Justice to remand and take Bail, § 5.
7. Application of Fines, § 6.
8. As to the summoning and Attendance of Witnesses, § 7.
9. Service of Summons, § 8.
10. Form of Conviction, § 9.
11. No Certiorari, &c., § 10.
12. Convictions to be returned to the Quarter Sessions, § 11.
13. No Forfeiture upon Convictions under Act, but presiding Justices may order Restitution of Property, § 12.
14. Recovery of Penalties, § 13.
15. Expences of Prosecutions, how to be paid, § 14.
16. Orders for Payment how to be made, § 15.
17. Payment of Costs and Expences with respect to Boroughs, &c., § 16.
18. Proceedings against Persons acting under this Act, § 17.
19. Extent of Act, § 18.

L.

Labour in Factories. See Factories.

Lecture Rooms. See Corresponding Societies.

Letters.

1. An Act for giving further Facilities for the Transmission of Letters by Post, and for the regulating the Duties of Postage thereon, and for other Purposes relating to the Post Office, 10 & 11 *Vict. c.* 85.
2. So much of 3 & 4 *Vict. c.* 96. as enacts that no Letter exceeding Sixteen Ounces in Weight shall be sent by Post, repealed, § 1.
3. Power to Treasury to fix maximum Weight of Letters to be sent by Post from Time to Time, § 2.
4. Power to collect Foreign and Colonial Rates, and to require Prepayment of Postage in Money or Stamps, § 3.
5. Power to Treasury to reduce *British* Postage, § 4.
6. Power to allow Writing or Marks, &c., in addition to the Direction, to be put on printed Newspapers, § 5.
7. Repeal of Restriction on certain Letters of Seamen, &c., § 6.
8. But such Letters subject to Foreign Postage, § 7.
9. Receipts to be given for Post Letters, &c. at Expence of Person requiring the same, § 8.
10. Dies to be provided by Commissioners of Stamps and Taxes, § 9.
11. Letters sent contrary to the Regulations of this or the recited Act may be detained, § 10.
12. Commissioners under any Fiat of Bankruptcy may order Letters addressed to the Bankrupt to be re-directed or delivered to the Official Assignee, § 11.
13. Power to compel Senders to pay Postage of rejected Letters, § 12.
14. Post Office Stamps to be Evidence of Letters being rejected, § 13.
15. In Proceedings for Postage the apparent Writer to be deemed the Sender of a Letter, § 14.
16. Post Office Tax to be Evidence of Postage due, § 15.
17. Power to send Mails by Railways in manner prescribed by 1 & 2 *Vict. c.* 98. without a Guard, § 16.
18. Postage Duties to be Part of the Post Office Revenue, § 17.
19. Treasury Warrants may be signed by Three Commissioners, § 18.
20. *London Gazette* to be Evidence of Treasury Warrants, § 19.
21. Interpretation of Act, § 20.
22. Commencement of Act, § 21.

See *Threatening Letters.*

Loan.

1. An Act for raising the Sum of Eight Millions, by way of Annuities, 10 & 11 *Vict. c.* 9.
2. An Act for allowing the Subscriptions to the Loan of Eight Millions raised in the Year One thousand eight hundred and forty-seven to be paid up under Discount, 10 & 11 *Vict. c.* 36.
3. Contributors to the Loan of 8,000,000*l.* to be allowed Interest on Instalments paid on or before 10th *September* 1847, § 1.

4. Warrants to be issued for 3 *per Cent.* Consols. to the Credit of Parties on or before 2d *July* for Dividends due 5th *July* 1847, § 2.

Loan Societies.

1. An Act to continue to the First Day of *October* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament, the Act to amend the Laws relating to Loan Societies, 9 & 10 *Vict. c.* 52.
2. 3 & 4 *Vict. c.* 110. further continued to 1st *October* 1847, § 1.
3. An Act to continue until the First Day of *October* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, an Act to amend the Laws relating to Loan Societies, 10 & 11 *Vict. c.* 53.
4. 3 & 4 *Vict. c.* 110. continued, § 1.

Local Courts, See Small Debts.

Local Acts.

1. An Act for making preliminary Inquiries in certain Cases of Applications for Local Acts, 9 & 10 *Vict. c.* 106.
2. Notice to be given to the Commissioners of Woods, &c. of Intention to apply for an Act of Parliament, § 1.
3. Commissioners of Woods, &c. to appoint Officer to make preliminary Inquiry, and to report thereupon to Parliament, § 2.
4. Notice of Inquiry to be given by surveying Officer, § 3.
5. Power to summon certain Persons, and to examine upon Oath, § 4.
6. Penalty may be recovered before Justices, § 5.
7. Expences of Inquiry to be paid by the Promoters. Certificate of surveying Officer, § 6.
8. Notices to be given to the Admiralty where Applications relate to Ports or navigable Rivers, § 7.
9. Interpretation of Act, § 8.

Bridges, Canals, Rivers, Harbours, Piers, &c.

1. Ellesmere and Chester Canal Company.—Raising Money, 9 & 10 *Vict. c.* v.
2. Rochester.—Building Bridge, 9 & 10 *Vict. c.* vi.
3. Monkland Navigation.—Altering Acts, 9 & 10 *Vict.* c. xi. Authorizing Sale of, 9 & 10 *Vict. c.* cxlvii.
4. Sunderland.—Constructing Dock, 9 & 10 *Vict. c.* xiii.
5. Helensburgh.—Improving Harbour, 9 & 10 *Vict. c.* xvi.
6. Glasgow.—Constructing Dock, 9 & 10 *Vict. c.* xxiii.
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3. The Marquess of Donegall.—Enlarging Powers of leasing Estates, 9 & 10 *Vict.* *c.* 3.
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5. Miss Mary Cary and Adam Askew, Esq., both deceased.—Empowering Tenants for Life under their Wills to grant Building Leases, &c., 9 & 10 *Vict.* *c.* 6.
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7. Emma Bedford Videan.—Effecting an Agreement for Sale of Hereditaments in Kent to A. J. B. Hope, Esquire, 9 & 10 *Vict.* *c.* 10.
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17. William Ramsay Ramsay, of Barnton, Esquire.—Enabling, to borrow Money on his entailed Estates, 9 & 10 *Vict.* *c.* 20.
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42. Devisees of Francis Duke of Bridgwater.—Building in Cleveland Square, 10 & 11 *Vict. c.* 2.
43. Doddington Rectory.—Dividing, 10 & 11 *Vict. c.* 3.
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52. Late Earl of Dudley.—Selling Cottages, &c. devised by him, 10 & 11 *Vict. c.* 13.
53. Late Earl of Strathmore.—Selling and exchanging Lands, 10 & 11 *Vict. c.* 14.
54. President and Trustees of Huggens's College.—Incorporating, 10 & 11 *Vict. c.* 15.
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56. Elizabeth Goddard.—Enabling Conveyances to be made of her Estates, 10 & 11 *Vict. c.* 17.
57. Morant's Court Estate.—Selling, 10 & 11 *Vict. c.* 18.
58. Trustees of George Paterson, Esquire.—Exonerating, 10 & 11 *Vict. c.* 19.
59. Dundas in County of Linlithgow.—Selling entailed Lands, 10 & 11 *Vict. c.* 20.
60. John Lyon, Esquire, deceased.—Leasing Coal Mines, 10 & 11 *Vict. c.* 21.
61. Colin Gillespie deceased.—Selling Lands near Glasgow, 10 & 11 *Vict. c.* 22.
62. Messingham.—Enlarging Time for enrolling Deed relating to Lands in, 10 & 11 *Vict. c.* 23.
63. Northam Bridge and Road Proprietors.—Selling Lands in Southampton, 10 & 11 *Vict. c.* 24.
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65. John Penson and Molly his Wife.—Leasing, &c. Estates, 10 & 11 *Vict. c.* 26.
66. Trustees of Leeds Grammar School.—Selling Part of the School Estates, 10 & 11 *Vict. c.* 27.
67. Dean and Chapter of Westminster.—Selling Lands, 10 & 11 *Vict. c.* 28.
68. Alexander William Robert Bosville and Godfrey Wentworth Bayard and Lord Macdonald.—Selling Estates, 10 & 11 *Vict. c.* 29.
69. Thomas Pickernell, Esquire, deceased.—Selling Estates of, 10 & 11 *Vict. c.* 30.
70. Maria Sophia Richards deceased.—Leasing Estates, 10 & 11 *Vict. c.* 31.
71. Tunstall Market Company. — Selling their Estate, 10 & 11 *Vict. c.* 32.
72. Sir John Saint Aubyn deceased.—Mortgaging his Estates, 10 & 11 *Vict. c.* 33.
73. Hospital of the Holy Jesus in Newcastle-on-Tyne.—For better supporting, 10 & 11 *Vict. c.* 34.

London Bridge Approaches Fund.

1. An Act to vary the Priorities of the Charges made on "The *London Bridge* Approaches Fund," 10 & 11 *Vict. c.* 115.
2. 2 & 3 *Vict. c.* 80., 3 & 4 *Vict. c.* 87., 3 & 4 *Vict. c.* cxxxi., 4 & 5 *Vict. c.* 12., 1 & 2 *Vict. c.* lxxxiii., 3 & 4 *Vict. c.* cxii., 4 & 5 *Vict. c.* 40., 5 & 6 *Vict. c.* ci., 8 & 9 *Vict. c.* clxxviii., and 10 & 11 *Vict. c.* cxxxi. recited. Commissioners of Woods, &c. empowered to pay 39,000*l.* and Interest to the *Westminster* Improvement Commissioners out of the first Monies raised by them on the Credit of "The *London Bridge* Approaches Fund," § 1.
3. Such Monies not to be paid till the *Westminster* Improvement Commissioners have expended 75,000*l.*, § 2.
4. Deeds to be deposited with the Commissioners of Woods, &c. as Security for Completion of Thoroughfare, § 3.
5. Receipts of Commissioners of Woods, &c. to be good Discharges, § 4.
6. Commissioners of Woods, &c. empowered to release Deeds, § 5.
7. Monies recovered in case of Default to complete Thoroughfare to be applied as directed by 4 & 5 *Vict. c.* 12.—§ 6.
8. Two of the Commissioners of Woods, &c. may act, § 7.
9. If Commissioners of Woods, &c. are unable to pay the 50,000*l.* as soon as the *Westminster* Improvement Commissioners have expended 75,000*l.*, Interest to run on the 50,000*l.* till Payment, § 8.
10. Receipts of Commissioners to be good Discharges, § 9.

Lunatic Asylums.

1. An Act to amend the Law concerning Lunatic Asylums and the Care of Pauper Lunatics in *England*, 9 & 10 *Vict. c.* 84.
2. 8 & 9 *Vict. c.* 126. recited. In what Cases Justices and others are to issue Orders for Confinement of Lunatics, § 1.
3. Committees of Justices appointed, or who may hereafter be appointed, for providing Lunatic Asylums, deemed to have been legally appointed, § 2.
4. Powers of Committees may be enlarged by Justices, § 3.
5. Until Committees of Visitors shall be appointed for any County, &c. the Committee appointed for providing an Asylum shall act as such, § 4.
6. Committee of Visitors to be appointed by Justices and Subscribers to Lunatic Asylums, § 5.
7. Further Provision for the temporary Care of Pauper Lunatics, § 6.
8. Separate Committees to be appointed for every such

Asylum. Justices may appoint the same Committee for Two Asylums, § 7.
9. For recovering Money under Orders made by Justices under Provisions of 9 *G.* 4. *c.* 40.—§ 8.
10. Extending Powers of borrowing Money, § 9.
11. Construction of Terms, § 10.
12. Act to be construed with 8 & 9 *Vict. c.* 126.—§ 11.
13. An Act for the Amendment of the Laws relating to the Provision and Regulation of Lunatic Asylums for Counties and Boroughs in *England*, 10 & 11 *Vict. c.* 43.
14. 8 & 9 *Vict. c.* 126. to extend to Cases of more than Two Counties or Boroughs uniting for the Purpose of establishing a Lunatic Asylum, or to their uniting with Subscribers to a Lunatic Asylum not theretofore established, § 1.
15. Powers, &c. given by recited Act to extend to this Act, § 2.
16. Former Proceedings by Justices, &c. declared valid, § 3.
17. Where by the subsequent Union of additional Counties or Boroughs the Proportion of Expences to be borne by those already united is less than that agreed upon, the Agreement nevertheless to be valid, § 4.
18. Where a County or Borough unites with others, &c. a Proportion of Expences assessed upon it to be paid to the Treasurers of the other Counties, &c., § 5.
19. Regulating Number of Visitors where Counties or Boroughs have united, and have been joined by any other County or Borough, § 6.
20. Plans, &c. not to be subject to the Approbation of Quarter Sessions, &c. before carried into Execution, § 7.
21. Agreements to be entered into in the Form in Schedule (A.) of recited Act, except, &c., § 8.
22. Proposals, &c. approved by Secretary of State, after Execution by Justices, &c. to be valid, § 9.
23. Committees of Justices, &c. may insert additional Stipulations or Conditions in Form of Agreement in Schedule (A.); but Acts of Visitor not to be subject to Control of General or Quarter Sessions, § 10.
24. With Consent of Visitors, additional Stipulations or Conditions may be repealed, § 11.
25. Persons lending Money on Mortgage of Rates, &c. not bound to give Proof that Notices have been given, &c. And empowered Justices to levy Rates so mortgaged, § 12.
26. Act to be construed with 8 & 9 *Vict. c.* 126.—§ 13.

M.

Maize, See Buckwheat and Corn.

Malicious Injuries to Persons and Property, See Injuries by Fire, &c.

Marines.

1. Acts for the Regulation of Her Majesty's Royal Marine Forces while on shore, 9 & 10 *Vict. c.* 12. and 10 & 11 *Vict. c.* 13.
2. An Act for limiting the Time of Service in the Royal Marine Forces, 10 & 11 *Vict. c.* 63.
3. After passing of this Act the Period for Enlistment for a Marine, § 1.
4. Repealing certain Questions in Schedule to 10 & 11 *Vict. c.* 13. and substituting those contained in Schedule (A.) to this Act annexed, § 2.
5. Marines on Completion of Term of limited Service may be re-engaged, § 3.
6. As to the Enlistment of Marines ordered on Foreign Service, § 4.
7. If Terms of limited Services expire while Marines are on any Foreign Station, they may be prolonged for a further Time, § 5.
8. If at the Expiration of such Terms of Service Marines are unwilling to re-engage themselves they shall be conveyed home. If Marines desire to remain in the Colony, Governor, &c. may permit them to do so, § 6.
9. If Term of Enlistment of Marine expire after any Offence committed, &c. he shall be deemed to be in the Service till after Trial, &c. for the same, § 7.
10. If Marines are absent from Duty by reason of Imprisonment, &c., such Portion of Time not to be reckoned as Part of limited Enlistment, § 8.
11. Period at which Act to take effect, § 9.

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1. An Act for consolidating in One Act certain Provisions usually contained in Acts for constructing or regulating Markets and Fairs, 10 & 11 *Vict. c.* 14.
2. Extent of Act, § 1.
3. Interpretations in this Act: — "special Act;" "prescribed;" "the Lands;" "the Undertaking;" "Undertakers;" § 2.
4. Interpretations in this and the special Act:—Number; Gender; "Person;" "Lands;" "Lease;" "the Market or Fair;" "Cart;" "Driver;" "Cattle;" "Collector;" "Month;" "Superior Courts;" "Oath;" "County;" "Justice;" "Two Justices;" "Sheriff;" "Quarter Sessions;" "citing the Act;" § 3.
5. Short Title of this Act, § 4.
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7. Construction of Markets or Fairs to be subject to the Provisions of this Act and One of the Lands Clauses Consolidation Acts, 1845, § 6.
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11. Undertakers, subject to Provisions of this and the special Act, may execute the Works herein named, § 10.
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14. Sales elsewhere than in Markets prohibited under a Penalty not exceeding 40*s.*, § 13.
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16. Penalty for selling or exposing for Sale unwholesome Meat, &c. Penalty on obstructing Inspector, § 15.
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21. Inspector may enter and inspect Slaughter-houses, § 20.
22. Undertakers to provide proper Weights and Measures, § 21.
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25. Undertakers to keep proper Machines for weighing Carts laden with Goods, § 24.
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27. Penalty on Drivers for refusing to take Carts to be weighed, &c., § 26.
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29. Penalty on Buyers and Sellers for committing Frauds in weighing, § 28.
30. Penalties for Frauds committed by the Machine Keeper, § 29.
31. Penalty on other Parties committing Frauds as to weighing, § 30.
32. Tolls, &c. not to be demanded until Market or Fairs completed, § 31.
33. Certificate of Two Justices to be Evidence that Market or Fair is completed, § 32.
34. Stallages, &c. when to be paid, § 33.
35. Tolls to be paid to Persons authorized before the same are weighed, &c., § 34.
36. Tolls in respect of Cattle Market when due, § 35.
37. Stallages, Tolls, &c. may be varied from Time to Time, § 36.
38. Penalty on taking a greater Toll than authorized by this or the special Act, § 37.
39. Recovery of Tolls by Distress, &c., § 38.
40. Disputes respecting Tolls, how to be settled, § 39.
41. Penalty for obstructing Collector of Rents, &c., § 40.
42. List of Tolls, &c. to be set up and placed in conspicuous Places, § 41.
43. Bye Laws may be made for all or any of the Purposes herein named. Bye Laws may be repealed or altered from Time to Time, § 42.
44. Bye Laws may be enforced by Imposition of Penalties, § 43.
45. No Bye Laws to come into Operation until allowed in the Manner prescribed and approved by Secretary of State, § 44.
46. Notice of Allowance of Bye Laws to be given in One or more Newspapers, &c., § 45.
47. A Copy of proposed Bye Laws to be open for Inspection, § 46.
48. Publication of Bye Laws, § 47.
49. Bye Laws to be binding on all Parties, § 48.
50. Proof of Publication of Bye Laws, § 49.
51. Annual Account to be made up by the Undertakers, and transmitted to the Clerk of the Peace in *England* or *Ireland*, or to the Sheriff Clerk in *Scotland*, and to be open to Inspection. Penalty on Omission to prepare such Accounts, § 50.
52. Tender of Amends, § 51.
53. Railways Clauses Consolidation Acts, 1845, as to Damages, &c. to be incorporated with this and the special Act, § 52.
54. In *Ireland* Part of Penalties to be paid to Guardians of Unions, § 53.
55. Nothing in this or the special Act to affect the Rights of the Crown, § 54.
56. All Things required to be done by Two Justices in *England* and *Ireland* may, in certain Cases, be done by One, and in *Scotland* by the Sheriff, &c., § 55.
57. Penalties, &c., imposed in respect of any Offence committed within the Metropolitan Police District to be paid to the Receiver, and applied under 2 & 3 *Vict.* c. 71.—§ 56.
58. Penalty for giving false Evidence, § 57.
59. Copies of special Act to be kept by Undertakers at their Office, and deposited with the Clerks of the Peace, &c., and be open to Inspection. 7 *W.* 4. & 1 *Vict.* c. 83.—§ 58.
60. Penalties on Undertakers failing to keep or deposit such Copies, § 59.

Marriages of Quakers and Jews.

1. An Act to remove Doubts as to Quakers and Jews Marriages solemnized before certain Periods, 10 & 11 *Vict.* c. 58.
2. Marriages of Quakers and Jews solemnized before certain Dates declared valid, § 1.

Masters in Chancery.

1. An Act to abolish One of the Offices of Master in Ordinary of the High Court of Chancery, 10 & 11 *Vict.* c. 60.
2. 3 & 4 *W.* 4. c. 94. appointing Masters and giving Salaries, &c. to their Clerks, and 5 *Vict.* c. 5. abolishing Master of Exchequer and appointing Mr. *Richards*, recited. Resignation of Mr. *Lynch*. One Mastership abolished. § 1.
3. Chief and Second Clerks retained for Period not exceeding Twelve Months, § 2.
4. Compensation to Chief and Second Clerks, § 3.
5. An Act for the Discontinuance of the Attendance of the Masters in Ordinary of the High Court of Chancery in the Public Office, and for transferring the Business of such Public Office to the Affidavit Office in Chancery, 10 & 11 *Vict.* c. 97.
6. Attendance of Masters in Ordinary discontinued, § 1.
7. Lord Chancellor may appoint a Second Assistant Clerk of Affidavits, § 2.
8. Lord Chancellor may order Remuneration to be paid to the Clerk and Assistant of Affidavits, § 3.
9. Appointment of Second Assistant Clerk of Affidavits. Saving Rights of *W. T. Smith*. 1 & 2 *W.* 4. c. 56. 5 & 6 *Vict.* c. 103. 6 & 7 *Vict.* c. 73.—§ 4.
10. Lord Chancellor may also, with Consent of Treasury, order retiring Annuities to disabled Officers, not exceeding Two Thirds of their Salaries, § 5.
11. Commencement of Act, § 6.
12. Out of what Fund Compensations awarded under Provisions of 10 & 11 *Vict.* c. 60. to be paid, § 7.
13. Lord Keeper may act for Lord Chancellor for Purposes of this Act, § 8.

Metropolitan Buildings.

1. An Act to amend an Act for regulating the Construction and use of Buildings in the Metropolis and its Neighbourhood, 9 & 10 *Vict.* c. 5.
2. 7 & 8 *Vict.* c. 84. recited. Appointment of an additional Referee, § 1.
3. Two Official Referees may act, § 2.
4. Official Referees may act as Surveyors, with Permission of Secretary of State, and Disqualifications may be relaxed. Special Referees to be appointed in certain Cases, § 3.

5. Offices vacant, § 4.
6. Salaries of Official Referees, § 5.
7. Contributions to be paid to the Consolidated Fund, and Salaries paid thereout, § 6.
8. Public Act, § 7.

Military Accounts, See Accounts.

Militia.

1. An Act to suspend until the First Day of *October* One thousand eight hundred and forty-seven the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom, 9 & 10 *Vict. c.* 43.
2. An Act to defray until the First Day of *August* One thousand eight hundred and forty-seven the Charge of the Pay, Clothing, and contingent and other Expences of the Disembodied Militia in *Great Britain* and *Ireland;* to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers, 9 & 10 *Vict. c.* 55.
3. An Act to suspend until the First Day of *October* One thousand eight hundred and forty-eight the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom, 10 & 11 *Vict. c.* 68.
4. An Act to defray until the First Day of *August* One thousand eight hundred and forty-eight the Charge of the Pay, Clothing, and contingent and other Expences of the Disembodied Militia in *Great Britain* and *Ireland;* to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers, 10 & 11 *Vict. c.* 88.

Molasses, See Sugar.

Mutiny, See Marines; Soldiers.

N.

Naturalization, See Aliens.

Naval Courts-martial.

1. An Act for amending an Act, intituled *An Act for amending, explaining, and reducing into One Act of Parliament the Laws relating to the Government of His Majesty's Ships, Vessels, and Forces by Sea*, 10 & 11 *Vict. c.* 59.
2. 22 *G.* 2. c. 33. recited. Courts-martial to have a discretionary Power in awarding Sentence in all Cases except Murder, § 1.
3. Court-martial may take cognizance of Manslaughter, § 2.
4. Oath to be administered to Members of Courts-martial. Oath to be administered to Judge Advocate, § 3.
5. When Act is to take effect, § 4.

Naval Accounts, See Accounts.

Naval Medical Fund.

1. An Act to authorize until the Thirty-first Day of *July* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament, the Regulation of the Annuities and Premiums of the Naval Medical Supplemental Fund Society, 9 & 10 *Viet. c.* 69.
2. Amount or Rate of Pensions and Annuities payable by, and Premiums payable to, the Society, shall continue to be paid, unless the Patron or President shall think fit to vary the same. Proviso, § 1.
3. Term of Act, § 2.
4. Public Act, § 3.

Navigation Laws, See Corn.

Navy.

1. An Act for extending the Period of Service of Boys in Her Majesty's Navy, 10 & 11 *Vict. c.* 30.
2. 5 & 6 *W.* 4. *c.* 24. recited. Boys entering the Navy under Sixteen Years of Age may be detained Seven Years in the Service, and upon any special Emergency may be detained for a further Period. Persons under Arrest, not entitled to Discharge until Arrest, &c. shall have ceased, § 1.
3. Persons entering the Navy under the Age of Sixteen entitled to certain Privileges on Discharge. Persons allowed to re-enter and receive Bounty at the Expiration of Seven Years, and shall serve a further Period of Five Years, § 2.
4. Statement made as to Age to be conclusive Evidence, § 3.
5. Act not to extend to diminish Authority of Admiralty to discharge Seamen, § 4.
6. An Act for the Establishment of Naval Prisons, and for the Prevention of Desertion from Her Majesty's Navy, 10 & 11 *Vict. c.* 62.
7. In Cases where Officers commanding Ships are empowered to order Courts-martial, they may inflict Corporal Punishment or Imprisonment instead. Order for Imprisonment to be approved of by Commander-in-Chief, § 1.
8. Gaolers to receive and confine Offenders, § 2.
9. Order for Discharge or Removal of Prisoners, § 3.
10. Subsistence of Prisoners, § 4.
11. Prisoners not to be entitled to Pay or to reckon Time while in Confinement, § 5.
12. Admiralty may set apart Buildings and Ships as Naval Prisons, and appoint Officers and make Rules and Regulations for the Government of the same, § 6.
13. Offenders under Sentence of Courts-martial may be confined in Naval Prisons, § 7.
14. Penalties on aiding Escape or Attempt to escape of Prisoners, and on Breach of Prison Regulations, § 8.
15. Apprehension of Deserters, § 9.
16. Fraudulent Confession of Desertion, § 10.
17. Penalty for persuading Persons to desert or absent themselves from Duty, § 11.
18. Penalty as regards Gaolers, &c., § 12.
19. Recovery and Application of Penalties, 5 & 6 *W.* 4. *c.* 76. —§ 13.
20. Power to summon Witnesses, § 14.
21. Form of Conviction, § 15.
22. No Certiorari, &c., § 16.

Newfoundland.

1. An Act to continue until the First Day of *September* One thousand eight hundred and forty-seven certain of the Provisions of an Act of the Fifth and Sixth Years of Her

Her present Majesty, for amending the Constitution of the Government of *Newfoundland*, 9 & 10 *Vict. c.* 45.
2. Changes made in the Constitution of *Newfoundland* by 5 & 6 *Vict. c.* 120. to continue in force until 1st *September* 1847, § 1.
3. An Act to render permanent certain Parts of the Act for amending the Constitution of the Government of *Newfoundland*, 10 & 11 *Vict. c.* 44.
4. 5 & 6 *Vict. c.* 120. and 9 & 10 *Vict. c.* 45. recited. So much of 5 & 6 *Vict. c.* 120. as is herein-before recited declared permanent, and so much as is not recited to cease to be in force, § 1.

New Zealand Company.

1. An Act to authorize a Loan from the Consolidated Fund to the *New Zealand* Company, 9 & 10 *Vict. c.* 42.
2. Treasury may advance out of the Consolidated Fund the Sum of 100,000*l.* to the *New Zealand* Company, for certain Purposes herein mentioned, § 1.
3. Repayment of Loans, with Interest, to be made within Seven Years, and secured by Mortgage of Lands, &c. belonging to the Company, § 2.
4. Power to Company, with Consent of Treasury, to dispose of Lands, &c. acquired by them, notwithstanding the Existence of the Mortgage, until Company make Default in Payment of Principal and Interest, § 3.
5. Money paid by the Company under Mortgage shall be carried to the Credit of the Consolidated Fund, and go in discharge of Money borrowed, § 4.
6. An Act to amend an Act of the present Session for authorizing a Loan from the Consolidated Fund to the *New Zealand* Company, 9 & 10 *Vict. c.* 82.
7. So much of 9 & 10 *Vict. c.* 42. as regards Debentures already issued by Company repealed, § 1.
8. Repayment of Loan, § 2.
9. If Company, after Notice, refuse or neglect to repay Loans, Treasury may by Warrant make Calls on subscribed Capital not paid up. Treasury may enforce Payment of Calls, § 3.
10. Sums applied by the Company to certain Purposes to be reckoned as so much towards Repayment of Loans, § 4.
11. Monies derived from Moiety of Lands pledged as Security for Loan not to be reckoned as Part of Repayment, § 5.
12. Company not to make above a certain Amount of Call without Consent of the Treasury until Repayment of the Sum of 32,500*l.*, § 6.
13. When Company shall repay the Sum of 32,500*l.* the same to be deemed Part Repayment of Loan of 100,000*l.*, § 7.

New Zealand.

1. An Act to make further Provision for the Government of the *New Zealand* Islands, 9 & 10 *Vict. c.* 103.
2. 3 & 4 *Vict. c.* 62. and Letters Patent repealed so far as repugnant to Act, § 1.
3. Her Majesty may by Letters Patent establish Municipal Corporations in the Islands of *New Zealand*, § 2.
4. Her Majesty may by Letters Patent divide the Islands into Provinces, and establish separate Assemblies, § 3.
5. Legislative Councils to consist of Persons appointed by Her Majesty. House of Representatives to be elected by Mayors, Aldermen, &c., § 4.
6. Assemblies may make Laws for the Government of the Province for which they are constituted, § 5.
7. Her Majesty may by Letters Patent establish a General Assembly for the Islands, § 6.
8. General Assembly may make certain Laws for the Regulation of the Islands, § 7.
9. Laws of General Assembly to supersede those enacted by separate Provinces. If Questions arise as to the Power, &c. of General Assembly, Her Majesty in Council to determine the same, § 8.
10. Until 31st *December* 1854 the Charter, &c. of 16th *November* 1841 relating to *New Ulster* to remain in force, § 9.
11. Laws of aboriginal or native Inhabitants to be maintained, where not repugnant to Principles of Humanity, § 10.
12. Her Majesty by Letters Patent to make and prescribe Rules and Regulations for municipal Districts, § 11.
13. Her Majesty may appropriate and set apart out of the Revenues of any separate Province a Sum of Money for the Maintenance of the Civil Government, § 12.
14. Grants of Money made by the Assemblies, not having been first recommended by Her Majesty, prohibited, § 13.
15. Certain Powers vested in Her Majesty may be delegated to Governors of the *New Zealand* Islands, § 14.
16. Letters Patent issued under this Act to be published in the *London Gazette*, and laid before Parliament, § 15.
17. Who are to be deemed Governor in Chief and Governor of a Province, § 16.
18. An Act to promote Colonization in *New Zealand*, and to authorize a Loan to the *New Zealand* Company, 10 & 11 *Vict. c.* 112.
19. 9 & 10 *Vict. c.* 382. and 9 & 10 *Vict. c.* 103. recited. Suspension of certain of the Royal Instructions as to the Settlement of Waste Lands in *New Munster*, § 1.
20. The Demesne Lands of the Crown in *New Munster* vested in *New Zealand* Company in trust for the Purposes herein contained, § 2.
21. Minimum Price for Sale of Lands, § 3.
22. Power to Company to grant Lands for public Purposes, § 4.
23. Ten Shillings *per* Acre of the Monies arising from Sale of Lands to be applied to Emigration Purposes, § 5.
24. As to Application of Residue of Produce of Sales, § 6.
25. Secretary of State may, during Suspension of Instructions, nominate a special Commissioner. Salary of special Commissioner, § 7.
26. During Suspension of Instructions Commissioner entitled to be present at all Meetings of Directors, and to have Access to all Books, &c. 9 & 10 *Vict. cc.* 42. and 82.—§ 8.
27. Powers of the Commissioners over the Proceedings of the Company, § 9.
28. Deeds and Resolutions to be deemed valid until disproved, § 10.
29. Custody of the Seal of the Company, § 11.
30. No Dividend to payable without the Consent of Commissioner, § 12.
31. For Exercise of Functions of special Commissioner during Illness or necessary Absence, § 13.
32. Authorizing absolute Grants to the Company and other Corporate Bodies for the Purposes of their Incorporation, § 14.
33. Power to Treasury to advance the Sum of 136,000*l.* in Three Payments, in addition to the Sum of 100,000*l.* authorized to be advanced under 9 & 10 *Vict. cc.* 42. and 82.—§ 15.
34. For securing Repayment of Loans and Advances, § 16.
35. Company may dispose of Lands, although mortgaged, § 17.

36. Monies repaid to be carried to the Credit of the Consolidated Fund, § 18.
37. For enabling the *New Zealand* Company to relinquish their Undertaking, if they think fit, § 19.
38. Upon Reversion of the Lands belonging to the Company all Claim to either of the said Loans to be remitted. A certain Sum to be paid to the Company out of the Proceeds of future Sales, with Interest, § 20.
39. Who may give Discharges, § 21.
40. Nothing to invalidate Colonial Ordinances duly made, § 22.
41. Nothing to affect existing Contracts for Sale, § 23.

Nuisances, See Health of Towns.

O.

Offices and Employments.

1. Annual Acts to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes, 9 & 10 *Vict.* c. 13. and 10 & 11 *Vict.* c. 18.

See *Income Tax; Indemnity.*

P.

Passengers.

1. An Act to amend the Passengers Act, and to make further Provision for the Carriage of Passengers by Sea, 10 & 11 *Vict.* c. 103.
2. 5 & 6 *Vict.* c. 107. recited. Extent to which the Passengers Act (5 & 6 *Vict.* c. 107.) shall apply, § 1.
3. Colonial Land and Emigration Commissioners may in certain Cases substitute other Articles of Food for that mentioned in recited Act, § 2.
4. All Articles of Food required by recited Act to be furnished at the Expence of the Owners or Charterers, and to be of good Quality, § 3.
5. Regulation with respect to the Carriage of Gunpowder, &c., § 4.
6. Regulations for ensuring proper Light and Ventilation, § 5.
7. Officer from whom a Clearance is demanded to require Ship to be surveyed, at the Expence of the Owner. If Ship reported not seaworthy, the same not to be cleared until rendered so, § 6.
8. Ship not to be cleared out until reported to be properly manned, § 7.
9. No Ship to be cleared until a Certificate is obtained, that all the Requirements of the Law have been complied with, § 8.
10. Ships putting into any Port in the United Kingdom after sailing to replenish Provisions, &c., § 9.
11. In case Ship is wrecked, &c., or prevented from landing her Passengers in a reasonable Time, they shall be provided with a Passage by some other Vessel; and in default, Passengers, &c. may recover Expences by summary Process, § 10.
12. How Children are to be computed in reckoning the Proportion of Passengers to Tonnage. Penalty for Excess of Numbers in proportion to Tonnage, § 11.
13. Recovery of Penalties, § 12.
14. Penalty on Person inducing another to part with Acknowledgment for Passage Money, § 13.
15. Government Emigration Agents to be henceforth styled "Emigration Officers," § 14.
16. Definition of Terms used in this Act, § 15.

Patent Commissions.

1. An Act to continue certain Patent Commissions until the Exhibition of the Commissions revoking them, 9 & 10 *Vict.* c. 91.
2. All Powers, &c. vested in Persons acting by virtue of Letters Patent in the Colonies continued till Grant of new Letters Patent shall have been made known in the Colonies to which they relate, § 1.

Pawnbrokers.

1. An Act to amend the Law for regulating the Hours of receiving and delivering Goods and Chattels as Pawns in Pawnbrokers Shops, 9 & 10 *Vict.* c. 98.
2. 39 & 40 *G.* 3. c. 99. recited. Hours between which Pawnbrokers are allowed to receive or take in Pledges. Penalty on Pawnbrokers offending against this Act. Penalty and Costs may be levied by Distress, § 1.

Persons killed by Accidents.

1. An Act for compensating the Families of Persons killed by Accidents, 9 & 10 *Vict.* c. 93.
2. An Action to be maintainable against any Person causing Death through Neglect, &c., notwithstanding the Death of the Person injured, § 1.
3. Action to be for the Benefit of certain Relations, and shall be brought by and in the Name of Executor or Administrator of the Deceased, § 2.
4. Only One Action shall lie, and to be commenced within Twelve Months, § 3.
5. Plaintiff to deliver a full Particular of the Person for whom such Damages shall be claimed, § 4.
6. Construction of Act, § 5.
7. Act to take effect after passing, and not to apply to *Scotland*, § 6.

Piers, See Harbours and Piers Clauses; Local Acts.

Poor.

1. An Act to continue until the First Day of *October* One thousand eight hundred and forty-seven, and to the End of the then Session of Parliament, the Exemption of Inhabitants of Parishes, Townships, and Villages, from Liability to be rated as such, in respect of Stock in Trade or other Property, to the Relief of the Poor, 9 & 10 *Vict.* c. 50.
2. 3 & 4 *Vict.* c. 89. continued until 1st *October* 1847, § 1.
3. An Act to amend the Laws relating to the Removal of the Poor, 9 & 10 *Vict.* c. 66.
4. No Person to be removed from any Parish in which he or she shall have resided for Five Years. Time during which Persons are serving in the Army or Navy, &c. not to be computed as Time of Residence, § 1.

5. No Widow liable to be removed for Twelve Months after Death of Husband, § 2.
6. No Child under Sixteen Years of Age liable to be removed, § 3.
7. Sick Persons not liable to be removed except under certain Circumstances, § 4.
8. Settlement not to be gained by not being removed. Penalty on Persons unlawfully procuring Removals of poor Persons, § 5.
9. An Act to amend the Laws relating to the Removal of poor Persons from *England* and *Scotland*, 10 & 11 *Vict. c.* 33.
10. 8 & 9 *Vict. c.* 117. and 8 & 9 *Vict. c.* 83. *s.* 77. recited. Guardians, &c. in *England* may take Persons removable therefrom under the first-recited Act before Two Justices without Summons, &c., § 1.
11. Inspectors of the Poor in *Scotland* to take Persons removable therefrom under the secondly-recited Act before Sheriff or Two Justices, without previous Complaint, &c., § 2.
12. Persons taking Paupers before Justices to have Powers of Constables, § 3.
13. An Act to continue until the First Day of *October* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, the Exemption of Inhabitants of Parishes, Townships, and Villages from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor, 10 & 11 *Vict. c.* 77.
14. 3 & 4 *Vict. c.* 89. continued, § 1.
15. An Act for the Administration of the Laws for Relief of the Poor in *England*, 10 & 11 *Vict. c.* 109.
16. 4 & 5 *W.* 4. *c.* 76. recited. Appointment of Commissioners, § 1.
17. Commissioners ex officio, § 2.
18. When Commissioners shall enter on their Office, § 3.
19. Who shall preside at Meetings of the Commissioners, § 4.
20. Seal of the Commissioners, § 5.
21. Appointment of Secretaries, Clerks, &c., § 6.
22. Who are competent to act in execution of Act, § 7.
23. Salaries, § 8.
24. President and One Secretary may sit in the House of Commons, § 9.
25. Transfer of Powers and Duties of the Poor Law Commissioners, § 10.
26. Power to summon Witnesses, § 11.
27. Repeal of certain Enactments as to the Records of the Commissioners, 5 & 6 *Vict. c.* 57.—§ 12.
28. Annual Report to Her Majesty to be laid before Parliament, § 13.
29. How Rules are to be made, § 14.
30. Definition of General Rules, § 15.
31. Repeal of Part of 4 & 5 *W.* 4. *c.* 76. as to making General Rules, § 16.
32. Disallowance of General Rules by the Queen in Council, § 17.
33. Confirmation of existing Rules, § 18.
34. Appointment of Inspectors, § 19.
35. Duties of Inspectors, § 20.
36. Inspectors may summon Witnesses, § 21.
37. Special Inquiries, § 22.
38. Persons, being married, above Sixty Years of Age, not compelled to live apart in Workhouses, § 23.
39. For ensuring the due Visitation of Workhouses, § 24.
40. For Confirmation of the Proceedings of Boards of Guardians, § 25.
41. Penalties for giving false Evidence, or refusing to give Evidence, § 26.
42. Confirmation of Proceedings under recited Acts, § 27.
43. Commission to continue for Five Years, § 28.
44. Interpretation of Act, § 29.
45. An Act to amend the Laws relating to the Removal of the Poor, until the First Day of *October* One thousand eight hundred and forty-eight, 10 & 11 *Vict. c.* 110.
46. 9 & 10 *Vict. c.* 66. recited. Expenditure incurred by any Parish, &c. for Maintenance, &c. of Persons who are or may be by the above-recited Enactment exempted from Liability, to be charged to the Union, § 1.
47. Continuance of Act, § 2.

See *Lunatic Asylums; Public Works and Fisheries.*

Portland Harbour.

1. An Act to empower the Commissioners of Her Majesty's Woods to purchase Land for the Purposes of a Harbour of Refuge and Breakwater in the *Isle of Portland* in the County of *Dorset*, 10 & 11 *Vict. c.* 24.
2. 9 & 10 *Vict.* c. 116. recited. Commissioners of Woods, &c. may apply Money granted for Harbours of Refuge in Purchase of Lands mentioned in Schedule to this Act, § 1.
3. Maps or Plans, after being authenticated by the Admiralty, to be deposited, and be open to Inspection, § 2.
4. Power to Commissioners of Woods, &c. to take Lands and Houses after Notice, § 3.
5. No Houses, &c. to be taken without Consent unless mentioned in Schedule, § 4.
6. Houses and Lands may be taken notwithstanding Errors in the Schedule, § 5.
7. Power to enter and survey Houses and Lands upon giving Notice, § 6.
8. Commissioners empowered to treat for the Purchase of Lands, § 7.
9. Bodies Politic and Trustees empowered to sell and convey Lands, &c., § 8.
10. Bodies Politic, &c. may accept and receive Satisfaction for Lands taken, § 9.
11. Parties to deliver Statements of their Claims within One Month after Notice, § 10.
12. If Parties refuse to treat or shall not agree, a Jury to be summoned to settle the Difference, § 11.
13. Where Part of an Estate is taken, the Remainder to be valued, § 12.
14. Notice to be given of Compensation claimed, § 13.
15. Penalty on Sheriff, Jury, and Witnesses for Neglect of Duty, § 14.
16. Jury shall, if required, assess Value of Fee Simple, and then apportion the Values of respective Interests therein, § 15.
17. Value of Lands and Damages to be awarded separately, § 16.
18. As to the Costs and Expences of Juries summoned to assess Compensation for Lands, &c., § 17.
19. Judgments and Verdicts to be recorded, § 18.
20. If Parties are unwilling to sell Part of Premises Commissioners to purchase the whole, § 19.
21. Persons holding under Leases to produce the same, § 20.
22. For settling Disputes as to Damages of small Amount, § 21.
23. Commissioners not to take possession till Purchase Money is paid or tendered, § 22.
24. Commissioners may take possession on Payment of Purchase Money into the Bank of *England*, § 23.
25. Application of Purchase Money when amounting to 200*l.* 12 *G.* 1. *c.* 32. 12 *G.* 2. *c.* 24.—§ 24.
26. When

26. When less than 200*l.* and amounting to 20*l.*, § 25.
27. Where less than 20*l.*, § 26.
28. In case of not making out Titles, § 27.
29. Persons in possession shall be deemed entitled until the contrary be known, § 28.
30. Court may order Expences of Purchases to be paid by the Commissioners, § 29.
31. Where the Title is defective by reason of the Lands required for the Act being subject with other Lands to any Rent, the Money paid into the Bank to be laid out in the Purchase of other Lands, which shall be subject to the Rent in lieu of the Lands required for the Act, § 30.
32. Power to purchase Release of Incumbrances, or to apportion the same, § 31.
33. Rents reserved in Leases to be apportioned, § 32.
34. Persons having Mortgages on Lands, &c. required for the Purposes of this Act shall on Payment or Tender of Money secured thereon convey the same to Her Majesty, § 33.
35. As to Cases where the Mortgage Money is more than the Value of the Premises, or a Part only of the Premises is taken, § 34.
36. Tenants at Will, or from Year to Year, to quit after Notice, § 35.
37. Persons authorized to sell may refer to Arbitrators to fix the Price, § 36.
38. For ascertaining the Value of the Common Rights. Meeting of Persons claiming Estates, &c. to be called. A Valuer to be appointed on behalf of Claimants, § 37.
39. Commissioners of Woods, &c. to appoint a Valuer. Umpire to be appointed. If Valuers cannot agree as to the Appointment of an Umpire, Inclosure Commissioners to appoint one, § 38.
40. In default of Appointment of Valuer, &c., or Refusal to act, Inclosure Commissioners to appoint, § 39.
41. Valuers and Umpire may require Production of Deeds, &c., § 40.
42. Valuation to include all Costs incurred, § 41.
43. As soon as Valuation made, and Amount paid, Commons, &c. to be freed from all Rights, &c., § 42.
44. Commissioners of Woods may agree for Price instead of referring the Question to Valuers, § 43.
45. As soon as the said Monies shall be paid into the Bank Inclosure Commissioners shall proceed to determine the Names of the Parties entitled. Inclosure Commissioners may call Meetings to ascertain Rights, &c. of Parties, § 44.
46. As to the Payment of Costs of Inclosure Commissioners, &c., § 45.
47. Compensation for limited Interests to be paid to Trustees, § 46.
48. Power to adjourn Meetings from Time to Time, § 47.
49. Power to sell and exchange Lands, § 48.
50. Power to stop up and alter Roads, § 49.
51. Penalties on Persons giving false Evidence, § 50.
52. Limitation of Time for purchasing Lands, § 51.
53. Commissioners exempted from personal Liability, § 52.
54. Receipts of Commissioners to be sufficient Discharges, § 53.
55. Deeds, &c. not liable to Stamp Duties, § 54.
56. Saving the Rights of the Crown, § 55.
57. Public Act, § 56.

Port Natal.

1. An Act to make legal the Collection of certain Duties at *Port Natal*, 10 *&* 11 *Vict. c.* 56.
2. Duties levied under certain Proclamations legalized, § 1.
3. Indemnity to Persons acting under such Proclamations, § 2.

Postage, See Letters.

Print Works (Labour in).

1. An Act to amend Two clerical Errors in an Act of the last Session, for regulating the Labour of Children, young Persons, and Women in Print Works, 9 *&* 10 *Vict. c.* 18.
2. So much of 8 *&* 9 *Vict. c.* 29. as requires Certificate of Child having attended School for Fifty Days repealed, § 1.
3. After 1st *July* 1846, Occupiers of Print Works, previous to employing Children, shall obtain a Certificate of their having attended School Thirty Days. Occupier to keep Certificate, and produce it when required, § 2.
4. Rectifying a Mistake in a Proviso in recited Act which inflicts a Penalty for illegally employing Children, &c. during the Night, § 3.

Print Works (Children employed in).

1. An Act to amend the Law as to the School Attendance of Children employed in Print Works, 10 *&* 11 *Vict. c.* 70.
2. 8 *&* 9 *Vict. c.* 29. recited. Sections 23, 24, and 25, and Part of Schedule (A.) of recited Act, repealed, § 1.
3. Schoolmaster to keep a Register of Children's Attendance, § 2.
4. Occupiers of Print Works to obtain Certificate from Schoolmaster of Child's Attendance at School, § 3.
5. Certificate to be given according to Schedule, § 4.
6. Acts to be construed together, § 5.

Private Bills.

1. An Act for the more effectual Taxation of Costs on private Bills in the House of Commons, 10 *&* 11 *Vict. c.* 69.
2. 6 *G.* 4. *c.* 123. repealed, § 1.
3. Parliamentary Agent, Attorney, or Solicitor not to sue for Costs until One Month after Delivery of his Bill. Evidence of Delivery of Bill. Power to Judge to authorize Action before Expiration of One Month, § 2.
4. Taxing Officer to be appointed by the Speaker, § 3.
5. The Speaker to prepare List of Charges thenceforth to be allowed, § 4.
6. Taxing Officer empowered to examine Parties and Witnesses on Oath, § 5.
7. Taxing Officer empowered to call for Books and Papers, § 6.
8. Taxing Officer to take such Fees as may be allowed by House of Commons. Application of Fees, § 7.
9. On Application of Party chargeable, or on Application of Parliamentary Agent, Attorney, or Solicitor, the Taxing Officer to tax the Bill. No Application to be entertained by Taxing Officer after Verdict obtained, § 8.
10. Taxing Officer to report to the Speaker. If either Party complain of Report, they may deposit a Memorial, and the Speaker may require a further Report. If no Memorial deposited, Speaker may issue Certificate of the Amount found due. Certificate to have the Effect of a Warrant to confess Judgment, § 9.
11. Construction of certain Words in this Act, § 10.
12. Form of citing the Act, § 11.

Public Works and Fisheries.

1. An Act to authorize the Advance of Money out of the Consolidated Fund, for carrying on Public Works and Fisheries, and Employment of the Poor, 9 & 10 *Vict.* c. 80.
2. 57 *G.* 3. *c.* 34., 57 *G.* 3. *c.* 124., 1 *G.* 4. *c.* 60., 1 & 2 *G.* 4. *c.* 111., 3 *G.* 4. *c.* 86., 4 *G.* 4. *c.* 63., 5 *G.* 4. *cc.* 36. and 77., 6 *G.* 4. *c.* 35., 7 *G.* 4. *c.* 30., 7 & 8 *G.* 4. *cc.* 12. and 47., 1 & 2 *W.* 4. *c.* 24., 3 & 4 *W.* 4. *c.* 32., 4 & 5 *W.* 4. *c.* 72., 7 *W.* 4. & 1 *Vict. c.* 51., 1 & 2 *Vict. c.* 88., 3 & 4 *Vict. c.* 10., and 5 & 6 *Vict. c.* 9. recited. 360,000*l. per Annum* to be charged upon the Consolidated Fund by Issues not exceeding 90,000*l. per* Quarter, § 1.
3. Commissioners for Reduction of National Debt to be Trustees of Public Works Loan Fund, and to cause a separate Account to be continued at the Bank of *England* for the Purpose, § 2.
4. Bank to continue the Account already opened with the Commissioners for executing this Act, § 3.
5. Money paid into the Bank to the Account of Commissioners for executing this Act to make Part of the Consolidated Fund, § 4.
6. Commissioners for executing recited Acts to be Commissioners for executing this Act, § 5.
7. Commissioners to sign the following Declarations, § 6.
8. Amount of Monies to be advanced under this Act to be certified to the Commissioners for the Reduction of the National Debt, § 7.
9. Commissioners for the Reduction of the National Debt to furnish annual Account of the Fund for Audit, § 8.
10. Powers, &c. of recited Acts to have the same Force as if re-enacted in this Act, § 9.
11. An Act to empower the Commissioners for the Issue of Loans for Public Works and Fisheries to make Loans in Money to the Commissioners of Her Majesty's Woods, in lieu of Loans heretofore authorized to be made in Exchequer Bills, 9 & 10 *Vict. c.* 83.
12. Commissioners for Loans for Public Works and Fisheries empowered to make Loans to the Commissioners of Woods in Money in lieu of Exchequer Bills, § 1.
13. Provisions with respect to Loans in Exchequer Bills extended to Loans in Money, § 2.

See *Deposits.*

Q.

Quakers, See Marriages of Quakers and Jews.

R.

Railway Companies and Railways in general.

1. An Act to facilitate the Dissolution of certain Railway Companies, 9 & 10 *Vict. c.* 28.
2. Persons who shall have entered into a Contract for the Formation of a Company for making a Railway, &c. may dissolve the same pursuant to this Act, § 1.
3. Committee, &c. may call Meetings of Shareholders to consider Dissolution, § 2.
4. Shareholders may require Committee to call Meeting, and in default may call it themselves, § 3.
5. Meeting to be held duly called although certain Votes may be disallowed, § 4.
6. Notice of Meeting to be by Advertisement, § 5.
7. Notices to specify the Day, Hour, &c. of Meeting, § 6.
8. Chairman to be elected by a Majority of Committee if present. Chairman to have a casting Vote, § 7.
9. Chairman bound to put Questions proposed, and no other Business to be transacted, § 8.
10. Three Scrutineers to be elected, § 9.
11. Case of the Chairman not being entitled to vote, § 10.
12. In the event of a Quorum not being present at such Meetings, the same to be adjourned, and Votes of Persons present at original and adjourned Meetings to be received as if given at one and the same Meeting, § 11.
13. As to the Right of Parties entitled to vote at Meetings of the Shareholders, § 12.
14. Scale of voting, § 13.
15. Proxies shall be signed before a Master in Chancery in *England,* or Sheriff, &c. in *Scotland,* § 14.
16. Number of Persons, &c. necessary to constitute a Meeting. Majority must consist of at least of Three Fifths of the Votes of Persons present, § 15.
17. Minutes of Proceedings to be advertised. *London Gazette* to be Evidence. Penalty on signing false Minutes, &c., § 16.
18. Places of Meeting shall be held as specified in Notice, § 17.
19. No Votes allowed except for Scrip, &c. actually issued or given before Thirty-first *March* One thousand eight hundred and forty-six. Mode of ascertaining the Issues. 7 & 8 *Vict. c.* 110.—§ 18.
20. Registrars of Joint Stock Companies to require Return of Issues, but Omission of Registrar to send Notice not to exempt Committee from Penalties, § 19.
21. Committees of projected Railways in *Scotland* to lodge a Return with Sheriff Clerk of *Edinburgh* within Twelve Days from passing of this Act. Penalty for not lodging a Return, § 20.
22. The Sheriff Clerk to give Notice by Advertisement for Returns of issued Scrip, &c. to be made, § 21.
23. In default of Return, Meeting may be called, which must represent One Third of Capital of the Company. § 22.
24. Meeting to decide if Dissolution taken to be an Act of Bankruptcy. *Scotland* exempted, § 23.
25. If Meeting decide that Affairs shall not be so wound up, &c., then they shall be wound up like ordinary Partnerships, § 24.
26. Dissolution not to affect Rights of Creditors, § 25.
27. If Proposal of Dissolution rejected, no new Meeting to be called for Six Months to consider the Question, § 26.
28. Any Three of the Committee, or any Creditor or Creditors, may petition for a Fiat in Bankruptcy, § 27.
29. On issuing of Fiats, Companies to be subject to the Provisions of the Acts for winding up the Affairs of Joint Stock Companies, 7 & 8 *Vict. c.* 111. and 8 & 9 *Vict. c.* 98. —§ 28.
30. Sequestration of Estates of dissolved *Scotch* Railway Companies may be awarded, § 29.
31. As to new Railways by incorporated Companies, § 30.
32. Member against whom Judgment shall have been recovered to be repaid by Contribution from other Members, together with Costs, § 31.
33. After Dissolution of Company no Action, &c. to be brought by any Attorney, &c. until One Month after Bill of Fees shall have been delivered. Courts may refer Bills for Taxation to Taxing Officers, § 32.
34. An Act for regulating the Gauge of Railways, 9 & 10 *Vict. c.* 57.

35. On what Gauge Railways shall be made, § 1.
36. Exception of certain Railways, § 2.
37. Certain Railways to be on the Broad Gauge, § 3.
38. Gauge not to be altered, § 4.
39. Provision as to the *Oxford and Rugby*, and *Oxford, Worcester, and Wolverhampton* Railways. 8 & 9 *Vict. c.* clxxxviii. 8 & 9 *Vict. c.* clxxxiv.—§ 5.
40. Penalty on Company for constructing Railways contrary to this Act, § 6.
41. Railways constructed contrary to this Act may be abated, § 7.
42. Recovery of Penalties, as under 8 & 9 *Vict. c.* 20.—§ 8.
43. An Act for constituting Commissioners of Railways, 9 & 10 *Vict. c.* 105.
44. 3 & 4 *Vict. c.* 97., 5 & 6 *Vict. c.* 55., 7 & 8 *Vict. c.* 85., and 8 & 9 *Vict. cc.* 20. and 33. recited. Her Majesty empowered to appoint Commissioners of Railways, One of whom to be President, and from Time to Time remove them, § 1.
45. Power of Board of Trade transferred to Commissioners, § 2.
46. An Office to be provided under the Direction of the Treasury, § 3.
47. Documents sealed by Commissioners to be Evidence, § 4.
48. Officers, &c. subject to Approval of Treasury, § 5.
49. Payment of Salaries to Commissioners, Officers, and Servants, § 6.
50. President not disqualified to sit in Parliament, § 7.
51. Unpaid Commissioners not disqualified to sit in Parliament, § 8.
52. Commissioners to exercise Powers now vested in the Board of Trade, § 9.
53. Commissioners to report to Her Majesty and both Houses of Parliament upon any Case specially referred to them, § 10.
54. Commissioners empowered to inspect and survey proposed Railways, 4 & 5 *Vict. c.* 30.—§ 11.

Religious Opinions.

1. An Act to relieve Her Majesty's Subjects from certain Penalties and Disabilities in regard to Religious Opinions, 9 & 10 *Vict. c.* 59.
2. 5 & 6 *Edw.* 6. *c.* 1. *ss.* 1, 2, 3, 4, 6., 1 *Eliz. c.* 1., 2 *Eliz. c.* 1. (*I.*), 1 *Eliz. c.* 2., 2 *Eliz. c.* 2. (*I.*), 5 *Eliz. c.* 1., 13 *Eliz. c.* 2., 29 *Eliz. c.* 6., 1 *Jac.* 1. *c.* 4., 3 *Jac.* 1. *c.* 1. *s.* 2. in part, 3 *Jac.* 1. *c.* 4., 7 *Jac.* 1. *c.* 6., 13 & 14 *Car.* 2. *c.* 4. *s.* 11., 17 & 18 *Car.* 2. *c.* 6. *s.* 6. (*I.*), 30 *Car.* 2. *st.* 2. *s.* 5. in part, 8 & 9 *W.* 3. *c.* 3. (*S.*) and all Laws revived, ratified, and confirmed thereby, 11 & 12 *W.* 3. *c.* 4., 1 *Anne, st.* 1. *c.* 30., 2 *Anne, c.* 6. *s.* 1. (*I.*), 11 *G.* 2. *c.* 17., 17 & 18 *G.* 3. *c.* 49. *s.* 5. (*I.*), 18 *G.* 3. *c.* 60. *s.* 5., 23 & 24 *G.* 3. *c.* 38. (*I.*), 31 *G.* 3. *c.* 32. *ss.* 12, 15, 16, 33 *G.* 3. *c.* 21. *s.* 14. (*I.*), 33 *G.* 3. c. 44. repealed, § 1.
3. Jews to be subject to the same Laws as Protestant Dissenters in respect to Schools and Places of Worship, § 2.
4. Not to affect pending Suits, § 3.
5. Disturbing Religious Assemblies, § 4.

Revenue.

1. An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and forty-six, 9 & 10 *Vict. c.* 7.
2. An Act for raising the Sum of Eighteen millions three hundred and eighty thousand two hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and forty-six, 9 & 10 *Vict. c.* 15.
3. An Act to apply the Sum of Four Millions out of the Consolidated Fund, and the Surplus of Ways and Means, to the Service of the Year One thousand eight hundred and forty-six, 9 & 10 *Vict. c.* 47.
4. An Act to apply the Sum of Eight millions three hundred fifty-six thousand one hundred and seventy-three Pounds Seventeen Shillings and Eleven-pence out of the Consolidated Fund, and Monies in the Exchequer, to the Service of the Year One thousand eight hundred and forty-six, and to appropriate the Supplies granted in this Session of Parliament, 9 & 10 *Vict. c.* 116.
5. An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and forty-seven, 10 & 11 *Vict. c.* 8.
6. An Act for raising the Sum of Eighteen millions three hundred and ten thousand seven hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and forty-seven, 10 & 11 *Vict. c.* 19.
7. An Act to apply a Sum out of the Consolidated Fund, and certain other Sums, to the Service of the Year One thousand eight hundred and forty-seven; and to appropriate the Supplies granted in this Session of Parliament, 10 & 11 *Vict. c.* 107.

See *Loan.*

Roman Catholics, See Religious Opinions.

Ropeworks.

1. An Act to declare certain Ropeworks not within the Operation of the Factory Acts, 9 & 10 *Vict. c.* 40.
2. 3 & 4 *W.* 4. *c.* 103. and 7 & 8 *Vict. c.* 15. recited. Certain Ropeworks not to be deemed Mills or Factories within the Provisions of recited Acts, § 1.

Salvage, See Wreck and Salvage.

SCOTLAND.

Burghs and Towns.

1. An Act to amend an Act to enable Burghs in *Scotland* to establish a general System of Police, and another Act for providing for the Appointment and Election of Magistrates and Councillors for certain Burghs and Towns of *Scotland*, 10 & 11 *Vict. c.* 39.
2. 3 & 4 *W.* 4. *c.* 46. and 3 & 4 *W.* 4. *c.* 77. recited. Power to Burghs and Towns to adopt Provisions of General Police Act, § 1.
3. Magistrates and Council may convene Occupiers to determine whether Act shall be adopted, § 2.
4. Resolution to adopt to be carried by a Majority of Two Thirds, § 3.
5. General Police Act to be executed by Magistrates and Council, § 4.
6. Powers of General Police Act where adopted may be vested in Magistrates and Council, § 5.
7. Procedure in Burghs not having Magistrates and Council, § 6.

8. Assessments may be levied in certain Burghs and Towns for Municipal Purposes, § 7.
9. General Police Act applied to this Act, § 8.

Citations, &c.

1. An Act to remove Doubts concerning Citations, and Services and Execution of Diligence, in *Scotland*, 9 & 10 *Vict.* c. 67.
2. Recited Enactment of 1 & 2 *Vict.* c. 114. to apply to all Citations, Services, &c. § 1.

See *General Index*, Joint Stock Companies.

Crown Charters.

1. An Act to amend the Practice in *Scotland* with regard to Crown Charters and Precepts from Chancery, 10 & 11 *Vict.* c. 51.
2. Signatures and Precepts to Chancery abolished, § 1.
3. Charters to be obtained by lodging a Draft thereof and Note along with the Title Deeds, § 2.
4. Draft Charter to be revised, § 3.
5. Rectification of Mistakes in former Titles, § 4.
6. Presenter of Signature, &c. may refer to Copy of Charter, &c. when withheld, § 5.
7. Amount of Crown Duties to be fixed, § 6.
8. Clerk's Fees, § 7.
9. Copy of revised Draft to be furnished to the Party, § 8.
10. If no Objections, the revised Draft to be attested, and the Charter prepared, § 9.
11. Charters may be applied for at any Time, § 10.
12. Objections, if any, to be by a Note, § 11.
13. Objections how to be disposed of, § 12.
14. Procedure if Objections repelled, § 13.
15. Refusal to revise, how to be complained of, § 14.
16. Charter, as revised, to be ingrossed and delivered, § 15.
17. Charter to be valid, § 16.
18. Ceremony of Registration abolished, § 17.
19. Precepts from Chancery to Heirs specially served, how to be obtained, § 18.
20. Precepts may also be granted to Heirs holding only a general Service, § 19.
21. Record of Precepts to be kept, § 20.
22. Charters of Confirmation may be granted, combined with Precepts for infefting Heir, § 21.
23. Charters of Novodamus, how to be obtained, § 22.
24. Lodging Draft Charter with Note and recording Note to be equivalent, in competition, to presenting a Signature, &c., § 23.
25. Crown Charters, and Charters by and on behalf of the Prince and Steward of *Scotland*, may be in the Forms given in Schedule (C.), § 24.
26. Charters to be in the *English* Language, § 25.
27. Conditions of Entail may be referred to as already in the Register of Entails or Register of Sasines, § 26.
28. Real Burdens may be referred to as already in the Register of Sasines, § 27.
29. Exchequer Judges to frame Regulations, § 28.
30. Presenter of Signatures, if required, to discharge Duties of Sheriff, § 29.
31. Additional Allowance to Presenter of Signatures, § 30.
32. Salary to be regulated by Commissioners of the Treasury when Vacancy occurs, § 31.
33. Compensation, how to be applied for, § 32.
34. Compensation, how to be paid, § 33.
35. Power to Prince and Steward of *Scotland* to appoint his own Presenter of Signatures, &c., § 34.
36. Interpretation of Act, § 35.

Drainage.

1. An Act to facilitate the Drainage of Lands in *Scotland*, 10 & 11 *Vict.* c. 113.
2. 9 & 10 *Vict.* c. 101. and 10 & 11 *Vict.* c. 11. recited. Persons desirous of draining Land may apply to the Sheriff for Authority to effect the same. Map or Plan to be annexed to such Application; also an Estimate of the Expence, and a Statement of the actual Condition of the Lands. Copies of Application, Map, &c. to be deposited, and to be open to Inspection, § 1.
3. 8 & 9 *Vict.* c. 19., with respect to Service of Notices on Owners, &c. incorporated with this Act. Objections to be sent to the Sheriff in Writing, § 2.
4. The Sheriff, before he proceeds to act, may require Security for Payment of Expences, § 3.
5. Where Objections to any thing proposed to be done have been sent to the Sheriff, he shall appoint a qualified Person to inspect the Lands, &c., § 4.
6. If, after Inquiry, the Sheriff thinks that the Benefit derived from Drainage outweighs the Damage, he may authorize the Execution of the Works, § 5.
7. Sheriff may award Costs in certain Cases, § 6.
8. If no Objections lodged, Sheriff may authorize Works to be executed under Superintendence, § 7.
9. Persons authorized to execute Works may enter upon Lands specified in Sheriff's Order, not being a Park, &c. Nothing to supersede the present Law as to cleansing Streams, &c., § 8.
10. Obstructions on Rivers, &c. may be removed by Order of Sheriff, § 9.
11. For the Protection of Fisheries, Mills, and Houses, § 10.
12. Ornamental Waters not to be affected, § 11.
13. No Entry to be made on Lands until Compensation is agreed upon, § 12.
14. So much of 8 & 9 *Vict.* c. 19. as to Compensation, &c. incorporated with this Act, § 13.
15. Power to Sheriff, on Application, to give Authority to enter upon Lands for the Purpose of upholding Works, § 14.
16. Copies of Orders of Sheriff authorizing Works to be executed, to be made and deposited, and to be open to Inspection, § 15.
17. Navigable Rivers and Canals not to be altered, &c. without Consent of the Admiralty, § 16.
18. Definition of Terms in this Act, § 17.

Elections of Peers.

1. An Act for the Correction of certain Abuses which have frequently prevailed at the Elections of Representative Peers for *Scotland*, 10 & 11 *Vict.* c. 52.
2. At future Elections for *Scotch* Peers certain Titles not to be called by the Lord Clerk Register, nor Oaths to be administered, until otherwise directed by the House of Lords, § 1.
3. If Claim to vote be disallowed by House of Lords, Title of Peerage not to be called over at any future Election, if so ordered, § 2.
4. If at any Meeting of Peers a Protest be made against any Claim to vote, Lord Clerk Register to transmit a Copy of Proceedings to the House of Lords, &c., § 3.
5. Any Peer or Peeress having established their Claim, &c., the Vote of no other Claimant to be admitted, § 4.
6. Nothing herein to affect the Right of present or future Claimants, § 5.

General Register House.

1. An Act to authorize the Application of certain Sums received on account of the Fees payable to the Office of Director in Chancery in *Scotland* towards the Payment of Debts incurred in completing the General Register House at *Edinburgh*, 10 & 11 *Vict.* c. 20.
2. 57 *G.* 3. *c.* 64., 3 *G.* 4. *c.* 62., and 7 & 8 *G.* 4. *c.* 46. recited. Treasury to authorize Remembrancer in *Scotland* to apply certain Monies in Payment of Debt incurred in Completion of the Register House, &c., § 1.
3. Certain Parts of recited Acts 3 *G.* 4. *c.* 62. and 7 & 8 *G.* 4. *c.* 46. repealed, § 2.

Heritable Securities.

1. An Act to facilitate the Constitution and Transmission of Heritable Securities for Debt in *Scotland*, and to render the same more effectual for the Recovery of Debts, 10 & 11 *Vict.* *c.* 50.
2. 8 & 9 *Vict.* *c.* 31. recited. After 30th *September* 1847 Bonds and Dispositions in Security may be granted in the Form of Schedule (A.) to this Act, and registered in the Register of Sasines, § 1.
3. Explanation of Clauses in Schedule (A.), § 2.
4. Clauses reserving Right of Redemption and of Obligation to pay Expence of Assignation or Discharge, and Power of Sale valid, &c., § 3.
5. Conditions of Granter's Title may be omitted, if referred to as set forth in a recorded Instrument of Sasine, § 4.
6. Bonds and Dispositions in Security, how to be registered in Register of Sasines, § 5.
7. Bonds and Dispositions in Security may be registered during Lifetime of Grantee, and Title completed after his Death, § 6.
8. Sale carried through in Terms of this Act to be valid to the Purchaser, § 7.
9. Creditors selling to count and reckon for the Surplus of the Price, and to consign the same into the Bank, § 8.
10. On Sale and Consignation of Surplus, Lands to be disencumbered of the Security and Diligence of the Seller, &c., § 9.
11. 8 & 9 *Vict.* *c.* 31. to apply to the Transmission and Extinction of Securities granted under this Act, § 10.
12. Fees to be taken by existing Town Clerks of Royal Burghs and Keepers of Registers during their respective Rights of Office, &c., § 11.
13. Court of Session may make Acts of Sederunt, § 12.
14. Existing Forms of Security to be still competent, § 13.
15. Interpretation of Act, § 14.

Herring Fishery.

1. An Act to increase the Number of Trustees for the Herring Fishery, and to direct the Application of the Funds granted for the Promotion of Manufactures and Improvements, in *Scotland*, 10 & 11 *Vict.* *c.* 91.
2. 5 *Anne*, *c.* 8., 5 *G.* 1. *c.* 20., 12 *G.* 1. *c.* 4., 13 *G.* 1. *c.* 26., 13 *G.* 1. *c.* 30., 48 *G.* 3. *c.* 110., and 55 *G.* 3. *c.* 94. recited. Her Majesty may appoint additional Commissioners for the Herring Fishery along with those acting under recited Acts of 48 and 55 *G.* 3.—§ 1.
3. Power to Treasury to direct the Appropriation of the Funds by the Trustees, § 2.
4. Her Majesty may by Order in Council establish Rules, &c. for the Application by the Trustees of the Monies so to be appropriated by the Treasury, &c., § 3.
5. Recited Acts and Letters Patent to remain in force, § 4.

Leith Harbour and Docks.

1. An Act for improving the Harbour and Docks of *Leith*, 10 & 11 *Vict.* *c.* 114.
2. 1 & 2 *Vict.* *c.* 55. recited. Debt of the Commissioners of *Leith* Harbour to be taken at 228,374*l.* 9*s.* 8*d.*, § 1.
3. Expenditure of 16,077*l.* on the East Pier ratified, § 2.
4. Treasury may allow Commissioners of Harbour and Docks to apply surplus Profits to improving the same, § 3.
5. Certain Clauses of 8 & 9 *Vict.* *c.* 17. as to borrowing Money incorporated with this Act, § 4.

Mussel Fisheries.

1. An Act for the Protection of Mussel Fisheries in *Scotland*, 10 & 11 *Vict.* *c.* 92.
2. 3 & 4 *Vict.* *c.* 74. recited. Persons unlawfully taking Mussels from Mussel Beds deemed guilty of Theft, § 1.
3. Persons unlawfully fishing or trespassing in any Mussel Fishery deemed guilty of an Attempt to commit Theft, § 2.
4. Nothing to prevent Persons lawfully entitled from fishing for floating Fish, § 3.
5. Nothing to prevent Persons from exercising legal Rights, § 4.

Police, See Burghs and Towns.

Precepts from Chancery, See Crown Charters.

Service of Heirs.

1. An Act to amend the Law and Practice in *Scotland* as to the Service of Heirs, 10 & 11 *Vict.* *c.* 47.
2. From 15th *November* 1847 the Practice of issuing Brieves from Chancery for Service of Heirs shall cease, § 1.
3. Services to proceed by Petition to the Sheriff, § 2.
4. Petition to be presented to the Sheriff of the County or to the Sheriff of Chancery, § 3.
5. Nature and Form of the Petition, § 4.
6. Conditions of Entail and other Conditions may be referred to instead of being inserted at length, § 5.
7. Burdens, Conditions, and Limitations may be referred to, § 6.
8. Services not to proceed till Publication be made, § 7.
9. Caveats to be received, § 8.
10. Petition of Service to be equivalent to a Brieve and Claim, § 9.
11. Procedure before the Sheriff, and the Effect of his Judgment, § 10.
12. Competing Petition may be presented, and Sheriff, after receiving Evidence, give Judgment, § 11.
13. Recording and Extract of Judgment, § 12.
14. The Extract Decree to be equivalent to an Extract Retour, § 13.
15. Transmission of Record, § 14.
16. Clerks of Chancery to be remunerated for keeping Register, &c. by Act of Sederunt, § 15.
17. No Person entitled to oppose a Service who could not appear against a Brieve of Inquest, § 16.
18. Proceedings may be advocated for Jury Trial, § 17.
19. Where Sheriff refuses to serve Petitioner, &c. Judgment may be reviewed, § 18.
20. Procedure when a Decree of Service is brought under Reduction. Effect of the Decree of Reduction, § 19.

21. Forms and Effect of Procedure in the Court of Session, § 20.
22. A Decree of special Service, besides operating as a Retour, shall have the Operation and Effect of a Disposition from the Deceased to his Heirs, § 21.
23. The Deceased's Incapacity to be no Hindrance, § 22.
24. A Special Service not to infer a general Representation either active or passive, § 23.
25. Heir of Line or Heir Male may petition for general Service, § 24.
26. A General Service may be applied for and obtained to a limited Effect by annexing a Specification; and it shall infer only a limited passive Representation, § 25.
27. Precepts of Clare constat and Entries more burgi to remain unaffected, § 26.
28. Jurisdiction of the Sheriff of Chancery, § 27.
29. Power to the Court of Session to pass Acts of Sederunt, § 28.
30. Appointment of Sheriff of Chancery, § 29.
31. Sheriff of Chancery, if required, to discharge the Duties of Presenter of Signatures, § 30.
32. Agents may practise before Sheriff Courts, § 31.
33. Payment of the Sheriff and Sheriff Clerk of Chancery, § 32.
34. Salary to be regulated by the Commissioners of the Treasury on Vacancy, § 33.
35. Compensation, how to be applied for, § 34.
36. Compensation, how to be paid, § 35.
37. Interpretation of Act, § 36.

Trading in Burghs.

1. An Act for the Abolition of the exclusive Privilege of trading in Burghs in *Scotland*, 9 & 10 *Vict. c.* 17.
2. After the passing of this Act exclusive Privileges and Rights in Burghs to cease; and in lieu of the Stamp Duties now payable on Admission a Duty of 5*s.* shall be paid, § 1.
3. Incorporations still to retain their corporate Character, and their Names and Titles, § 2.
4. Incorporations may make Bye Laws relative to Application of its Funds, &c. subject to the Approbation of the Court of Session. Such Bye Laws, when sanctioned by Court of Session, to be valid, § 3.

Transference of Lands, &c.

1. An Act to facilitate the Transference of Lands and other Heritages in *Scotland* not held in Burgage Tenure, 10 & 11 *Vict. c.* 48.
2. In Conveyances of Land, &c. certain Clauses may be inserted in the short Forms given in Schedule (A.), § 1.
3. Explanation of the Import of the Clause of Obligation to infeft, § 2.
4. Explanation of the Import of other Clauses in Schedule (A.), § 3.
5. Conditions of Entail may be referred to as already in the Register of Entails or Register of Sasines, § 4.
6. Real Burdens may be referred to as already in the Register of Sasines, § 5.
7. Superior may be compelled to grant Entries by Confirmation. 10 & 11 *Vict. c.* 47.—§ 6
8. Charters of Confirmation in the Form of Schedule (D.) to imply a general Confirmation of all the Title Deeds of the Lands, § 7.
9. Where Superior's Title incomplete, Owner may in certain Cases apply to Lord Ordinary on the Bills to ordain him to complete his Title and grant an Entry, under Pain of Forfeiture, § 8.
10. Or Owner may, in such Case, apply to Lord Ordinary on the Bills to authorize Application for an Entry to the Crown or Prince or mediate Superior as in Vice of the recusant Superior, § 9.
11. Lands to be held temporarily of the Crown or Prince or mediate Superior, § 10.
12. The Party in Right of the Superiority may lodge a Minute tendering Relinquishment of his Right, and if accepted by the Petitioner, the Lord Ordinary may interpone his Authority, § 11.
13. Over-superior's Rights not to be extended or affected, § 12.
14. Vassal obtaining or accepting Forfeiture or Relinquishment of Superiority to be liable for its Value, but Forfeiture or Relinquishment not to infer Representation, § 13.
15. Forfeiture to take effect and Relinquishment lawful although Superiority form Part of an Estate held under Prohibitions against Alienation, &c., § 14.
16. Precepts of Clare constat not to fall by Death of the Granter, § 15.
17. General and Special and General Special Charges to be no longer competent, § 16.
18. Bill for Summonses of Adjudication and of Sale abolished, § 17.
19. Unnecessary to libel and conclude for Decree of special Adjudication, § 18.
20. Decrees of Adjudication and of Sale to contain Warrant for Infeftment a me vel de me, and Infeftment may follow accordingly, § 19.
21. Judgment of Lord Ordinary on the Bills subject to Review of Inner House, and Judgments in certain Cases to be final, § 20.
22. Court of Session may make Acts of Sederunt, § 21.
23. Interpretation Clause, § 22.
24. Act when to take effect, § 23.
25. An Act to facilitate the Transference of Lands and other Heritages in *Scotland* held in Burgage Tenure, 10 & 11 *Vict. c.* 49.
26. In Conveyances of Burgage Property certain Clauses may be inserted in the Forms given in Schedule (A.), § 1.
27. Explanation of the Import of Clauses in Schedule (A.), § 2.
28. Conditions of Entail may be referred to as already in the Register of Entails or Register of Sasines, § 3.
29. Real Burdens may be referred to as already in the Register of Sasines, § 4.
30. The Form in certain Cases of Sasines in Lands holden in Burgage to be as in Schedule (D.), § 5.
31. Instruments of Resignation and Sasine to be recorded, § 6.
32. Instruments of Resignation or Sasine may be recorded during Life of the Party in whose Favour such Instruments have been expede, § 7.
33. General and Special and General Special Charges to be no longer competent to be used, § 8.
34. Bill for Summonses of Adjudication, &c. dispensed with, § 9.
35. Unnecessary to libel and conclude for Decree of special Adjudication, § 10.
36. Court of Session may make Acts of Sederunt, § 11.
37. Interpretation of Act, § 12.
38. Act to take effect on 30th *Sept.* 1847., § 13.

Service of Boys in the Navy, See Navy.

Service of Marines, See Marines.

Service of Soldiers, See Soldiers.

Small Debts.

1. An Act for the more easy Recovery of Small Debts and Demands in *England*, 9 & 10 *Vict. c.* 95.
2. 7 & 8 *Vict. c.* 96. and 8 & 9 *Vict. c.* 127. recited. Her Majesty may order this Act to be put in execution, § 1.
3. Counties to be divided into Districts, § 2.
4. Courts held under this Act to have the same Jurisdiction as County Courts, and to be Courts of Record, § 3.
5. Preserving the Jurisdiction of County Courts, § 4.
6. Her Majesty may order any Court under Acts in Schedules (A.) and (B.) to be held as a County Court, and may assign a District to the same, § 5.
7. When a Court shall be established under this Act, recited Acts and all other Acts affecting its Jurisdiction, repealed, § 6.
8. Proceedings under former Acts to be valid, § 7.
9. Orders in Council to be published in the *London Gazette*, § 8.
10. Appointment and Qualification of Judges. Proviso as to Attorneys acting as Judges under Acts cited in Schedules (A.) and (B.), § 9.
11. Judges at present acting in the Courts of *Bath*, *Bristol*, *Liverpool*, and *Manchester* entitled to the first Appointments under this Act for those Places, § 10.
12. Stewards of the Manor of *Sheffield* and *Ecclesal* appointed under 48 *G.* 3. *c.* 108. to be the Judges under this Act for those Districts, § 11.
13. The present County Clerk of *Middlesex*, appointed under 23 *G.* 2. *c.* 33., to be the first Judge under this Act, and may continue to appoint a Deputy, subject to Approval of Secretary of State. Present Registrar to be the first Clerk, § 12.
14. Provisions for certain Lords of Manors having Rights of Appointment under the Acts hereby repealed, § 13.
15. Lords of Manors, &c. may surrender Courts, with Consent of Persons interested, § 14.
16. Appointments of Judges who have previously officiated in any County Court, not subject to 5 & 6 *Vict. c.* 122.—§ 15.
17. For supplying Vacancies among the Judges of the County Court, § 16.
18. Judges not to practise as Barristers in their Districts, except in certain Cases, § 17.
19. Judges of the County Court removable for Inability, &c., § 18.
20. Districts of Judges may be changed, § 19.
21. As to the Appointment of a Deputy to a Judge, § 20.
22. Judges may act as Justices if in the Commission of the Peace, § 21.
23. Judges, &c. appointed under this Act authorized to perform certain Duties relating to Matters depending in the Court of Chancery, § 22.
24. Treasury to appoint Treasurers of Courts holden under this Act, § 23.
25. Appointment of Clerks vested in Judges, subject to Approval of Lord Chancellor, § 24.
26. In populous Districts Lord Chancellor may direct Two Clerks to be appointed, § 25.
27. In case of Illness, &c. of Clerk a Deputy may be appointed, § 26.
28. Duties of Clerks, § 27.
29. Offices of Clerk, Treasurer, and Bailiff not to be conjoined, § 28.
30. Officers not to act as Attornies in the Court, § 29.
31. Penalty of 50*l.* on Non-observance of the Two previous Enactments, § 30.
32. Appointment of Bailiffs, § 31.
33. Provisions for the High Bailiff of *Westminster* and *Southwark*, § 32.
34. Duties of the High Bailiffs, &c., § 33.
35. Provision respecting Clerks and High Bailiffs of Courts under Act, cited in Schedules (A.) and (B.), § 34.
36. Provision respecting the Officers of the Two Courts at *Bristol*, § 35.
37. Treasurers, Clerks, and High Bailiffs to give Security, § 36.
38. Fees to be taken according to Schedule (D.), and Tables to be exhibited in conspicuous Places. Fees may be reduced. Appropriation of surplus Fees, § 37.
39. Compensation for Persons whose Rights or Emoluments will be diminished, § 38.
40. Officers of Courts may be paid by Salaries instead of Fees. If Court abolished, no Compensation allowed except in certain Cases, § 39.
41. Limiting Amount of Salaries to be paid under this Act, § 40.
42. Fees and Fines to be accounted for to Treasurer, § 41.
43. Clerks Accounts to be audited and settled by Treasurers, § 42.
44. Treasurer of the Court to render Accounts to Audit Board, § 43.
45. Commissioners of Treasury to direct how Balances shall be applied, § 44.
46. Accounts of Treasurers to be audited under Powers of 25 *G.* 3. *c.* 52.—§ 45.
47. Clerk to send to Commissioners of Audit an Account of all Sums paid by him to Treasurer, § 46.
48. Accounts, when audited, to be sent to Treasury, § 47.
49. Treasurers, with Approval of Secretary of State, to provide Court-houses, Offices, &c., § 48.
50. Where Common Gaols are inconvenient, Prisons belonging to Courts under Acts cited in Schedules (A.) and (B.) may be used. 5 & 6 *Vict. c.* 98.—§ 49.
51. Power for purchasing Land, § 50.
52. Treasurer empowered to borrow Money for the Purposes of this Act, § 51.
53. A General Fund to be raised for paying off Money borrowed, § 52.
54. Property of Courts in Schedules (A.) and (B.) to vest in the Treasurer of the County Court, § 53.
55. Provisions for outstanding Liabilities, § 54.
56. Clerks to have the Charge of the Court Houses, &c., and to appoint and dismiss Servants, &c., § 55.
57. Judge to hold the Court where Her Majesty shall direct. Notices for holding Courts to be put up in a conspicuous Place, § 56.
58. Process of the Court to be under Seal, § 57.
59. Jurisdiction of the Court, § 58.
60. Suits to be by Plaint, § 59.
61. Summons may issue, though Cause of Action may not arise in the District, § 60.
62. Processes out of District of Court may be served by Bailiff of any other Court, § 61.
63. Proof of Service of Process out of the District, or in the Absence of the Bailiff, § 62.
64. Demands not to be divided for the Purpose of bringing Two or more Suits, § 63.
65. Minors may sue for Wages, § 64.
66. Cases of Partnership and Intestacy, § 65.
67. Executors may sue and be sued, § 66.

68. No

68. No Privilege allowed, § 67.
69. One of several Persons liable may be sued, § 68.
70. Judge alone to determine all Questions unless a Jury be summoned, § 69.
71. Actions may be tried by a Jury when Parties require it, § 70.
72. Party requiring Jury to make a Deposit, § 71.
73. Who shall be Jurors, § 72.
74. Number of the Jury, § 73.
75. Proceedings on hearing the Plaint, § 74.
76. No Evidence to be given that is not in Summons, § 75.
77. Notices to be given to the Clerk of Special Defences, who shall communicate the same to the Plaintiff, § 76.
78. Suits may be settled by Arbitration, § 77.
79. Forms of Procedure in Courts to be framed by the Judges, § 78.
80. Proceedings if Plaintiff does not appear or prove his Case, § 79.
81. Proceedings if the Defendant does not appear, § 80.
82. Judge may grant Time, § 81.
83. Defendant may pay Money into Court. Notice of such Payment to be given to Plaintiff, § 82.
84. Parties and others may be examined, § 83.
85. Persons giving false Evidence guilty of Perjury, § 84.
86. Summonses to Witnesses, § 85.
87. Penalty on Witnesses neglecting Summons, § 86.
88. Fines, how to be enforced and accounted for, § 87.
89. Costs to abide the Event of the Action, § 88.
90. Judgments, how far final, § 89.
91. No Actions to be removed into Superior Courts but on certain Conditions, § 90.
92. Who may appear for any Party in the Superior Courts, § 91.
93. Court may make Orders for Payment of Instalments, § 92.
94. Cross Judgments, § 93.
95. Court may award Execution against Goods, § 94.
96. Execution not to issue till after Default in Payment of some Instalment, and then it may issue for the whole Sum due, § 95.
97. What Goods may be taken in Execution, § 96.
98. Securities seized to be held by High Bailiff, § 97.
99. Parties having obtained an unsatisfied Judgment may obtain a Summons on Charge of Fraud, § 98.
100. Commitment for Frauds, &c., § 99.
101. Power on Judge to rescind or alter Orders, § 100.
102. Power to examine and commit at Hearing of the Cause, § 101.
103. Mode of issuing and executing Warrants of Commitment, § 102.
104. Imprisonment not to operate as a Satisfaction for the Debt, &c., § 103.
105. How Execution may be had out of the Jurisdiction of the Court, § 104.
106. Power to Judge to suspend Execution in certain Cases, § 105.
107. Regulating the Sale of Goods taken in Execution, § 106.
108. As to the Liability of Goods taken in Execution under 8 *Anne, c.* 17. Landlords may claim certain Rents in arrear. Bailiffs making Levies may distrain for Rent and Costs. In case of Replevins. 57 *G.* 3. *c.* 93.—§ 107.
109. No Execution shall be stayed by Writ of Error, § 108.
110. Execution to be superseded on Payment of Debt and Costs, § 109.
111. Debtor to be discharged from Custody upon Payment of Debt and Costs, § 110.
112. Minutes of Proceedings to be kept, § 111.
113. Suitors Money unclaimed in Six Years to go to General Fund, § 112.
114. Power of Committal for Contempt, § 113.
115. Penalty for assaulting Bailiffs, or rescuing Goods taken in Execution, § 114.
116. Bailiffs made answerable for Escapes, and Neglect to levy Execution, § 115.
117. Remedies against, and Penalties on, Bailiffs and other Officers for Misconduct, § 116.
118. Penalty on Officers taking Fees besides those allowed, § 117.
119. Claims as to Goods taken in Execution to be adjudicated in Court, § 118.
120. Actions of Replevin may be brought without Writ, § 119.
121. Plaints where to be entered, § 120.
122. How Actions of Replevin may be removed, § 121.
123. Possession of small Tenements may be recovered by Plaint in County Court. If Tenant, &c. neglect to appear, or refuse to give Possession, Judge may, on Proof of Service of Summons, issue a Warrant to enforce the same, § 122.
124. The Manner in which such Summons shall be served, § 123.
125. Judges, Clerks, Bailiffs, or other Officers not liable to Actions on account of Proceedings taken, § 124.
126. Where Landlord has a lawful Title he shall not be deemed a Trespasser by reason of Irregularity, § 125.
127. How Execution of Warrant of Possession may be stayed, § 126.
128. Proceedings on the Bond for staying Warrant of Possession, &c., § 127.
129. Concurrent Jurisdictions with Superior Courts, § 128.
130. As to Actions brought for Small Debts in Superior Courts, § 129.
131. Penalties and Costs to be recovered before a Justice, and levied by Distress, § 130.
132. In default of Security, Offender may be detained till Return of Warrant of Distress, § 131.
133. In default of Distress, Offender may be committed, § 132.
134. Penalties not otherwise applied to be paid into the General Fund, § 133.
135. Justices may proceed by Summons in the Recovery of Penalties, § 134.
136. Form of Conviction, § 135.
137. Proceedings not invalid for Want of Form, § 136.
138. Distress not unlawful for Want of Form, § 137.
139. Limitation of Actions for Proceedings in execution of this Act, § 138.
140. Provision for the Protection of Officers of the Court, § 139.
141. Act not to affect Rights of Universities of *Oxford* or *Cambridge*, § 140.
142. Nothing to affect the Courts of the Wardens of the Stannaries, § 141.
143. Interpretation of Act, § 142.

Soap.

1. An Act to continue until the Thirty-first Day of *July* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, certain of the Allowances of the Duty of Excise on Soap used in Manufactures, 10 & 11 *Vict. c.* 41.
2. 3 & 4 *W.* 4. *c.* 16. recited. Certain Allowances of the Duty on Soap to be continued, § 1.

Soldiers.

1. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, 9 & 10 *Vict. c.* 11.
2. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, 10 & 11 *Vict. c.* 12.
3. An Act to regulate the Stations of Soldiers during Parliamentary Elections, 10 & 11 *Vict. c.* 21.
4. 8 *G* 2. *c.* 30. repealed, § 1.
5. Soldiers to remain in Barracks or Quarters during Elections for Members of Parliament, except in certain Cases, § 2.
6. Notice of Elections to be given by the Clerk of the Crown to Secretary at War, &c., § 3.
7. Not to apply to Guards attending Her Majesty, &c., § 4.
8. An Act for limiting the Time of Service in the Army, 10 & 11 *Vict. c.* 37.
9. After passing of this Act the Period for Enlistment for a Soldier limited, § 1.
10. Repealing certain Questions in Schedule to 10 & 11 *Vict. c.* 12. and substituting those in Schedule hereto, (A.), § 2.
11. Soldiers, at any Time during the last Six Months, or on Completion of Term of limited Service, may be re-engaged, § 3.
12. As to Re-engagement of Soldiers ordered on Foreign Service, § 4.
13. If Terms of limited Services expire while Soldiers are on any Foreign Station, they may be prolonged for a further Time, § 5.
14. If at the Expiration of such Terms of Service Soldiers are unwilling to re-engage themselves, they shall be conveyed home. If Soldiers desire to remain in the Colony, Governor, &c. may permit them so to do, § 6.
15. If Term of Enlistment of Soldier expire after any Offence committed, &c., he shall be deemed to be in the Service till after Trial, &c. for the same, § 7.
16. If Soldiers are absent from Duty by reason of Imprisonment, &c. such Portion of Time not to be reckoned as Part of limited Enlistment, § 8.

South Sea Stock.

1. An Act to make further Provisions as to unclaimed Stock and Dividends of the *South Sea* Company, 9 & 10 *Vict. c.* 8.
2. 7 & 8 *Vict. c.* 80. and 24 *G.* 2. *c.* 2. recited. Notice to be given by Advertisement before Re-transfer of Stock or Payment of Dividends exceeding 20*l.* is made to any Claimants. Contents of Notice, § 1.
3. Application may be made to Court of Chancery to rescind Order for Transfer of Stock or Payment of Dividends, § 2.
4. Lords of Treasury may authorize Inquiries into the Circumstances of unclaimed Stock and Dividends. Payment of Expences, &c., § 3.
5. Dividends payable to Commissioners not liable to Taxes, § 4.
6. Interpretation Clause, § 5.

Spirits.

1. An Act to further encourage the Distillation of Spirits from Sugar in the United Kingdom, 10 & 11 *Vict. c.* 6.
2. 6 *G.* 4. *c.* 80. and 4 *G.* 4. *c.* 94. recited. Certain Provisions, &c. of 6 *G.* 4. *c.* 80. respecting the Distillation of Spirits from Sugar, which apply to *England* only, extended to *Scotland* and *Ireland.* Nothing to alter Provision as to distilling Spirits from Sugar only in *Scotland* or *Ireland,* § 1.
3. No Sugar to be received by Distillers except from the Customs Warehouse, and in same State as when cleared. Such Sugar to be accompanied with a Certificate from the proper Officer of Customs, § 2.
4. Distiller using Sugar to provide a secure Storehouse at his Distillery, to be approved of by the Commissioners of Excise, in which all Sugar received by him shall be deposited, and secured under Lock of the proper Officer. No Sugar to be removed out of such Storehouse except in the Presence of an Officer of Excise. Penalty, § 3.
5. Distiller, before receiving Sugar, to give Twelve Hours Notice, and shall, on Attendance of the Officer, produce the Sugar in the same State as received, with Certificate, and such Officer shall weigh, &c. all such Sugar, and when satisfied permit the same to be stored, § 4.
6. Six Hours Notice to be given to the Officer by the Distiller before removing Sugar from the Storehouse to the Mash Tun. Distiller not conveying the Sugar direct from the Storehouse to the Mash Tun liable to a Penalty of 200*l.*, &c., § 5.
7. Officer of Excise to keep an accurate Account of Sugar in Stock in the Storehouse, &c. of Distiller. Penalty on Distiller if, upon balancing Stock Account, it should be different to that kept by the Officer, § 6.
8. Distiller using Sugar in the Distillation of Spirits shall provide Scales and Weights, and assist the Officer in weighing and taking account of his Sugar, § 7.
9. Allowance to Distiller on Spirits made from Sugar only, 12*s.* 10*d.* on every 11½ Gallons Proof Spirits, § 8.
10. Distiller who uses Sugar only, and claims the Allowance, to deliver an Account of the Quantity of Sugar used ; and to make Declaration thereto. Penalty on making false Declaration, § 9.
11. The Collector, on receiving such Account and Declaration, to pay the Allowance ; provided the Quantity of Sugar used be 112 lbs. Weight for every 11½ Gallons of Spirits ; but if less, then 12*s.* 10*d. per Cwt.* on the Quantity of Sugar actually removed. If the Distiller owes Duties or Penalties the same may be deducted from the Allowance, § 10.
12. So much of Regulations, &c. of 6 *G.* 4. *c.* 80. shall be applied to this Act as respects the Distillation of Spirits from Sugar in *England.* So much of Regulations, &c. of 4 *G.* 4. *c.* 94. shall be applied to this Act as respects the Distillation of Spirits from Sugar in *Scotland* and *Ireland,* § 11.

See *Customs.*

Spitalfields.

1. An Act to enable the Commissioners of Her Majesty's Woods to construct a new Street from *Spitalfields* to *Shoreditch,* 9 & 10 *Vict. c.* 34.
2. 1 & 2 *W.* 4. *c.* 76., 1 & 2 *Vict. c.* 101., 8 & 9 *Vict. c.* 101., and 3 & 4 *Vict. c.* 87. recited. Commissioners of Woods, &c. empowered to make a new Street from *Spitalfields* to *Shoreditch,* § 1.
3. Commissioners of Woods, &c. incorporated for the Purposes of this Act, § 2.
4. Commissioners of Woods, &c. empowered to raise 120,000*l.* by Sale of or Charge upon the Metropolis Improvement Fund, § 3.
5. Fund to be applied in satisfaction of all Charges thereon, § 4.

6. Com-

6. Commissioners, with the Consent of Treasury, may borrow 120,000*l.* upon the Credit of Monies chargeable by this Act, § 5.
7. Application of Monies raised, § 6.
8. Receipts of Commissioners of Woods, &c. to be sufficient Discharges for Monies received by them, § 7.
9. Monies received by Commissioners of Woods, &c. to be paid into the Bank of *England* to their Account, § 8.
10. Monies for casual Payments not exceeding 1,000*l.* may be lodged with private Bankers, § 9.
11. Commissioners to make all Payments by Drafts on the Bank of *England*, § 10.
12. Drafts drawn pursuant to this Act to be a sufficient Authority to the Bank to pay them, § 11.
13. Annual Accounts to be rendered to both Houses of Parliament, § 12.
14. Plan to be deposited in the Office of Woods, &c. and be open to Inspection, § 13.
15. No Alteration to be made in Plan, unless approved by the Treasury, § 14.
16. Limits of Deviation from Plan, § 15.
17. Commissioners of Woods, &c. empowered to appoint Clerks and Officers, § 16.
18. Minute Books of Commissioners to be admitted as Evidence, § 17.
19. Powers and Provisions of 3 & 4 *Vict. c.* 87. extended to this Act, § 18.
20. Penalties of 3 & 4 *Vict. c.* 87. extended to this Act, § 19.
21. Exchequer Bill Commissioners empowered to lend Money to Commissioners of Woods, &c. at such Rate of Interest as the Treasury may approve, § 20.
22. Commissioners of Woods, &c. to give Security to Exchequer Bill Commissioners for Advances made, § 21.

Stage Carriages, &c. See Duties on Stage Carriages, &c.

Statutes repealed.

I. *Statutes relating to* Coroners and Inquests in IRELAND, *repealed by* 9 & 10 Vict. c. 37.

GEORGE IV.
1 G. 4. c. 28.
3 G. 4. c. 115.
4 G. 4. c. 43.
5 G. 4. c. 93.
10 G. 4. c. 37.

WILLIAM IV.
6 & 7 W. 4. c. 116.
7 W. 4. c. 2.

VICTORIA.
7 & 8 Vict. c. 106.

II. *Statutes relating to* Pains and Penalties in regard to religious Opinions, *repealed by* 9 & 10 Vict. c. 59.

EDWARD VI.
5 & 6 Edw. 6. c. 1. (in part)

ELIZABETH.
1 Eliz. cc. 1. and 2.
2 Eliz. cc. 1. and 2. (I.)
5 Eliz. c. 1.
13 Eliz. c. 2.
29 Eliz. c. 6.

JAMES I.
1 Jac. 1. c. 4.
3 Jac. 1. c. 1. (in part)
3 Jac. 1. c. 4.
7 Jac. 1. c. 6.

CHARLES II.
13 & 14 Car. 2. c. 2. (in part)
17 & 18 Car. 2. c. 6. (I.) (in part)
30 Car. 2. stat. 2. (in part)

WILLIAM III.
8 & 9 W. 3. c. 3.
11 & 12 W. 3. c. 4.

ANNE.
1 Anne, stat. 1. c. 30.
2 Anne, c. 6. (I.) (in part)

GEORGE II.
11 G. 2. c. 17.

GEORGE III.
17 & 18 G. 3. c. 49. (I.) (in part)
18 G. 3. c. 60. (in part)
23 & 24 G. 3. c. 38. (I.)
31 G. 3. c. 32. (in part)
33 G. 3. c. 21. (I.) (in part)
33 G. 3. c. 44.

III. *Statutes relating to* Wreck and Salvage, *repealed by* 9 & 10 Vict. c. 99.

ANNE.
12 Anne, stat. 2. c. 18.

GEORGE I.
4 G. 1. cc. 4. and 12.

GEORGE II.
11 G. 2. c. 9.
17 G. 2. c. 11.
26 G. 2. c. 19.

GEORGE III.
23 & 24 G. 3. c. 48.
49 G. 3. c. 122.
53 G. 3. c. 87. and 140.

GEORGE IV.
1 & 2 G. 4. c. 75.

VICTORIA.
3 & 4 Vict. c. 65.
8 & 9 Vict. c. 86.

IV. *Statutes relating to the* Commutation of Tithes, *repealed by* 10 & 11 Vict. c. 104.

WILLIAM IV.
6 & 7 W. 4. c. 71. (in part)

VICTORIA.
5 Vict. c. 7. (in part)
5 & 6 Vict. c. 54. (in part)

V. *Statutes relating to* Miscellaneous Subjects, *repealed either wholly or partly.*

Acts repealed.	Relating to	Repealed by
1 & 2 Vict. c. 117.	Deposits under Standing Orders in Parliament.	9 & 10 Vict. c. 20.
4 & 5 W. 4. c. 36. (in part)	Central Criminal Court.	9 & 10 Vict. c. 24.
7 & 8 Vict. c. 73.	Books and Engravings.	9 & 10 Vict. c. 58.
9 & 10 Vict. c. 2. (I.)	Grand Juries.	9 & 10 Vict. c. 71.
9 & 10 Vict. c. 42. (in part)	*New Zealand* Company.	9 & 10 Vict. c. 82.
5 & 6 Vict. cc. 89. and 106. and 9 & 10 Vict. c. 3. (I.) and 1 & 2 W. 4. c. 33.	Public Works.	9 & 10 Vict. c. 86.
6 & 7 W. 4. cc. 13. and 36. and 2 & 3 Vict. c. 75. (I.)	Constabulary Force.	9 & 10 Vict. c. 97.
10 G. 4. & 1 W. 4. c. 51. (in part)	Duties on Cider, Beer, and Ale.	10 & 11 Vict. c. 5.
8 G. 2. c. 30.	Quartering Soldiers during Elections.	10 & 11 Vict. c. 21.
9 & 10 Vict. c. 1. (in part)	Promotion of Public Works in *Ireland.*	10 & 11 Vict. c. 32.
10 & 11 Vict. c. 12. (in part)	Mutiny and Desertion.	10 & 11 Vict. c. 37.
5 & 6 Vict. c. 120. (in part)	The Government of *Newfoundland.*	10 & 11 Vict. c. 44.
9 & 10 Vict. c. 74. (in part)	Public Baths and Wash-houses.	10 & 11 Vict. c. 61.
10 & 11 Vict. c. 13. (in part)	The Marines.	10 & 11 Vict. c. 63.
6 G. 4. c. 123.	Costs on Private Bills.	10 & 11 Vict. c. 69.

Acts repealed.	Relating to	Repealed by
8 & 9 Vict. c. 29.	Labour of Children, &c. in Print Works.	10 & 11 Vict. c. 70.
7 & 8 Vict. c. 110. (in part)	The Registration of Joint Stock Companies.	10 & 11 Vict. c. 78.
2 & 3 W. 4. c. 88. (in part)	Elections in *Ireland.*	10 & 11 Vict. c. 81.
1 & 2 Vict. c. 56. (in part)	Relief of the destitute Poor in *Ireland.*	10 & 11 Vict. cc. 84. and 90.
3 & 4 Vict. c. 96. (in part)	Duties of Postage.	10 & 11 Vict. c. 85.
6 & 7 W. 4. c. 13.	The Constabulary Force in *Ireland.*	10 & 11 Vict. c. 100.
4 & 5 W. 4. c. 76. (in part)	The Poor in *England* and *Wales.*	10 & 11 Vict. c. 109.
8 & 9 Vict. c. 118. (in part)	The Inclosure of Commons.	10 & 11 Vict. c. 111.

Steam Boats.

1. An Act for the Regulation of Steam Navigation, and for requiring Sea-going Vessels to carry Boats, 9 & 10 *Vict. c.* 100.
2. Commencement of Act, § 1.
3. Iron Steamers of 100 Tons Burden and upwards to be divided by Water-tight Partitions, § 2.
4. Sea-going Vessels to be provided with the Number of Boats and of the Dimensions herein mentioned, § 3.
5. Steam Vessels, in addition, to have such other Boats as the Admiralty may direct, § 4.
6. No Steamer to proceed to Sea without being provided with a Hose, § 5.
7. Mode of ascertaining Tonnage, § 6.
8. Penalties on Masters, &c. neglecting to provide Boats, Hose, &c., § 7.
9. Officers of Customs not to clear out Vessels not complying with the above-mentioned Provisions, § 8.
10. Penalty on Masters, &c. not observing the Regulations herein contained as to passing and repassing other Vessels, § 9.
11. Power to the Admiralty to make Regulations respecting the Exhibition of Lights, § 10.
12. Such Regulations to be published in the Gazette, § 11.
13. Vessels, &c. within Twenty Miles of the Coast to exhibit Lights at Night. Penalty. Steam Vessels not exhibiting Lights not entitled to Compensation, § 12.
14. Penalty on Masters, &c. neglecting to observe the Regulations as to passing of Steamers or exhibiting of Lights, § 13.
15. Before 30th *April* and 31st *October* in every Year Owners to transmit Declarations to the Board of Trade. Board of Trade to register Declarations, and grant Certificates of the same, § 14.
16. Certificate may be granted though Declaration not made in *April* or *October*, § 15.
17. Officers of Customs not to clear out Vessels except upon Production of Certificate of Registry, § 16.
18. Penalty on Owners of Vessels for not transmitting Declarations, § 17.
19. Persons guilty of forging Certificate or Declaration guilty of a Misdemeanor, § 18.
20. Accidents and Damages to Steamers to be reported to the Board of Trade. If Owner, &c. apprehend Loss of Steamer, Notice to be sent to Board of Trade. Penalty for Neglect, § 19.
21. In Cases of Accident Board of Trade may appoint Inspectors to report, § 20.
22. Inspectors may call for the Production of Evidence. Proviso as to Expences of Witnesses, § 21.
23. Penalty for obstructing Inspectors in the Execution of their Duty, § 22.
24. Penalties to be summarily recovered before Two Justices, § 23.
25. Offences on the High Seas deemed to have been committed at the Place into which the Offender is brought, or in which he is found, § 24.
26. Penalties to be levied by Distress, § 25.
27. In default of Distress Justices may commit the Offender to Prison, § 26.
28. Distress how to be levied, § 27.
29. Distress not unlawful for Want of Form, § 28.
30. Application of Penalties. 3 *G.* 4. *c.* 46.—§ 29.
31. Indictments to be preferred by Direction of the Board of Trade or Commissioners of Customs, § 30.
32. Penalties to be sued for within Six Months, § 31.
33. Penalty on Witnesses making default, § 32.
34. Proceedings not to be quashed for Want of Form nor removed by Certiorari, § 33.
35. Parties aggrieved may appeal to Quarter Sessions on giving Security, § 34.
36. Court to make such Order as they think reasonable, § 35.
37. Not to extend to Ships of War, &c., § 36.
38. Nothing in this Act to be construed to alter, &c. 5 & 6 *Vict. c.* 107.—§ 37.

Stills.

1. An Act to prevent the Use of Stills by unlicensed Persons, 9 & 10 *Vict. c.* 90.
2. An Excise Duty of 10*s.* to be paid by every Person taking out a Licence for keeping a Still for Retort, § 1.
3. Licence to be renewed, and the Sum of 10*s.* to be paid annually, § 2.
4. Duty to be under the Management of the Commissioners of Excise, § 3.
5. Stills, &c. found in the Possession of unlicensed Persons to be forfeited. Commissioners may permit the Use of Stills for Experiments, and by Traders or others for the Manufacture of Articles other than Spirits, &c. upon giving Notice, § 4.

Sugar and Molasses.

1. An Act for granting to Her Majesty, until the Fifth Day of *August* One thousand eight hundred and forty-six, certain Duties on Sugar imported into the United Kingdom, 9 & 10 *Vict. c.* 29.
2. Duties imposed on Sugar and Molasses by 8 & 9 *Vict. c.* 5. continued till 5th *August* 1846, § 1.
3. Clauses, Powers, &c. of recited Act to extend to this Act, § 2.
4. An Act for granting to Her Majesty, until the Fifth Day of *September* One thousand eight hundred and forty-six, certain Duties on Sugar imported into the United Kingdom, 9 & 10 *Vict. c.* 41.
5. Duties imposed on Sugar and Molasses by 8 & 9 *Vict. c.* 5. continued till 5th *September* 1846, § 1.
6. Clauses, Powers, &c. of recited Act to extend to this Act, § 2.
7. An Act for granting certain Duties on Sugar and Molasses, 9 & 10 *Vict. c.* 63.

8. Duties

8. Duties on Sugar and Molasses imposed by 8 & 9 *Vict. c.* 5., 9 & 10 *Vict. c.* 29., and 9 & 10 *Vict. c.* 41. repealed, and in lieu thereof the Duties herein mentioned to be levied, § 1.
9. Bounties allowed upon the Exportation of Refined Sugar, § 2.
10. Her Majesty may, by Order in Council, allow Sugar and Molasses to be imported from *British* Possessions in the *East Indies* at the lower Rate of Duty, when Importation of Foreign Sugar is prohibited, § 3.
11. Such Sugar and Molasses to be entered at the lower Rates of Duty, upon the Conditions on which *Bengal* Sugar was admissible under 6 & 7 *W.* 4. *c.* 26.—§ 4.
12. Collection of Duties to be under the Management of the Customs, § 5.
13. No Sugar to be admissible unless it is *bonâ fide* the Growth, &c. of the Foreign Country from which it is imported, § 6.
14. Commissioners of Customs to provide Standard Samples of White Clayed Sugar. No Sugar to be deemed White Clayed unless it equals the Standard Samples, § 7.
15. Orders in Council to be published in the Gazette, § 8.
16. Orders in Council may be revoked from Time to Time, § 9.
17. Copies of Orders in Council to be laid before Parliament, § 10.
18. An Act to allow the Use of Sugar in the brewing of Beer, 10 & 11 *Vict. c.* 5.
19. Brewers of Beer for Sale may make use of Sugar in brewing, § 1.
20. Brewers not allowed to use Molasses or any Sugar except in the State in which it has been imported, § 2.
21. Penalty on Brewers making use of any other Sugar than as aforesaid, or taking into his Possession any Molasses, Honey, &c., § 3.
22. Brewers may prepare and make for their own Use on their entered Premises Beer Colouring from Sugar and use it in brewing. Penalty on Brewers making Colouring other than as allowed by this Act and 5 & 6 *Vict. c.* 30. —§ 4.
23. Brewers using Sugar to enter in the Book delivered by the Excise the Quantity of Sugar intended to be used in the next Brewing. Penalty on refusing or neglecting to make such Entry, &c. 200*l.*, § 5.
24. Brewers using Sugar to pay their Licence Duty in proportion to Quantity used, § 6.
25. After passing of this Act Drawback granted by 11 *G.* 4. & 1 *W.* 4. *c.* 51. repealed, and new Drawbacks granted, § 7.
26. So much of 11 *G.* 4. & 1 *W.* 4. *c.* 51. as authorizes the Export of Beer of certain Strength in Casks of Thirty-six Gallons, repealed. After passing of this Act Beer may be exported on Drawback according to the specific Gravity of the Worts used and specified in Notice of Shipment, § 8.
27. So much of 11 *G.* 4. & 1 *W.* 4. c. 51. as requires Oath to be made on Debenture for obtaining Drawback repealed, § 9.
28. Declaration to be made by Exporter, &c. on Debenture for obtaining Drawback. Penalty on making false Declaration, 200*l.*, and the Debenture to be void, § 10.
29. The Drawbacks by this Act granted to be under the Management of the Commissioners of Excise, and the Excise Laws respecting Exportation on Drawback. Recovery of Penalties, § 11.

See *Spirits.*

Superintendent of Convicts.

1. An Act for abolishing the Office of Superintendent of Convicts under Sentence of Transportation, 9 & 10 *Vict. c.* 26.
2. So much of 5 *G.* 4. *c.* 84. as gives the Custody, &c. of Male Offenders out of *England* to the Superintendent in *England*, &c. repealed, and Powers to be exercised by the Governor in each Colony, § 1.
3. Upon the next Vacancy in the Office of Superintendent of Convicts, &c. the same shall be abolished, § 2.
4. Act to be construed with 5 *G.* 4. *c.* 84.—§ 3.

Survey.

1. An Act to continue until the Thirty-first Day of *December* One thousand eight hundred and fifty-one an Act of the Fourth and Fifth Years of Her present Majesty, for authorizing and facilitating the Completion of a Survey of *Great Britain, Berwick-upon-Tweed*, and the *Isle of Man*, 9 & 10 *Vict. c.* 46.
2. 4 & 5 *Vict. c.* 30. continued until 31st *December* 1851, § 1.

T.

Thames Embankment.

An Act to enable the Commissioners of Her Majesty's Woods to construct an Embankment and Roadway on the North Shore of the River *Thames* from *Battersea Bridge* to *Vauxhall Bridge*, and to build a Suspension Bridge over the said River at or near *Chelsea Hospital*, with suitable Approaches thereto, including a Street from *Lower Sloan Street* to the Northern Extremity of the Bridge, 9 & 10 *Vict. c.* 39.

Threatening Letters.

1. An Act for extending the Provisions of the Law respecting Threatening Letters and accusing Parties with a view to extort Money, 10 & 11 *Vict. c.* 66.
2. 7 & 8 *G.* 4. *c.* 29., 9 *G.* 4. *c.* 55., and 7 *W.* 4. & 1 *Vict. c.* 87. recited. Persons sending Threatening Letters, accusing others with certain Crimes, with a view to extort Money, guilty of Felony, § 1.
3. Persons accusing others of Crimes herein-before mentioned, with the view of extorting Money, &c. guilty of Felony, § 2.

Tithe Commutation.

1. An Act further to amend the Acts for the Commutation of Tithes in *England* and *Wales*, 9 & 10 *Vict. c.* 73.
2. 6 & 7 *W.* 4. *c.* 71. and 1 & 2 *Vict. c.* 64. recited. Power to Landowners to redeem a Rent-charge not apportioned, where the Amount does not exceed Fifteen Pounds, § 1.
3. Upon Payment of the Consideration Money, Commissioners to certify that Parish is discharged of Tithes, § 2.
4. Power to redeem Rent-charge erroneously apportioned on Lands not chargeable therewith, § 3.
5. After Redemption of the Rent-charge erroneously apportioned, the Apportionment of the Remainder to be valid, § 4.
6. Separate Rent-charges not exceeding Twenty Shillings in Amount may be redeemed after Apportionment. Extraordinary Charges not to be affected, § 5.

7. Com-

7. Commissioners to certify the Amount of Consideration Money for Redemption, § 6.
8. Consideration Money for Redemption, how payable, § 7.
9. Consideration for Redemption of Rent-charges payable to Spiritual Owners to be paid to Governors of Queen *Anne's* Bounty, to be applied in Augmentation of Benefices, § 8.
10. Consideration Money in case of Owners under Disability, how payable, § 9.
11. As to Consideration Money under Twenty Pounds, § 10.
12. Power to Persons entitled for limited Interests to charge Expences of Redemption, § 11.
13. Commissioners Certificates of Redemption to show Amount of Consideration for the same, § 12.
14. Alteration of Apportionment may be made after Inclosure, &c. Such Alteration, when confirmed, to be valid, § 13.
15. Expences of Alteration of Apportionment shall be borne by Owners of Lands to which it shall relate, § 14.
16. Supplemental Apportionment of a Rent-charge as made payable to one Owner in respect of Tithes belonging to several Owners or held in separate Rights, § 15.
17. Commissioners empowered to declare that Lands to which Doubts have arisen shall be considered a separate District for Commutation, and the Residue of the Parish to remain subject to the original Award, § 16.
18. Place of Deposit of Copy of confirmed Apportionment may be altered by Quarter Sessions, § 17.
19. Tithes or Rent-charge in lieu thereof may be merged after Agreement or Award, but before Apportionment, § 18.
20. Powers relating to the Merger, &c. of any Tithes may be executed by a Person entitled in Equity, § 19.
21. 1 & 2 *Vict. c.* 64. to be construed as Part of the Tithe Commutation Acts, § 20.
22. Decisions concerning Boundary not appealed against to be valid notwithstanding Informality, § 21.
23. Glebe Lands may be exchanged although no Commutation be pending, § 22.
24. Act to be construed as Part of 6 & 7 *W.* 4. *c.* 71, &c., § 23.
25. An Act to explain the Acts for the Commutation of Tithes in *England* and *Wales*, and to continue the Officers appointed under the said Acts until the First Day of *October* One thousand eight hundred and fifty, and to the End of the then next Session of Parliament, 10 & 11 *Vict. c.* 104.
26. 6 & 7 *W.* 4. *c.* 71., 5 *Vict. c.* 7., and 5 & 6 *Vict. c.* 54. recited. So much of recited Acts as limits the Duration of Tithe Commission repealed. Powers of Commissioners, &c. to continue in force until 1st *October* 1850 unless sooner determined, § 1.
27. Confirmed Apportionments to stand good, § 2.
28. Instruments of Apportionment may be corrected if any Lands shall have been improperly included or charged with Rent-charge therein. 9 & 10 *Vict. c.* 73.—§ 3.
29. Instruments to be delivered up for the Purpose of such Correction, § 4.

Town Police Clauses.

1. An Act for consolidating in One Act certain Provisions usually contained in Acts for regulating the Police of Towns, 10 & 11 *Vict. c.* 89.
2. Extent of Act, § 1.
3. Interpretations in this Act:—"the special Act;" "prescribed;" "the Commissioners;" § 2.
4. Interpretations in this and the special Act:—Number; Gender; "Person;" "Lands;" "Street;" "Month;" "Superior Courts;" "Oath;" "County;" "Justice;" "Two Justices;" "Quarter Sessions;" "Cattle;" § 3.
5. Short Title of the Act, § 4.
6. Form in which Portions of this Act may be incorporated with other Acts, § 5.
7. Appointment of Constables, § 6.
8. Power to apply for additional Constables in case of Need, § 7.
9. Constables to be sworn in, § 8.
10. Expences of Prosecutions, and Allowances to Constables, § 9.
11. Constables not to resign without Leave or Notice, § 10.
12. Constables dismissed to deliver up Accoutrements, § 11.
13. Penalty for unlawful Possession of Accoutrements, or for assuming the Dress of Constables, § 12.
14. Power to provide Offices, Watch-houses, &c., § 13.
15. Duties of Constables, § 14.
16. Power to Police Constables and Persons aggrieved to apprehend certain Offenders, § 15.
17. Penalty for Neglect of Duty, § 16.
18. Power to Constables to take Recognizances, § 17.
19. Form of Recognizances, § 18.
20. Recognizances to be registered and returned to the Justice, § 19.
21. Penalties on Persons assaulting Constables, § 20.
22. Power to prevent Obstructions in the Streets during public Processions, &c., § 21.
23. Power to regulate the Route of Persons driving Stage Carriages, &c. during Divine Service, § 22.
24. Proprietors of Stage Carriages deviating from Route by Order free from Penalty, § 23.
25. Power to impound stray Cattle, § 24.
26. Power to sell stray Cattle for Penalty and Expences, § 25.
27. Persons guilty of Pound-breach to be committed for Three Months, § 26.
28. Power to provide a Pound, § 27.
29. Penalty on Persons committing any of the Offences herein named, § 28.
30. Penalty on drunken Persons, &c. guilty of riotous or indecent Behaviour, § 29.
31. Penalty for setting Chimneys wilfully on Fire, § 30.
32. Penalty for accidentally allowing Chimneys to catch Fire, § 31.
33. Fire Engines and Firemen may be provided by the Commissioners, § 32.
34. Fire Police permitted to go beyond the Limits of the Act in certain Cases, § 33.
35. Penalty on Victuallers harbouring Constables while on Duty, § 34.
36. Penalty on Coffee Shop Keepers harbouring disorderly Persons, § 35.
37. Penalty on Persons keeping Places for Bear-baiting, Cock-fighting, &c., § 36.
38. Hackney Carriages to be licensed, § 37.
39. What to be Hackney Carriages, § 38.
40. Fee to be paid for Licence, § 39.
41. Persons applying for Licence to sign a Requisition for same, § 40.
42. What shall be specified in the Licences, § 41.
43. Licences to be registered, § 42.
44. Licence to be in force for One Year only, § 43.
45. Notice to be given by Proprietors of Hackney Carriages of any Change of Abode, § 44.
46. Penalty for plying for Hire without a Licence, § 45.
47. Drivers

47. Drivers not to act without first obtaining a Licence, § 46.
48. Penalty on Drivers acting without a Licence, § 47.
49. Proprietors to retain Licence of Drivers. Justices may endorse Convictions on Licences. Penalty on Proprietors for Neglect, § 48.
50. Proprietor to return Licence to Drivers when quitting his Service if they behave well. Compensation if Licence improperly withheld, § 49.
51. Licences to be suspended or revoked for Misconduct, § 50.
52. Number of Persons to be carried in a Hackney Carriage to be painted thereon, § 51.
53. Penalty for Neglect or for Refusal to carry the prescribed Number, § 52.
54. Penalty on Driver for refusing to drive, § 53.
55. Penalty for demanding more than Sum agreed for though less than legal Fare, § 54.
56. Agreement to pay more than the legal Fare not to be binding, and Sum paid beyond the proper Fare may be recovered back, § 55.
57. Drivers to carry, under an Agreement for a Discretionary Distance, the Distance to which Hirer is entitled for the Fare, § 56.
58. Deposit to be made for Carriages waiting. Penalty on the Driver refusing to wait, or to account for the Deposit, § 57.
59. Overcharge by Hackney Coachmen to be included in Conviction and returned to aggrieved Party, § 58.
60. Penalty for permitting Persons to ride without the Consent of the Hirer, § 59.
61. No Person to act as Driver of any Carriage without the Consent of the Proprietor, § 60.
62. Penalty on Drivers misbehaving, § 61.
63. Penalty for leaving Carriages unattended at Places of public Resort, § 62.
64. Damage done by Driver may be recovered from the Proprietor, § 63.
65. Improperly standing with Carriage; obstructing any other Driver; or depriving him of his Fare, § 64.
66. Justices empowered to award Compensation to Drivers for Loss of Time in attending to answer Complaints not substantiated, § 65.
67. Penalty for refusing to pay the Fare, § 66.
68. Penalty for damaging Carriage, § 67.
69. Commissioners may make Bye Laws for regulating Hackney Carriages, § 68.
70. Bathing Machines, § 69.
71. Regulations as to Rates, § 70.
72. Bye Laws, § 71.
73. Tender of Amends, § 72.
74. Recovery of Damages and Penalties, § 73.
75. In *Ireland* Part of Penalties to be paid to Guardians of Unions, § 74.
76. One Magistrate may act for Two Justices, § 75.
77. Persons giving false Evidence guilty of Perjury, § 76.
78. Copies of special Act to be kept and deposited and allowed to be inspected. 7 *W.* 4. *&* 1 *Vict. c.* 83.—§ 77.
79. Penalty on failing to keep or deposit such Copies, § 78.

Towns Improvement Clauses.

1. An Act for consolidating in One Act certain Provisions usually contained in Acts for paving, draining, cleansing, lighting, and improving Towns, 10 *&* 11 *Vict. c.* 34.
2. Extent of Act, § 1.

3. Interpretations in this Act:—"the special Act;" "prescribed;" "the Commissioners;" § 2.
4. Interpretations in this and the special Act:—Number; Gender; "Person;" "Lands;" "Street;" "Month;" "Superior Courts;" "Oath;" "County;" "Justice;" "Two Justices;" "Quarter Sessions;" "Owner;" "Cattle;" § 3.
5. Short Title of this Act, § 4.
6. Form in which Portions of this Act may be incorporated with other Acts, § 5.
7. Until an Inspector is appointed under some general Act, Execution of Works may be proceeded with without his Approval, § 6.
8. Commissioners to appoint, subject to Approval, a Surveyor, § 7.
9. Surveyor before entering upon Office to make the following Declaration, § 8.
10. Commissioners shall appoint an Inspector of Nuisances, § 9.
11. Surveyor, and Inspector of Nuisances, § 10.
12. Offices for Surveyor and Inspector to be provided, § 11.
13. Power to appoint, subject to Approval, an Officer of Health, § 12.
14. Commissioners to cause a Map of the District within the Limits of the special Act to be made, and to be open to Inspection, § 13.
15. Ordnance may furnish Commissioners with Maps, or cause Surveys to be made, § 14.
16. Level Lines to be marked on Map and Bench Marks to be made for denoting the same, § 15.
17. Commissioners may cause Maps to be engraved, &c., § 16.
18. Commissioners to cause Plans to be prepared of Alterations of new Works or Alterations of existing Works, § 17.
19. Before giving Notice of Construction of Works, Plans to be prepared and deposited in the Office of the Commissioners, § 18.
20. The taking of Lands to be subject to the Provisions of this Act and the Lands Clauses Consolidation Act, 1845, § 19.
21. Errors and Omissions in Plans, &c. may be corrected by Justices, who shall certify the same. Certificate to be deposited, § 20.
22. Commissioners to make Compensation for Damage done. If Parties cannot agree as to Compensation, the same to be determined in manner provided by 7 *&* 8 *Vict. c.* 18. —§ 21.
23. Management of Sewers and other Works vested in the Commissioners, § 22.
24. Drainage Districts to be formed, subject to Approval of Inspector, § 23.
25. Power to Commissioners to construct Sewers where none exist, making Compensation to Owners of Property, § 24.
26. Commissioners may alter Sewers from Time to Time, § 25.
27. Commissioners not to destroy existing Sewers, &c. without providing Penalty for Neglect, § 26.
28. Commissioners to cause Estimates to be prepared and submitted to the Inspector, § 27.
29. As to Expence of new Sewers. Where Lands, &c. were sufficiently drained before making new Sewer, Occupier to have a Reduction made in his Rates, § 28.
30. As to the Expence of maintaining Sewers, &c., § 29.
31. Penalty for making unauthorized Drains, § 30.

32. Vaults

32. Vaults and Cellars under Streets not to be made without the Consent of the Commissioners, § 31.
33. Streets may be stopped for Repairs, § 32.
34. All Sewers, &c. to be covered with Traps, § 33.
35. Sewers may be used by Owners and Occupiers of Land beyond Limits of Town or District, § 34.
36. Commissioners empowered to construct Drains from House, charging Owner, &c. with the Expence, § 35.
37. No House to be hereafter built without Drains being constructed, § 36.
38. Where Houses are rebuilt, the Level shall be sufficient to allow a Drain to be constructed, § 37.
39. Notice of Buildings and Rebuildings to be given to the Commissioners, § 38.
40. Commissioners may signify Disapproval within Fourteen Days, § 39.
41. Houses built without Notice, or contrary to Provisions of this or the special Act, may be altered, § 40.
42. If Commissioners fail to approve, &c. within Fourteen Days, Parties may proceed without, § 41.
43. Commissioners may require Owners of Houses to provide Privies and Ashpits for the same, § 42.
44. Penalty for neglecting to provide Privy, &c., § 43.
45. Drains, Privies, &c. to be kept in good Order by Owners. If Owners neglect Commissioners may cause the same to be done and charge the Owners with the Expence, § 44.
46. As to the Inspection of Drains, Privies, and Cesspools, § 45.
47. Penalty on Persons making or altering Drains, &c. contrary to the Orders of the Commissioners, § 46.
48. Management of Streets vested in the Commissioners, § 47.
49. Commissioners to be Surveyors of Highways, § 48.
50. Commissioners liable to Indictment for Want of Repairs, § 49.
51. Road Trustees not to collect Tolls, § 50.
52. Power for the Commissioners to pave public Streets, § 51.
53. Commissioners may place Fences to Footways, § 52.
54. Where public Streets have not heretofore been paved, Commissioners may cause them to be paved at the Expence of the Occupiers of adjoining Lands, § 53.
55. Future Streets may be declared Highways, § 54.
56. Commissioners, upon Completion of Two Thirds of any Street, may, upon Application, require remaining One Third to be completed by Owners of Houses, § 55.
57. Penalty on Persons altering Pavements without the Consent of the Commissioners, § 56.
58. Notice of Intention to lay out new Streets to be given, § 57.
59. Levels to be fixed by the Surveyor to the Commissioners, § 58.
60. If the Commissioners fail to fix the Level, the Party may proceed without, § 59.
61. Persons laying out Streets without Notice to be liable to the Expences of subsequent Alterations, § 60.
62. Situation of Gas and Water Pipes to be altered at the Expence of the Commissioners, § 61.
63. If Company neglect to make Alteration, the Commissioners may cause the same to be done, § 62.
64. As to the Width of new Streets, § 63.
65. Houses to be numbered and Streets named, § 64.
66. Numbers of Houses to be renewed by Occupiers, § 65.
67. Houses may be set forward for Improvements, § 66.
68. Commissioners may purchase Houses, &c. for additional Improvements, § 67.
69. Houses projecting beyond Line of Street, when taken down, to be set back, § 68.
70. Future Projections of Houses, &c. to be removed, on Notice, § 69.
71. Commissioners may cause existing Projections to be removed, and Compensation to be made, § 70.
72. Doors in future to be made to open inwards, § 71.
73. Doors opening outwards may be altered, § 72.
74. Coverings for Cellar Doors to be made by Occupier. Penalty for Neglect, § 73.
75. Waterspouts to be affixed to Houses or Buildings, § 74.
76. Ruinous or dangerous Buildings to be taken down or secured by Owners, &c. If Owner, &c. neglect to repair, Commissioners may cause the same to be done, charging Owner, &c. with the Expences, § 75.
77. The Expences to be levied by Distress, § 76.
78. If Owner cannot be found, Commissioners may take the House or Ground, making Compensation provided by 7 & 8 *Vict. c.* 18.—§ 77.
79. Commissioners may sell the Materials, restoring to the Owner Overplus arising from the Sale, § 78.
80. Bars to be erected across Streets while Repairs or Alterations are making, and Lights placed at Night, § 79.
81. Hoards to be set up during Repairs, § 80.
82. Penalty for not lighting Deposits of Building Materials or Excavations, § 81.
83. Penalty for continuing Deposits of Building Materials or Excavations an unreasonable Time, § 82.
84. Dangerous Places to be repaired or inclosed, § 83.
85. Commissioners to give Notice of new Levels or Sewers, § 84.
86. Meeting of Commissioners to hear Objections in the Presence of the Inspector, § 85.
87. Persons aggrieved by Order of Commissioners may appeal to Quarter Sessions, § 86.
88. Commissioners to cause Streets to be cleansed, and Dust and Ashes to be removed from the Houses, § 87.
89. Occupiers to cause Footways to be swept. Penalty for Neglect, § 88.
90. Commissioners may compound for sweeping Footways, § 89.
91. Dust, &c. collected to be vested in the Commissioners, § 90.
92. Commissioners may provide Lands, &c. for Deposit of Soil and Materials, § 91.
93. Dust Boxes to be erected by Commissioners, § 92.
94. Commissioners may cause public Conveniences to be erected, § 93.
95. Commissioners to cause Streets to be watered, and Wells, Pumps, &c. to be provided, § 94.
96. Commissioners to appoint Scavengers, § 95.
97. Penalty for obstructing Scavengers, § 96.
98. Penalty on Persons other than Scavengers removing Dirt, § 97.
99. Penalty for conveying offensive Matter at improper Times, § 98.
100. Stagnant Pools of Water and other Annoyances to be removed, § 99.
101. Regulations to prevent Accumulation of Dung, &c., § 100.
102. On Certificate of the Officer of Health, Filth to be removed, § 101.
103. Houses to be whitewashed and purified, on Certificate of Officer of Health, &c., § 102.
104. No Interment in any Grave without leaving Two Feet Six Inches clear of Soil above the Coffin, § 103.
105. Justices may order Nuisances to be abated, § 104.
106. Penalty for Disobedience of Orders of Justices, § 105.

107. Com-

107. Commissioners to order Costs of Prosecutions to be paid out of the Rates, § 106.
108. Act not to affect Nuisances at Common Law, § 107.
109. Fireplaces of Factories, &c. to consume their own Smoke, § 108.
110. Party Walls to be carried up through the Roof. Walls of Buildings and Coverings of Roofs to be made of incombustible Materials, § 109.
111. Regulating Construction of Buildings intended for Public Meetings. No Person to begin to build until Plan has been approved by Commissioners, § 110.
112. If Commissioners fail to signify their Approval of Plan within Fourteen Days, Party may proceed to build, § 111.
113. Persons may appeal against Determination of Commissioners, § 112.
114. Cellars in Courts not to be occupied as Dwellings after letting prohibited, § 113.
115. No Cellars under the Height of Seven Feet from the Floor to the Ceiling to be let as Dwellings, § 114.
116. Penalty on letting such Cellars as Dwelling Places, § 115.
117. For the Regulation and Inspection of Lodging Houses, § 116.
118. Commissioners to keep a Register of Lodging House Keepers, and make Rules for promoting Cleanliness and Ventilation, § 117.
119. Penalty on Lodging House Keepers not complying with the Provisions of the Act, § 118.
120. Commissioners may contract for lighting the Streets, § 119.
121. For ascertaining Price to be paid for Gas in case of Dispute, § 120.
122. Power to Commissioners to construct public Cisterns and Pumps for the Supply of Water to Baths and Washhouses. Commissioners not to construct such new Works without Approval. 9 & 10 *Vict. c.* 106.—§ 121.
123. Commissioners may contract for the Supply of Water, § 122.
124. For ascertaining Price to be paid for Water in case of Dispute, § 123.
125. Commissioners to cause Fire Plugs, &c. to be provided and maintained, § 124.
126. Licensing, § 125.
127. No new Slaughter-houses in future to be erected without a Licence, § 126.
128. Existing Slaughter-houses, &c. to be registered, § 127.
129. Commissioners may make Bye Laws for Regulation of Slaughter-houses, &c., § 128.
130. Justice may suspend Licence of Slaughter-houses, &c., in addition to Penalty imposed, § 129.
131. Penalty for slaughtering Cattle during Suspension of Licence, &c., § 130.
132. Officers may enter and inspect Slaughter-houses, &c., § 131.
133. As to certain Matters authorized to be done by the Commissioners by special Order only, § 132.
134. Final Resolution not to be carried into effect for One Month, nor then if a Majority of the Rate-payers remonstrate against the same, § 133.
135. Commissioners may purchase Slaughter-houses, &c., § 134.
136. And Places for public Recreation, § 135.
137. Public Bathing Places and Drying Grounds, § 136.
138. Proportion of Baths for the Working Classes, § 137.
139. Charges for the Use of Baths, § 138.
140. Recovery of Charges for the Use of Baths, &c., § 139.
141. Publication of Bye Laws in regard to Baths, &c., § 140.
142. Sale of Baths, &c. on discontinuing them, § 141.
143. Application to be made to Parliament if additional Powers necessary, § 142.
144. Power to Commissioners to provide public Clocks, § 143
145. Commissioners empowered to enter upon Lands for the Purposes of this Act, § 144.
146. Penalty for obstructing Commissioners in their Duty, § 145.
147. As to Service of Notice on Owners and Occupiers of Buildings and Lands, § 146.
148. Commissioners, in default of Owner or Occupier, may execute Works and recover Expences, § 147.
149. Occupier, in default of Owner, may execute Works and deduct Expences from his Rent, § 148.
150. How Expences are to be recovered from Owner, § 149.
151. Power to levy Charges on Occupier, who may deduct the same from the Rent, § 150.
152. Occupier not to be liable for more than the Amount of Rent due, § 151.
153. Commissioners may allow Time for Repayment by Owners of Improvement Expences, § 152.
154. Proceedings in case of Tenants opposing the Execution of this Act, 153.
155. Respecting existing Contracts for Building, § 154.
156. Respecting Contracts for Leases, § 155.
157. As to the Recovery of private Improvement Expences, § 156.
158. Where new Sewers are made Commissioners may make special Sewer Rates, § 157.
159. Commissioners to make a general Sewer Rate distinct from other Rates, § 158.
160. Commissioners may borrow Money by Mortgage of Sewer Rates, § 159.
161. Sewer Rate to be of such Amount as to pay off Monies borrowed thereon in Thirty Years, § 160.
162. Cases where Rates may be charged upon separate and distinct Districts, § 161.
163. Rates to be levied on separate and distinct Districts, § 162.
164. Drainage Rates, § 163.
165. Occupiers may deduct a Proportion of Drainage Rate from their Rent, § 164.
166. Landlords, being also Tenants, may deduct Proportion of Drainage Rate from their Rent, § 165.
167. Limitation of Expenditure for House Drains, &c., § 166.
168. Rates to be levied on Persons holding, using, or occupying Houses, &c. Proportion to be paid by Holders of Lands, Nursery Grounds, &c., § 167.
169. Exemptions from Rates, § 168.
170. Rates may be prospective or retrospective, § 169.
171. Commissioners to cause Estimates to be prepared before making a Rate, § 170.
172. Notice of Rate to be given, § 171.
173. Form of Rate, § 172.
174. Rate Book to be open to Inspection of Rate-payers who may take Copies, &c., § 173.
175. Rates may be amended, § 174.
176. Value of Property to be ascertained by Poor Rate, § 175.
177. If Poor Rate an unfair Criterion, a Valuation to be made. 6 & 7 *W.* 4. *c.* 96.—§ 176.
178. Person appointed a Valuer to make a Declaration before acting, § 177.
179. Poor Rate to be open to Inspection by Commissioners, § 178.
180. Owner of Property unoccupied to be assessed to the Sewer Rate, § 179.
181. Un-

181. Unoccupied Premises to be included in the Rates; and if the Premises are afterwards occupied, a Portion of Rates to be paid, § 180.
182. Owners of Property not exceeding 10*l. per Annum* to pay the Rates, § 181.
183. Not necessary to name the Owner where unknown, § 182.
184. Tenants under existing Leases to repay the Owner, § 183.
185. Occupiers may be rated if they think fit, § 184.
186. Persons aggrieved may appeal to Petty Sessions on the Ground of Incorrectness, &c. of Valuation. Their Decision to be final unless appealed from to Quarter Sessions, § 185.
187. Parties may appeal to the Quarter Sessions against a Rate, § 186.
188. Quarter Sessions to hear Appeal, whose Decision final, § 187.
189. No Order to be in force pending Appeal, § 188.
190. On Appeal, the Quarter Sessions and Petty Sessions to have same Power of amending and quashing Rates, and of awarding Costs, as in Appeals against Poor Rates, § 189.
191. No Certiorari, § 190.
192. Rates to be recovered by Distress, § 191.
193. Form of Warrant of Distress. Constables to assist in making Distress, § 192.
194. Rate Books to be Evidence, § 193.
195. Remedy against Persons quitting before Payment of Rates, § 194.
196. Rates to be apportioned on Holder quitting, § 195.
197. Rates due from Owner may be recovered from Occupier, § 196.
198. Occupier not to be required to pay more than the Amount of Rent owing by him, § 197.
199. Occupier refusing to give Name of Owner liable to a Penalty, § 198.
200. Surveyors of Highways may proceed for the Recovery of Arrears of Highway Rates, § 199.
201. Bye Laws, § 200.
202. Bye Laws may be enforced by Imposition of Penalties, § 201.
203. Bye Laws to be confirmed, § 202.
204. Notice of Confirmation to be given, § 203.
205. A Copy of proposed Bye Laws to be open to Inspection, § 204.
206. Publication of Bye Laws, § 205.
207. Bye Laws to be binding, § 206.
208. Evidence of Bye Laws, § 207.
209. Penalty on pulling down Boards, § 208.
210 Tender of Amends, § 209.
211. Incorporation of Clauses of 8 & 9 *Vict. c.* 20. as to Recovery of Damages, &c., § 210.
212. In *Ireland* Part of Penalties to be paid to Guardians of Unions, § 211.
213. One Magistrate may act for Two Justices, § 212.
214. Persons giving false Evidence guilty of Perjury, § 213.
215. Copies of special Act to be kept by Commissioners at their Office, and deposited with the Clerks of the Peace, &c., and be open to Inspection. 7 *W.* 4. & 1 *Vict. c.* 83. —§ 214.
216. Penalty for failing to keep or deposit such Copies, § 215.

Trust Funds and Trustees.

1. An Act for better securing Trust Funds, and for the Relief of Trustees, 10 & 11 *Vict. c.* 96.
2. Trustees may pay Trust Monies, or transfer Stocks and Securities into the Court of Chancery. Receipt of Bank Cashier, or Certificate of proper Officer, to be sufficient Discharge, § 1.
3. Court of Chancery to make Orders on Petition, without Bill, for Application of Trust Monies and Administration of Trust, § 2.
4. Regulating the Salary of Accountant General, § 3.
5. Lord Chancellor, with Master of the Rolls, &c. may make General Orders, § 4.
6. Construction of Expression "Lord Chancellor," § 5.

Turnpike Roads in general.

1. An Act to continue until the First Day of *October* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament, an Act for authorizing the Application of Highway Rates to Turnpike Roads, 9 & 10 *Vict. c.* 49.
2. 4 & 5 *Vict. c.* 59. continued until 1st *October* 1847, § 1.
3. An Act to continue certain Turnpike Acts until the First Day of *October* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament, 9 & 10 *Vict, c.* 51.
4. Acts relating to Turnpike Roads continued until 1st *October* 1847, § 1.
5. An Act to continue until the First Day of *October* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, an Act for authorizing the Application of Highway Rates to Turnpike Roads, 10 & 11 *Vict. c.* 93.
6. An Act to continue until the First Day of *October* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, certain Turnpike Acts, 10 & 11 *Vict. c.* 105.

Turnpike Roads in South Wales.

1. An Act for the further Amendment of the Laws relating to Turnpike Roads in *South Wales*, 10 & 11 *Vict. c.* 72.
2. 7 & 8 *Vict. c.* 91. recited. So much of 7 & 8 *Vict. c.* 91. as requires High Constables to act in Collection of County Road Rates repealed, and 7 & 8 *Vict. c.* 33. deemed to apply, § 1.
3. County Road Rate to be collected by the same Officers or Parties as the County Rate, § 2.
4. Clerks of the Peace to send Copies of Warrants of Justices to Clerks of Boards of Guardians in certain Cases, § 3.
5. Clerks of Boards of Guardians to ascertain the Proportion which the County Road Rate forms of the Poor Rate Assessment, and to give Notice thereof to Overseers, § 4.
6. Overseers to publish Notice of the Proportion so ascertained, and to give Certificates to Rate-payers of Amount of Road Rate paid by them, § 5.
7. Clerk to the Guardians empowered to call for Rate Books, &c., § 6.
8. Provision where a Parish does not form Part of a Union, § 7.
9. Rate already made declared valid, but to be collected according to this Act, § 8.
10. Mode of measuring Roads in reference to clearing of Gates defined, § 9.
11. Power to fill up Vacancies in County Roads Boards occasioned by Non-attendance, § 10.

12. Regu-

12. Regulation of Roads of *Presteigne* Trust, situate in the County of *Radnor*, acting under 3 *G.* 4. *c.* xvi.—§ 11.
13. Compensation to be made to Trustees of *Presteigne* Trust, § 12.
14. Certain Parts of the Road near *Swansea* to be in future under the Management of the County Roads Board of *Glamorgan*, § 13.
15. 31 *G.* 3. *c.* 106. and 9 *G.* 4. *c.* cvi. repealed, § 14.
16. Commencement of Act, § 15.
17. Act to be construed in like Manner as 7 & 8 *Vict. c.* 91. and 8 & 9 *Vict. c.* 61.—§ 16.

U.

Unlicensed Stills, See Stills.

V.

Van Diemen's Land Company.

1. An Act to amend an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, for granting certain Powers and Authorities to the *Van Diemen's Land* Company, 10 & 11 *Vict. c.* 57.
2. 6 *G.* 4. *c.* 39. recited. Letters Patent, dated 10th *November* 1825, incorporating the *Van Diemen's Land* Company. Her Majesty, by Warrant under the Sign Manual, may grant Lands to the Company, freed and discharged from Quit Rents, &c. in the Charter expressed, § 1.
3. Power to the Company, at any Special General Meeting, to reduce the Number of Directors, § 2.

W.

Waterworks Clauses.

1. An Act for consolidating in One Act certain Provisions usually contained in Acts authorizing the making of Waterworks for supplying Towns with Water, 10 & 11 *Vict. c.* 17.
2. Extent of Act, § 1.
3. Interpretations in this Act:—"special Act;" "prescribed;" "the Lands and Streams;" "the Undertaking;" "the Undertakers;" § 2.
4. Interpretations in this and the special Act:—Number; Gender; "Person;" "Lands;" "Streams;" "Street;" "the Waterworks;" "Water Rate;" "Month;" "Superior Courts;" "Oath;" "County;" "Justice;" "Two Justices;" "Sheriff;" "Quarter Sessions;" "the Town Commissioners;" "Inspector;" § 3.
5. Short Title of this Act, § 4.
6. Form in which Portions of this Act may be incorporated in other Acts, § 5.
7. Construction of Waterworks to be subject to the Provisions of this Act and the Lands Clauses Consolidation Acts, 1845, § 6.
8. Errors and Omissions in Plans, &c. may be corrected by Justices, &c., who shall certify the same. Certificate, &c. to be deposited, § 7.
9. Works not to be proceeded with until Plans of all Alterations authorized by Parliament have been deposited, § 8.
10. Clerks of the Peace, &c. to receive Plans of Alterations, &c. and allow Inspection. 7 *W.* 4. & 1 *Vict. c.* 83.—§ 9.
11. Copies of Plans and Alterations, &c. to be Evidence, § 10.
12. Not to deviate beyond Limits defined upon Plans, &c., § 11.
13. Undertakers, subject to Provisions of this and the special Act, may execute the Works herein named. Undertakers to make Compensation for Damages, § 12.
14. Penalty for obstructing Construction of Works, § 13.
15. Penalty for illegally diverting Water, § 14.
16. Reservation of existing Rights, § 15.
17. Differences as to the Construction of Accommodation Works to be settled by Justices, § 16.
18. If Undertakers fail to execute Works, Persons aggrieved may do so, and charge Expence, § 17.
19. Undertakers not entitled to Mines unless previously purchased, § 18.
20. Map and Plan of underground Works of Undertakers to be made, § 19.
21. Copies of such Map or Plan to be deposited with Clerk of the Peace, &c., § 20.
22. Clerks of the Peace, &c. to receive and keep Copies of the Map, &c. and allow Inspection. 7 *W.* 4. & 1 *Vict. c.* 83.—§ 21.
23. Mines lying near the Works not to be worked until Owners give Notice of their Intentions. Upon Receipt of Notice, Undertakers may take Mines, making Compensation, § 22.
24. If Company unwilling to compensate, Owner may work the Mines. Owners to make good Damage occasioned by working the Mines in an unusual Manner, § 23.
25. Mining Communications, § 24.
26. Company to make Compensation to Owner, Lessee, or Occupier of Mines for Expences incurred by reason of Mines being worked. Disputes to be settled by Arbitration, § 25.
27. Power to Company to enter and inspect the working of Mines, after giving Notice of the same, § 26.
28. Undertakers liable to Actions for Injury done to Mines, § 27.
29. Power to break up Streets, &c., under Superintendence, and to open Drains, § 28.
30. Not to enter on private Land without Consent, § 29.
31. Notice to be served before breaking up Streets or opening Drains, § 30.
32. Streets or Drains not to be broken up, except under Superintendence of Persons having Control of the same. If Persons having Control, &c. fail to superintend, Undertakers may perform the Work, § 31.
33. Streets, &c. broken up to be reinstated without Delay, § 32.
34. Penalty for Delay in reinstating Streets, &c., § 33.
35. In case of Delay, other Parties may reinstate and recover the Expences, § 34.
36. A constant Supply of Water to be kept for domestic Purposes at high Pressure, § 35.
37. Penalty for Neglect to lay Pipes for Supply of Water for domestic Use. Proviso, § 36.
38. Supply of Water to be kept for cleansing Sewers, Drains, &c., and for other public Purposes, § 37.
39. Undertakers to affix public Fire-plugs in Mains, § 38.
40. Undertakers to repair Fire-plugs and deposit Keys thereof at Engine Houses, &c., § 39.
41. Expence of Fire-plugs, &c. how to be borne, § 40.
42. Fire-plugs to be placed near Manufactories at Request, &c. of Owners, § 41.
43. Pipes to be kept charged, and Water taken to extinguish Fires without Charge, § 42.
44. Penalty for Refusal to fix, &c. Fire-plugs, or occasional Failure of Supply of Water, § 43.

45. Undertakers to lay down Communication Pipes on Request of Occupier and with Consent of Owners in Houses of limited Value, § 44.
46. Penalty on Undertakers for Refusal to lay Communication Pipes, § 45.
47. Undertakers to be at liberty to remove Pipes, and recover Expences of Owners or Occupiers. No greater Sum to be recovered than Amount of Rent due, § 46.
48. Owner to be at liberty to purchase the Pipes, § 47.
49. Power to Inhabitants to lay Service Pipes, giving the Undertakers Notice of the same, § 48.
50. Communication with Pipes of Undertakers to be made under Superintendence of Surveyor. As to settling of Disputes, § 49.
51. Bore of Service Pipes, § 50.
52. Service Pipes may be removed after giving Notice. Penalty on removing Pipes without Notice, § 51.
53. Power to Inhabitants to break up Pavements, giving Notice of the same, § 52.
54. Supply of Water for domestic Purposes, § 53.
55. Persons using the Water to provide Cisterns and Cocks. Penalty for Neglect, § 54.
56. Penalty for suffering Cisterns, &c. to be out of Repair, § 55.
57. Undertakers may repair Cisterns, &c. and recover Expences, § 56.
58. Power to Surveyor employed by Undertakers to enter Houses to inspect, &c., § 57.
59. Penalty for allowing Persons to use the Undertakers Water, § 58.
60. Penalty for taking the Undertakers Water without Agreement, § 59.
61. Penalty for destroying Valves, &c., § 60.
62. Penalties for causing the Water of the Undertakers to be fouled, &c., § 61.
63. Penalty for permitting Substances produced in making Gas to flow into Works. Penalty to be sued for within Six Months, § 62.
64. Daily Penalty during the Continuance of the Offence, § 63.
65. Penalty on Gasmakers causing Water to be fouled, § 64.
66. Power to examine Gas Pipes to ascertain Cause of Water being fouled, § 65.
67. The Expences to abide the Result of the Examination, § 66.
68. How Expence to be ascertained, § 67.
69. Rates to be payable according to the annual Value of the Premises, § 68.
70. Where several Houses supplied by One Pipe, each to pay, § 69.
71. Rates to be paid quarterly, § 70.
72. Parties giving Notice to discontinue Use of Water, &c. to pay next Quarter Day, § 71.
73. Owners of Houses not exceeding Ten Pounds Rent, to be liable to Water Rates, § 72.
74. Tenants under existing Leases to repay the Owner, § 73.
75. Rates how to be recovered, § 74.
76. Profits of the Company to be limited, § 75.
77. If Profits exceed the Amount limited, Excess to be invested and form a reserved Fund, § 76.
78. Reserved Fund not to be resorted to, § 77.
79. When Fund amounts to prescribed Sum, how Interest to be applied, § 78.
80. If Profits are less than prescribed Rate, Deficiency may be supplied from reserved Fund, § 79.
81. If Profits are more than the Amount prescribed a rateable Reduction to be made in the Price of Water, § 80.
82. Court may order Petitioner to pay Costs of groundless Petition, § 81.
83. Penalty on Undertakers refusing to produce Books, Vouchers, &c., § 82.
84. Annual Account to be made up by Undertakers, and sent to Clerk of Peace in *England* or *Ireland*, or to Sheriff Clerk in *Scotland*, &c., § 83.
85. Tender of Amends, § 84.
86. Railways Clauses Consolidation Acts, 1845, as to Damages, &c., to be incorporated with this and the special Act, § 85.
87. In *Ireland*, Part of Penalties to be paid to Guardians of Unions, § 86.
88. All Things required to be done by Two Justices in *England* and *Ireland* may, in certain Cases, be done by One, and in *Scotland* by the Sheriff, &c., § 87.
89. Penalties, &c. imposed in respect of Offences committed within the Metropolitan Police District to be paid to the Receiver, and applied under 2 & 3 *Vict.* *c.* 71.—§ 88.
90. Penalty on false Evidence, § 89.
91. Copies of special Act to be kept by Undertakers in their Office, and deposited with the Clerks of the Peace, &c. 7 *W.* 4. & 1 *Vict.* *c.* 83.—§ 90.
92. Penalty on failing to keep or deposit such Copies, § 91.
93. Undertakers not exempt from 57 *G.* 3. *c.* xxix. or from Laws regulating Sewers, § 92.
94. Undertakers not exempt from Provisions of any future general Act, § 93.

Wolverhampton.

An Act to provide for the more effectual Execution of the Office of a Justice of the Peace, and the better Administration of the Police, within the Borough of *Wolverhampton* and certain Parishes and Places in the Neighbourhood thereof, all in the County of *Stafford*, 9 & 10 *Vict.* *c.* 65.

Wreck and Salvage.

1. An Act for consolidating and amending the Laws relating to Wreck and Salvage, 9 & 10 *Vict.* *c.* 99.
2. Commencement of the Act, § 1.
3. 12 *Anne, st.* 2. *c.* 18., 4 *G.* 1. *c.* 12., 26 *G.* 2. *c.* 19., 49 *G.* 3. *c.* 122., 53 *G.* 3. *c.* 87., 53 *G.* 3. *c.* 140., 1 & 2 *G.* 4. *c.* 75., 3 & 4 *Vict.* *c.* 65. *s.* 5., 8 & 9 *Vict.* *c.* 86., 4 *G.* 1. *c.* 4., 11 *G.* 2. *c.* 9., 17 *G.* 2 *c.* 11., and 23 & 24 *G.* 3. *c.* 48. repealed, § 2.
4. Receivers of Admiralty Droits to be appointed, and their Names and Addresses to be posted at Custom Houses and at *Lloyd*'s. All Provisions in this Act respecting Receivers shall be applicable to the present Agents appointed by the Receiver General. Appointments of Agents exempt from Stamp Duty, § 3.
5. Lords of Manors, &c. claiming a Right to Wreck to give Notice to a Receiver, § 4.
6. All Persons finding Wreck, &c. to report and deliver it forthwith to a Receiver or Officer of the Customs, § 5.
7. Receivers and Officers of Customs may by Warrant seize Goods not reported or delivered, who shall be entitled to Salvage. Informer entitled to such Reward as Receiver General shall allow, § 6.
8. Receivers to send to principal Officers of Customs at nearest Port a Report of Goods reported or seized, when they amount to 20*l.* in Value; a Copy of the Report to be posted at *Lloyd*'s, § 7.

9. Receivers

9. Receivers to give Notice to Lords of Manors, &c. of the finding of Wreck claimed by them, § 8.
10. Owners of Wreck may, on making good their Claim within Twelve Months, have it delivered up to them, § 9.
11. Wreck, &c. not being claimed by the Owner within Twelve Months, Lords of Manors, &c. may make good their Claim within One Month following, § 10.
12. Wreck, &c. not claimed either by Owner or Lord of the Manor to be sold as Droits of Admiralty. Goods deemed perishable or of small Value may be sold immediately, § 11.
13. Vice Admirals of Counties, &c. not to interfere with Wreck, &c., § 12.
14. Where Salvage insufficient, Lords of Treasury, on Application by Receiver General or Lord Warden of Cinque Ports, may allow a Sum for Salvage, § 13.
15. Receivers, Justices, &c. or Custom House Officers, when any Ship or Vessel shall be in distress, empowered to summon Men and Ships to assist them. Penalty for Refusal, § 14.
16. As to Persons empowered to give Orders in case of a Vessel stranded, § 15.
17. Examination on Oath of Ship's Name, Cargo, &c. before Receiver, and a Copy to be sent to Receiver General. Receiver entitled to 1*l.* for every Examination. Persons refusing to be examined to forfeit 50*l.*, § 16.
18. Carriages allowed to pass over the Lands near the Coast for the Preservation of Wreck, &c. Compensation to Land Occupiers to be settled in the same Manner as Salvage, § 17.
19. Penalty on Land Occupiers refusing to allow Carriages, &c. to pass over their Lands, § 18.
20. Reasonable Salvage to be allowed to Persons saving Ships or Goods. Proviso, § 19.
21. Receiver General may make Rules for regulating Salvage in certain Cases, § 20.
22. If Owners and Salvors disagree respecting Salvage, Two Justices, or a Person nominated by them, may determine the same, § 21.
23. Admiralty may appoint Salvage Commissioners to determine Differences where they think fit, and appoint a Secretary, &c. Commissioners empowered to examine on Oath, § 22.
24. Parties dissatisfied may appeal to High Court of Admiralty, and Goods to be restored to Owners on giving Bail, § 23.
25. Receiver, where Award by Commissioners of Salvage has been made, empowered to sell Ship or Goods, &c. in case of Refusal of Owner to comply with Terms of Award, or of Neglect to appeal, § 24.
26. Commissioners or Justices to appoint to whom Salvage to be paid for Distribution between Two or more Persons. Duties of Distributor. In case of Delay or Injustice, aggrieved Parties to apply to Justices or Commissioners, or to High Court of Admiralty, § 25.
27. After Sum awarded for Salvage Services shall have been paid, Persons feeling aggrieved by Insufficiency of Share precluded from enforcing Claim against Ship, &c. to which Services were rendered, § 26.
28. Account of Sums received for Salvage to be sent to Receiver, and by him to Receiver General, § 27.
29. Persons cutting away or defacing Buoy Ropes deemed guilty of Felony, § 28.
30. Persons fraudulently purchasing Anchors, &c. to be considered Receivers of stolen Goods, § 29.
31. Masters of Ships finding Vessels, Anchors, &c. to make Entry in Log Book, and report to Receiver General, and on their Return or Arrival to deliver the Articles to the nearest Receiver. Articles to be reported by Receiver, and if not claimed to be sold. Penalty on Defaulters 100*l.*, § 30.
32. Pilots and others selling Vessels, Anchors, &c. in Foreign Countries guilty of Felony, § 31.
33. Penalty on Dealers in Marine Stores not having their Names on their Storehouses, or cutting up Cables without a Permit from a Receiver, § 32.
34. Penalty on Dealers in Marine Stores purchasing Anchors, &c. from Persons under 14 Years of Age, § 33.
35. Dealers to keep an Account of old Stores bought, to advertise before cutting up Cordage, and to allow an Inspection of their Books. Penalty for Neglect or Refusal, § 34.
36. Manufacturers to place Marks on Anchors and Kedge Anchors. Penalty for Neglect, § 35.
37. Recovery of Penalties. 5 & 6 *W.* 4. *c.* 76. Form of Conviction, § 36.
38. Persons convicted may appeal to Quarter Sessions, giving Notice of the same, § 37.
39. Offences to be tried in the County where committed, or where Offender resides, § 38.
40. Goods saved from Vessels wrecked to be forwarded to the Ports of their original Destination, § 39.
41. High Court of Admiralty may decide in all Salvage Cases, whether on Sea or Land, § 40.
42. In case of Damage done by a Foreign Vessel, a Judge may order its Arrest, unless Owner undertake to appear in an Action, § 41.
43. Serjeants and Deputy Serjeants of the Cinque Ports to have the same Powers and liable to the same Duties as Receivers, § 43.
44. Reservation of Rights of the Lord Warden of the Cinque Ports. Act not to interfere with 1 & 2 *G.* 4. *c.* 76.—§ 43.
45. In case of Vessels wrecked being plundered by a tumultuous Assemblage, the Hundred to be liable for Damages. 7 & 8 *G.* 4. *c.* 31. 3 & 4 *W.* 4. *c.* 37.—§ 44.
46. Penalty on Persons wrongfully carrying off Wreck, or boarding Ships without Leave, or hindering the saving of Ships or Goods. Master of Ships may repel unauthorized Persons boarding them. Nothing herein to be construed to repeal or affect 7 *W.* 4. & 1 *Vict.* *c.* 87. *s.* 8.—§ 45.
47. Nothing herein to alter or repeal 6 *G.* 4. *c.* 125., 7 & 8 *G.* 4. *c.* 29., 9 *G.* 4. *c.* 55., 6 & 7 *Vict.* *c.* 79., and 32 *G.* 3. *c.* 35.—§ 46.
48. Reservation of Rights of the Crown, of the High Court of Admiralty, and Admiralty of the Cinque Ports, § 47.
49. Reservation of Rights of the Trinity Houses of *Deptford Strond*, *Hull*, *Newcastle*, and of the *Humber* Commissioners, § 48.
50. Reservation of Rights of the City of *London*, § 49.
51. Act not to extend to *Scotland*, § 50.
52. Interpretation of Act, § 51.

END OF THE EIGHTEENTH VOLUME.

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